EXHIBIT A

CEQA FINDINGS OF FACT

and

STATEMENT OF OVERRIDING CONSIDERATIONS

of the

PLACER COUNTY BOARD OF SUPERVISORS

for the

REGIONAL UNIVERSITY SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT

(SCH # 2005032026)

I.
INTRODUCTION

The Final Environmental Impact Report ("FEIR") prepared for the Regional University Specific Plan ("RUSP" or the "Project") addresses the potential environmental effects associated with implementation of the goals, policies, and objectives of the Project. These findings have been prepared to comply with requirements of the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). These findings refer to the FEIR where material appears in that document. Otherwise, references are to the Draft EIR ("DEIR").

II.
DEFINITIONS AND ACRONYMS

Like the EIR itself, these findings use a number of acronyms. To make the findings easier to follow, key acronyms are defined below.

"BMP" means Best Management Practices.

"Board of Supervisors" or "Board" refers to the Placer County Board of Supervisors.

"CA DFG" means California Department of Fish and Game.

"Cal/EPA" means California Environmental Protection Agency.

"Caltrans" means California Department of Transportation.

"CEQA" means California Environmental Quality Act.

"cfs" means cubic feet per second.

"CNEL" means Community Noise Equivalent Level.

"CO" means carbon monoxide.

"CVP" means Central Valley Project.

"DA" means Development Agreement for the Regional University Specific Plan.

"dB" means decibel(s).

"dBA" means A-weighted sound levels.

"dbh" means diameter at breast height.

"DEIR" or "Draft EIR" means Draft Environmental Impact Report for the Regional University Specific Plan (December, 2007).

"DCWWTP" means Dry Creek Wastewater Treatment Plant.

"EIR" means Environmental Impact Report.

"EPA" means United States Environmental Protection Agency.

"ESA" means the federal Endangered Species Act (16 U.S.C. § 1531 et seq.).

"FEIR" or "Final EIR" means Final Environmental Impact Report for the Regional University Specific Plan (September 2008).

"kV" means kilovolt.

"L_{dn}" means day-night noise level.

"L_{eq}" means equivalent sound level.

"LOS" means level of service.

"MGD" means million gallons per day.

"MMRP" means Mitigation Monitoring and Reporting Program.

"mph" means miles per hour.

"NA" means not applicable.

"NEPA" means National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.).

"NO_x" means nitrogen oxides.

"NOP" means Notice of Preparation.

"NPDES" means National Pollutant Discharge Elimination System.

"OL" means operating location.

"PCB" means polychlorinated biphenyls.

"PFFP" means Public Facilities Financing Plan.

"PG&E" means Pacific Gas & Electric Company.

"PM_{10}" means particulate matter equal to or less than 10 microns in diameter.

"ppb" means parts per billion.

"ppm" means parts per million.

"ppmv" means parts per million by volume.

"ROG" means reactive organic gases.

"RT" means Regional Transit.

"SACOG" means Sacramento Area Council of Governments.

"SEL" means sound exposure level.

"SMUD" means Sacramento Municipal Utilities District.

"SPWA" means South Placer Wastewater Authority.

"TMA" means Transportation Management Association.

"TOD" means Transit Oriented Development.

"USFWS" means U.S. Fish and Wildlife Service.

"USGS" means U.S. Geological Survey.

"V/C" means volume-to-capacity.

"VMT" means vehicle miles traveled.

"VOC" means volatile organic compound.

III.
PROJECT DESCRIPTION

Project Location

The proposed Regional University Specific Plan ("RUSP") project site encompasses approximately 1,157.5 acres in unincorporated west Placer County (see Draft EIR Figure 2-1). The eastern boundary of the project site is located adjacent to and immediately west of a proposed future Watt Avenue extension, with the western boundary adjacent to Brewer Road. The northern boundary is irregular, with the northwest corner falling approximately 2.7 miles north of Base Line Road. The southern boundary is also irregular, following an existing property line in the western portion of the project site, curving south to meet the proposed future intersection of Watt Avenue and Pleasant Grove Boulevard. The project site is immediately adjacent to the West Roseville Specific Plan Area, which is within the City of Roseville/Placer County Memorandum of Understanding ("MOU") Area. (DEIR, pp. 2-1, 2-4.)

Project Background

The RUSP area (Plan Area) falls within the "Future Study Area" identified by the Placer County General Plan as an appropriate location for consideration of potential future urban or suburban growth.

The proposed RUSP would include two primary components: a University campus and an adjoining Community. The University is planned to accommodate approximately 6,000 students, with 800 professors and staff, offering both undergraduate and graduate degrees. In addition to the institutional facilities on campus, the campus would include approximately 1,155 residential units for students and faculty, as well as retirement housing. The preliminary University program could include a full range of academic, administrative, athletic, and performing arts facilities; a stadium; faculty and staff housing; student housing; and a retirement village. In addition, a portion of the campus is planned for the potential establishment of a private high school that could accommodate 1,200 students and accompanying staff and faculty. Before any development can occur on the University property, the County must approve a Campus Master Plan in accordance with the requirements of the Specific Plan. The proposed Community would be mixed-use, with a variety of residential, commercial, employment, open space, parks, and public uses, including a kindergarten through sixth grade (K–6) school and a kindergarten through eighth grade (K–8) school. The Community would include 3,232 residential units of varying densities. Draft EIR Figure 2-2 depicts the land use plan for the RUSP. (DEIR, p. 2-1.)

The project site is currently zoned F-B-X (Farm-Combining–80-acre minimum site size) with a Placer County General Plan designation of Agriculture. The Farm (F) Zone district allows single-family residential and a variety of agricultural uses and related structures including, but not limited to, agricultural processing, animal raising and keeping, ranching, and crop production. The project site is also within an area designated as a Future Study Area in the General Plan. The Future Study Area is bounded by Base Line Road to the south, the Placer/Sutter County line to the west, Fiddyment Road to the east (generally), and Pleasant Grove Creek to the north (generally). The General Plan states that future growth may occur in the unincorporated area or in areas annexed to an adjacent city. The West Roseville Specific Plan Area was within the Future Study Area but has been annexed to the City of Roseville limits. The project is seeking to amend the land uses shown on the General Plan Generalized Land Use Diagram and the General Plan Land Use Diagram, as shown in Draft EIR Figures 2-3 and 2-4. (DEIR, p. 2-4.)

Planned and approved development in the RUSP vicinity includes the approved West Roseville Specific Plan, the proposed Sierra Vista Specific Plan, the approved Placer Vineyards Specific Plan (litigation pending), the proposed Riolo Vineyards Specific Plan, the proposed Curry Creek Community Plan Area, the proposed Creekview Specific Plan, and the proposed Placer Ranch Specific Plan. Planned and approved development in the RUSP vicinity is shown on Figure 4-1 in the Draft EIR. (DEIR, p. 2-7.)

The West Roseville Specific Plan, east of the RUSP in the City of Roseville, includes approximately 3,150 acres. At buildout, the West Roseville Specific Plan area will include approximately 8,500 dwelling units, 200 acres of commercial/office development, and approximately 1,200 acres of public facilities, including open space. The West Roseville Specific Plan area is now under construction. (DEIR, p. 2-7.)

The 2,175-acre Sierra Vista Specific Plan, southeast of the RUSP, is located along the western edge of the City of Roseville in unincorporated Placer County and nearly entirely within the City of Roseville's Sphere of Influence. At buildout, the Sierra Vista Specific Plan will provide for approximately 10,500 dwelling units, approximately 2.3 million square feet of retail and office uses, and approximately 440 acres of public facilities, including parks and open space. The Sierra Vista Specific Plan is currently in preparation. (DEIR, p. 2-7.)

The Placer Vineyards Specific Plan, south of the RUSP in unincorporated Placer County, includes approximately 5,230 acres. At buildout, the Placer Vineyards Specific Plan will include 14,132 dwelling units, 274 acres of commercial uses, 641 acres of quasi-public (public facilities/services, religious facilities, schools, and major roadways) land uses, and 919 acres of park and open space land. The Placer County Board of Supervisors approved the Placer Vineyards Specific Plan in July 2007 and construction is projected to occur over a 20 to 30-year time frame. (DEIR, p. 2-7.)

The Riolo Vineyards Specific Plan, southeast of the RUSP in unincorporated Placer County, includes approximately 527.5 acres. At buildout, the Riolo Vineyards Specific

Plan will include 932 dwelling units, approximately 7 acres of commercial development, and approximately 204 acres of public facilities, including open space, infrastructure, and agricultural uses. The Riolo Vineyards Specific Plan EIR is currently in preparation for Placer County. (DEIR, p. 2-7.)

The Curry Creek Community Plan Area, encompasses a portion of the RUSP, and is within a Future Study Area identified by the Placer County General Plan as an appropriate location for consideration of potential future urban or suburban growth. Although the entire Plan Area lies within the Curry Creek Community Plan, the RUSP is independent of the Curry Creek Community Plan. (DEIR, p. 2-7.) No formal Community Plan process has yet been initiated.

The approximately 570-acre Creekview Specific Plan area is in the initial planning stages and would be located northeast of the RUSP. If approved, the Creekview Specific Plan would consist of approximately 2,160 dwelling units, 38 acres of industrial land use, a 14-acre school, and a community clubhouse on three acres. (DEIR, p. 2-7.)

The Placer Ranch Specific Plan, northeast of the RUSP in unincorporated Placer County, includes approximately 6,793 acres. The Placer Ranch Specific Plan would include 6,793 residential dwelling units, 527 acres of business park and light industrial uses, 150 acres of office professional uses, 99 acres of commercial uses; 275 acres of parks, landscape corridors, and open space; two new elementary schools; and a new middle school. In addition, the proposed project includes a 300-acre branch campus of California State University Sacramento, with an estimated total enrollment of 25,000 students. The project applicant recently requested that this project be considered for annexation into the City of Roseville. (DEIR, pp. 2-7 to 2-8.)

Project Objectives

Pursuant to Section 15124 of the State CEQA Guidelines, the applicant's objectives in proposing this project include the following:

Objective 1 Establish a well-respected four-year University that will serve Placer County's residents, attract talented students and staff, and provide a catalyst for business, cultural, and athletic opportunities.

Objective 2 Establish a mixed-use community adjacent to the University, which incorporates smart-growth principles and is attractive to residents, employers, and commercial service providers.

Objective 3 Locate the University and Community to take advantage of:

- Six hundred acres of land provided for the University campus;
- Five hundred fifty-six acres of land provided for the development of the Community, the entire net proceeds of which will fund the University,

requiring no taxpayer funds;
- Adjacency to planned development (West Roseville Specific Plan);
- Ability to connect to the future regional transportation and infrastructure system (Watt Avenue, Pleasant Grove Boulevard, Base Line Road, and Placer Parkway at Watt Avenue);

Objective 4 Ensure that the University and Community are designed as stand-alone projects yet are planned to link to potential future adjacent development.

Objective 5 Foster a sense of community and identity throughout the Plan Area by providing distinct neighborhoods with a cohesive design image.

Objective 6 Provide a diversity of Community housing opportunities for households of differing income levels, with approximately 3,200 dwelling units, distributed between low density (approximately 20 percent), medium density (approximately 50 percent), and high density residential (approximately 30 percent), with overall densities higher than historically developed in Placer County.

Objective 7 Provide on-campus housing opportunities, including residence halls for students, a village of homes for faculty/staff, and a retirement housing complex.

Objective 8 Promote opportunities for neighborhood interaction and walking by providing diverse architectural styles with porches, multiple street linkages within neighborhoods, and access to the open space network.

Objective 9 Establish the University Village to promote the development of a "place" that serves as a shared activity center for the University and Community, where faculty, students, and community residents can come together for retail, business, entertainment, and recreation.

Objective 10 Provide a Civic Area with parks, schools, and public services centrally located within the Community.

Objective 11 Establish a circulation system that encourages pedestrian and bicycle usage by providing wide sidewalks and bikeways.

Objective 12 Provide open space drainage corridors that accommodate multiple uses, including pedestrian and bicycle linkages to all areas of the Community and University, provide for passive recreation uses and conjunctive use for habitat preservation, storm water drainage, detention, retention, and storm water quality treatment.

Objective 13 Provide a comprehensively planned infrastructure system to serve the needs of the University, Community residents and businesses.

Objective 14 Provide a phasing and public facilities financing plan to enable the Plan Area to grow in a coordinated and economically feasible manner, while incorporating provisions for the delivery of adequate services and long-term maintenance of facilities.

(DEIR, pp. 2-8 to 2-9.)

Development of the proposed project would occur on existing agricultural land, which would result in a loss of agricultural land and biological resources, including regulated wetlands and other waters of the U.S., and other significant natural habitat areas. The project applicant has committed to preserve, restore, enhance, and/or create open space functions and values at levels required to mitigate project impacts to less-than-significant levels to the extent feasible. (DEIR, p. 2-9.)

Project Components

The RUSP consists of the University and the Community which will be developed in accordance with the Development Standards and Design Guidelines as well as the provisions of a Development Agreement. The Community contains four major components: the University Village, the Central Civic Area, the North and East Residential Villages, and the Open Space Network. Draft EIR Table 2-1 shows the breakdown of land use by acre and the number of residential units per residential density. (DEIR, p. 2-9.)

The University

The University campus would encompass the western 600 acres of the project site. The planned campus location was influenced by the desire to incorporate the existing wetland area into the campus and the desire for a centrally-focused campus model. The core campus area would be located approximately one-quarter mile from the terminus of University Boulevard, a proposed major east-west arterial within the Plan Area. The applicant has indicated that the campus is intended to be a pedestrian-oriented place with non-automobile access modes, such as bicycle and pedestrian travel, encouraged and facilitated. (DEIR, p. 2-9.)

The Community

The Community would incorporate residential, retail/office, and public facilities, including schools, parks, and open space. Primary elements within the Community include the University Village, the North and East Residential Villages, the Central Civic Area, and the Open Space Network. (DEIR, p. 2-10.)

The University Village is designed to be a small-town commercial mixed-use area that could serve as an interface between campus and community life. The University Village would be located adjacent to a proposed University athletic stadium, with the core campus less than a quarter mile to the west. Commercial development would be located on the periphery of the University Village, with a pedestrian-oriented commercial mixed-use village center fronting the University. Second floor (and possibly third floor) uses above the commercial mixed-use village would allow for offices and residences. A neighborhood commercial center is proposed at the east end of the University Village. The two commercial areas would be connected with a central street. This area would have wide sidewalks along the street to facilitate pedestrian activity. (DEIR, p. 2-10.)

Higher-density residential uses would border the commercial uses. A residential mix of high-density apartments and townhomes, medium-density row houses, and cluster housing would be located within walking distance of the commercial area. These units would front onto adjacent streets, with parking clustered behind or accessed from alleyways. The overall average residential density of the University Village would be approximately 18 dwelling units per acre. (DEIR, pp. 2-10 to 2-11.)

The Central Civic Area would be located in the geographic center of the Community and is envisioned by the applicant as a central hub of civic and recreational activity. The components of the Central Civic Area include a 22.1-acre Community Park, a 10-acre K–6 school, a 2.2-acre fire station/sheriff services center, a 2.2-acre public/quasi-public site, and a 16.4-acre high-density residential site. All parcels would be located on a greenway system, allowing significant access and visibility to this focal element. The Community Park, along with the other parks in the Plan Area, would help provide for the active recreation needs of the Community. (DEIR, p. 2-11.)

Residential neighborhoods of low and medium densities would be located in two distinct neighborhoods: the North Village and the East Village. These villages would allow for a variety of housing types, densities, and styles. Densities for the low-density neighborhoods would range from 4 to 7.9 dwelling units per acre and 8 to 15.9 dwelling units per acre for the medium-density neighborhoods. The neighborhoods would be designed with centrally located parks to serve as focal points and to be easily accessible via non-vehicular modes. Pedestrian orientation is a focus of the Plan Area, with an open space system that includes a multi-use trail, as well as on-street bike lanes in selected areas within the community. (DEIR, p. 2-11.)

The planned open space network would contain linear open spaces, drainageways, and parks that would function for drainage purposes, while also allowing pedestrian and bicycle travel within the Plan Area. The open space network would link the residential neighborhoods, schools, and parks to the University and the commercial areas. The open space corridors would be designed to pass drainage flows within a meandering channel, creating upland areas for re-vegetation and to provide for multiple passive recreation uses. Trails with interpretive signs would be provided for pedestrians and bicyclists in the upland areas. (DEIR, p. 2-11.)

Proposed Amendments to Placer County General Plan Policies

Amendments to the following Placer County General Plan policies and Dry Creek/West Placer Community Plan policies were proposed prior to project approval. Although the Board had already approved most of these changes, including those to the Dry Creek/West Placer Community Plan (but not including the proposed amendment to General Plan Policy 9.A.2 and to language in Part III of the General Plan), in July 2007 in connection with its approval of the Placer Vineyards Specific Plan, the Board will re-approve the previously approved amendments in connection with the RUSP because of litigation against the Placer Vineyards approval, which was still pending at the time of RUSP approval. The Board will also approve several amendments that had not been previously approved. Changes are shown in underline for new text and strikeout for deleted text. (DEIR, p. 2-42.)

Part I

Amend the Land Use Diagram and Generalized Land Use Diagram to conform to the Specific Plan Land Uses as approved

Page 21: LAND USE BUFFER ZONE STANDARDS: Amend 2nd paragraph as follows: This *General Plan* requires the use of buffer zones in several types of development. While the exact dimensions of the buffer zones and specific uses allowed in buffer zones will be determined through the County's specific plan, land use permit, and/or subdivision review process, buffer zones must conform to the following standards (as illustrated conceptually in Figures I-2 through I-7); provided, however, different buffer zone standards may be established within a Specific Plan as part of the Specific Plan approval.

Page 30: Table I-7: Functional Classifications

Table I-7, Functional Classifications, of the Placer County General Plan, Part I Land Use/Circulation Diagrams and Standards, would be amended to include the following proposed project roads:

- University Boulevard
- A Street
- B Street

Any changes to the names of the proposed roads listed above would be reflected in Table I-7 of the General Plan.

Land Use

Policy 1.H.4. The County shall allow the conversion of existing agricultural land to urban uses only within community plan or specific plan areas, ~~and~~ within city spheres of influence, or where designated for urban development on the General Plan *Land Use Diagram.*

Policy 1.H.5. The County shall require development within or adjacent to designated agricultural areas to incorporate design, construction, and maintenance techniques that protect agriculture and minimize conflicts with adjacent agricultural uses, except as may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval.

Policy 1.H.6. The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the non-agricultural uses except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.

Policy 1.O.1. Except as otherwise provided in the Design Guidelines of an approved Specific Plan, t~~T~~he County shall require all new development to be designed in compliance with applicable provisions of the *Placer County Design Guidelines Manual.*

Transportation and Circulation

Policy 3.A.7. The County shall develop and manage its roadway system to maintain the following minimum levels of service (LOS), or as otherwise specified in a Community or Specific Plan.

a. LOS "C" on rural roadways, except within one-half mile of state highways where the standard shall be LOS "D."

b. LOS "C" on urban/suburban roadways except within one-half mile of state highways where the standard shall be LOS "D."

c. An LOS no worse than specified in the Placer County Congestion Management Program (CMP) for the State highway system.

The County may allow exceptions to these level of service standards where it finds that the improvements or other measures required to achieve the LOS standards are unacceptable based on established criteria. In allowing any exception to the standards, the County shall consider the following factors:

- The number of hours per day that the intersection or roadway segment would operate at conditions worse than the standard.
- The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations.
- The right-of-way needs and the physical impacts on surrounding properties.
- The visual aesthetics of the required improvement and its impact on community identity and character.
- Environmental impacts including air quality and noise impacts.
- Construction and right-of-way acquisition costs.
- The impacts on general safety.
- The impacts of the required construction phasing and traffic maintenance.
- The impacts on quality of life as perceived by residents.
- Consideration of other environmental, social, or economic factors on which the County may base findings to allow an exceedance of the standards.

Exceptions to the standards will only be allowed after all feasible measures and options are explored, including alternative forms of transportation.

Policy 3.A.8. ~~The County's level of service standards for the State highway system shall be no worse than those adopted in the Placer County Congestion Management Program (CMP).~~

Policy 3.A.12. The County shall require an analysis of the effects of traffic from all land development projects. Each such project shall construct or fund improvements necessary to mitigate the effects of traffic from the project consistent with Policy 3.A.7. Such improvements may include a fair share of improvements that provide benefits to others.

Recreational and Cultural Resources

Policy 5.A.16. Except as otherwise provided in an approved Specific Plan, t~~T~~he County should not become involved in the operation of organized, activity-oriented recreation programs, especially where a local park or recreation district has been established.

Policy 5.A.25. The County shall encourage the establishment of activity-oriented recreation programs for all urban and suburban areas of the County. Except as otherwise provided in an approved Specific Plan, s~~S~~uch programs shall be provided by jurisdictions other than Placer County including special districts, recreation districts, or public utility districts.

Agricultural and Forestry Resources

Policy 7.B.1. The County shall identify and maintain clear boundaries between urban/suburban and agricultural areas and require land use buffers between such uses where feasible, except as may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. These buffers shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland.

Noise

Policy 9.A.2. The County shall require that noise created by new non-transportation noise sources be mitigated so as not to exceed the noise level standards of Table 9-1 as measured immediately within the property line of lands designated for noise-sensitive uses: provided, however, the noise created by occasional events occurring within a stadium on land zoned for university purposes may temporarily exceed these standards as provided in an approved Specific Plan.

Part III

Page 146: Amend 2nd sentence of 2nd paragraph as follows: The County will not consider GPAs in the Future Study Area until an application for the West Placer Specific Plan has been ~~adopted~~ accepted by the County.

Proposed Dry Creek/West Placer Community Plan Policy Amendments

6 The Capital Improvement Program (CIP) shall ~~be sufficient to ensure~~ strive to maintain a ~~minimum~~ level of service (LOS) "C" on the Community Plan area's road network – ~~G~~given the projected buildout of the Community Plan area and implementation of the CIP.

9 The level of service (LOS) on roadways and intersections identified on the Capital Improvement Program (CIP) shall be a Level C or better. The first priority for available funding shall be the correction of potential hazards. ~~Land development projects shall be approved only if LOS C can be sustained on the CIP roads and intersection after~~:

~~a. Traffic from approved projects has been added to the system.~~

~~b. Improvements funded by this program have been constructed.~~

The County may allow exceptions to this level of service (LOS) standard where it finds that the improvements or other measures required to achieve the LOS standards are unacceptable based on established criteria. In allowing any exception to the standard, the County shall consider the following factors:

- The number of hours per day that the intersection or roadway segment would operate at conditions worse than the standard.
- The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations.
- The right-of-way needs and the physical impacts on surrounding properties.
- The visual aesthetics of the required improvement and its impact on community identity and character.
- Environmental impacts including air quality and noise impacts.
- Construction and right-of-way acquisition costs.
- The impacts on general safety.
- The impacts of the required construction phasing and traffic maintenance.
- The impacts on quality of life as perceived by residents.
- Consideration of other environmental, social, or economic factors on which the County may base findings to allow an exceedance of the standards.

Exceptions to the standard will only be allowed after all feasible measures and options are explored, including alternative forms of transportation.

(DEIR, pp. 2-44 to 2-47.)

IV.
ENVIRONMENTAL REVIEW PROCESS

In accordance with section 15082 of the CEQA Guidelines, a Notice of Preparation (NOP) for the *Regional University Specific Plan EIR* was prepared by the County in March 2005. Pursuant to CEQA Guidelines sections 15023, subdivision (c), and 15087, subdivision (f), the State Clearinghouse in the Office of Planning and Research is responsible for distributing environmental documents to State agencies, departments, boards, and commissions for review and comment. The County followed required procedures with regard to distribution of the appropriate notices and environmental documents to the State Clearinghouse. The State Clearinghouse was obligated to make that information available to interested agencies for review and comment. The NOP was received by the State Clearinghouse (SCH # 2005032026) on March 4, 2005, and was made available for a 30 day public review period ending on April 4, 2005. (See DEIR, p. 1-1, Governor's Office of Planning and Research, CEQA website http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=579382.)

The NOP is included as Appendix A of the Draft EIR. Responses to the NOP are included as Appendix B of the Draft EIR. (RDEIR, p. 1-1.)

Preparation of an EIR is a CEQA requirement for all discretionary projects in California that have a potential to result in significant environmental impacts. EIRs must disclose, analyze, and provide mitigation measures for all potentially significant environmental effects associated with adoption and implementation of proposed projects. Consistent with these requirements, the County in December 2007 published the Draft EIR for the proposed *Regional University Specific Plan* and circulated the document for review and comment by responsible and trustee agencies as well as interested members of the public. The NOA of the Draft EIR was received by the State Clearinghouse on December 10, 2007, and was made available for a public review period ending on January 24, 2008. All comments received on the Draft EIR during the review period are responded to in the Final EIR. (DEIR, pp. 1-1 to 1-2.)

The Draft EIR evaluates the existing environmental resources in the vicinity of the Specific Plan area and off-site infrastructure, analyzes potential impacts on those resources due to the proposed project, and identifies mitigation measures that could avoid or reduce the magnitude of those significant impacts. The environmental analysis chapter of the Draft EIR discusses the environmental and regulatory settings, impacts, and mitigation measures for each of the following fourteen topics:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, and Seismicity

- Hazards
- Hydrology and Water Quality
- Noise
- Public Services
- Public Utilities
- Transportation and Circulation
- Greenhouse Gas Emissions and Global Climate Change
- Water Supply

(DEIR, p. 1-7.)

The County received comments on the Draft EIR from 21 persons/agencies before the close of the comment period.

On September 25, 2008, the County presented the project at the Planning Commission hearing to make a final recommendation on the project. The Planning Commission unanimously recommended approval of the *Regional University Specific Plan.*

On November 4, 2008, the Board of Supervisors ("Board") held a public hearing on the project, at the end of which the Board certified the Final EIR and adopted the above-described General Plan and Community Plan amendments, the Regional University Specific Plan, and an accompanying Development Agreement, as well as various related planning documents. As part of the project approval, the Board approved these Findings of Fact, a Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations included in Section XII of this document.

V.
RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by the County in conjunction with the Project;

- The Final EIR for the Regional University Specific Plan;

- All comments submitted by agencies or members of the public during the 45 day public comment periods 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 Mitigation Monitoring and Reporting Plan for the Project;

- Copies of the Regional University Specific Plan and related documents prepared by staff after Board approval to conform to the Board's final decisions (e.g., in terms of including final the language of adopted policies, the final numbering of policies, changes to reflect errata identified in various documents);

- All findings and resolutions adopted by County decisionmakers 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, and responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's actions on the Project;

- All documents submitted to the County by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;

- Minutes and/or verbatim transcripts of all 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 public meetings and public hearings;

- The 1994 Placer County General Plan, as updated through the time of approval of the Regional University Specific Plan;

- The Dry Creek/West Placer Community Plan;

- The full (multi-volume) certified Environmental Impact Report for the Placer Vineyards Specific Plan, as approved by the Board of Supervisors in July 2007;

- The full (multi-volume) Environmental Impact Report for the Water Forum Proposal (Sacramento City/Sacramento County, 1999);

- The Water Forum Agreement;

- The full (multi-volume) Environmental Impact Statement/Environmental Impact Report for the American River Pump Station Project (Placer County Water Agency, 2002);

- Integrated Water Resources Plan (Placer County Water Agency, August 2006);

- 2005 Urban Water Management Plan (Placer County Water Agency);

- Sacramento River Water Reliability Study, Revised Assessment of Water Supply Needs (August 2007);
- Sacramento River Water Reliability Study, Engineering Technical Report for the SRWRS Elverta Diversion Alternative (November 2006);
- Sacramento River Water Reliability Study Initial Alternatives Report (March 2005);
- Matters of common knowledge to the County, including, but not limited to federal, State, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the record of proceedings is Placer County Planning Director Michael Johnson, whose office is located at 3091 County Center Drive, Suite 140, Auburn, California, 95603.

The Board of Supervisors has relied on all of the documents listed above in reaching its decision on the Regional University Specific Plan, even if not every document was formally presented to the Board 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 with which the Board was aware in approving the Regional University Specific Plan. (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.) Other documents influenced the expert advice provided to County Staff or consultants, who then provided advice to the Board. For that reason, such documents form part of the underlying factual basis for the Board's decisions relating to the adoption of the Regional University Specific Plan. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

VI.
FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The procedures required by CEQA "are intended to

assist public agencies in systematically identifying both the significant effects of Projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (Emphasis added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "[c]hanges or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that "[s]uch 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." (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that "[s]pecific 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." (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*).) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*).)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The County must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA,

which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects." (Pub. Resources Code, § 21002, emphasis added.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-527, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] *or* substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the Final EIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subds. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated that, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, *supra*, 52 Cal.3d at p. 576.)

These findings reflect the independent judgment of the Board of Supervisors and constitute its best efforts to set forth the rationales and support for its decision under the requirements of CEQA.

VII.
LEGAL EFFECTS OF FINDINGS

To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the County hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that came into effect when the Board of Supervisors approved the Project.

The mitigation measures are referred to in the Mitigation Monitoring and Reporting Program (MMRP) adopted concurrently with these findings, and will be effectuated through the process of constructing and implementing the Project. For the purposes of this Project, the objectives, goals and policies in the Specific Plan serve as mitigation measures. Therefore, the MMRP lists requirements in the Specific Plan as mitigation for the various environmental impacts associated with adoption and implementation of the Specific Plan.

VIII.
MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project and has been adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).) The County will use the MMRP to track compliance with Project mitigation measures.

IX.
SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Final EIR identified several significant environmental effects (or "impacts") that adoption and implementation of the Regional University Specific Plan will cause. Most significant effects were avoided altogether because the proposed Project, as revised over the course of the adoption process, contains requirements that prevent the occurrence of significant effects in the first place. The requirements of the Specific Plan itself mitigate effects identified in the Draft EIR and the FEIR. Thus, the identification of additional mitigation beyond the requirements of the Specific Plan (the Project) was not, for the most part, necessary. Some significant impacts of implementation of the Specific Plan, however, cannot be avoided by the adoption of feasible mitigation measures or feasible alternatives; these effects are outweighed by overriding considerations set forth in Section XI below. This Section (IX) presents in greater detail the Board's findings with respect to the environmental effects of the Project.

This section also does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, this section provides a summary description of each impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the Board, and states the Board's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determinations regarding mitigation measures and the Projects' impacts and mitigation measures designed to address those impacts. In making these findings, the Board ratifies, adopts and incorporates the analysis and explanation in the Final EIR in these findings, and ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

A. LAND USE

Standards of Significance

The RUSP is evaluated for compatibility with the existing and planned land uses in the project vicinity, and for consistency with adopted County plans and policies, County zoning, and LAFCO policies. An inconsistency is identified if the project does not appear to meet the intent of a specific goal or policy contained in the County's General Plan or any applicable adopted plan. Land use impacts are considered significant if the RUSP would conflict with any applicable County land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Placer County Board of Supervisors is ultimately responsible for interpreting the County's General Plan and determining whether the project is inconsistent with any adopted land use goals or policies. (DEIR, pp. 4-21 to 4-22.)

Consistency

Adopted Plans and Policies

This section discusses the relationship of the RUSP to the adopted land use designations on the project site. This consistency analysis considers the adopted goals and policies of the Placer County General Plan. Each section of this EIR that considers physical environmental effects includes applicable General Plan goals and policies specific to that particular technical area. It is within the County's authority to interpret its General Plan and to ultimately decide if the project is consistent (or inconsistent) with applicable County goals or policies.

The proposed project was reviewed to determine if it would be generally consistent with applicable General Plan policies. Placer County General Plan Part I; Part III; and policies

under land use, transportation and circulation, recreational and cultural resources, agricultural and forestry resources, and noise would require amendments prior to approval of the proposed project. Generally, the policy amendments identified in this section would not result in physical impacts on the environment; however, to the extent that physical effects could occur, those effects are addressed in the appropriate technical sections of Chapter 6 of this EIR.

Zoning

This section discusses the relationship between the proposed RUSP and current zoning designations for the site. This analysis considers the adopted County Zoning Ordinance. Mitigation measures are not identified for any inconsistencies identified. (DEIR, p. 4-23.)

The County Board of Supervisors adopted a zoning text amendment to create a Specific Plan zoning district (SPL). The Regional University Specific Plan area will be rezoned to the SPL zoning district. Therefore, the proposed project will be consistent with the County's Zoning Ordinance. The relevant sections of the Specific Plan (and/or companion documents thereto) will be adopted by ordinance and will incorporate by reference the Placer County Zoning Ordinance under Article 17.51 – Specific Plan District. The project's zoning will not substantially differ from zoning within the County's Ordinance, and as a result, will not have physical impacts or result in inconsistency with the Placer County Zoning Ordinance. (DEIR, p. 4-23.)

If there is a conflict between provisions in the Placer County Zoning Ordinance and the proposed project, the provisions of the project will govern the development in the Plan Area because the project includes a set of design standards and guidelines that will be adopted as part of the project. These design standards and guidelines will set forth the allowable (permitted) uses and will, in essence, take the place of the Zoning Ordinance. Where the proposed project does not address a specific provision or is silent, the Zoning Ordinance requirements will govern development in the Plan Area. The project will have its own set of design standards and guidelines. The development standards will set forth the permitted uses, development standards, and other regulations. All development within the RUSP will be required to comply with the development standards and design guidelines. (DEIR, p. 4-23.)

LAFCO

A portion of Watt Avenue may require annexation into the City of Roseville. If any roadway annexations are required, LAFCO would use this EIR for its review and approval. It is anticipated at this time that the entire road would be within the County; however, if the County and City of Roseville determine that it is appropriate to annex the road to the City, the EIR for the RUSP could be used to make findings for the annexation. (DEIR, p. 4-23.)

The RUSP was compared to the applicable Placer County LAFCO policies to determine compatibility. A potential incompatibility is disclosed below; however, a determination of significance was not made in the EIR. Placer County LAFCO will make the ultimate decision on consistency with LAFCO policies. (DEIR, p. 4-23.)

Compatibility

Existing Adjacent Land Uses

Implementation of the RUSP would develop rural land with a University and a Community. The RUSP is evaluated for compatibility with existing and planned land uses adjacent to the project site. The analysis considers the type and intensity of uses in the project vicinity and evaluates the project against the existing environment and determines if it is compatible with those existing and planned uses surrounding the project site. As stated above, to the extent that potential incompatibilities result in a physical environmental effect, those effects were addressed in the appropriate technical sections of the EIR and are addressed in these findings. Where appropriate, the respective environmental sections are referenced for discussion of any potential physical/environmental impacts that are identified. (DEIR, pp. 4-23 to 4-24.)

Lands to the south, west, and north of the project site and off-site improvement areas are used primarily for rice farming, grazing, or are fallow. Adjacent land uses could be considered incompatible when physical effects (i.e., odors, dust, light, smoke) associated with the operation of one land use adversely affect an adjacent land use. Agricultural activities generate dust, smoke, and odors that could be considered a nuisance by future residents. Areas adjacent to the project area are actively cultivated. Under the proposed project, as residential development occurs, residential areas would be located adjacent to areas that are and would continue to be actively cultivated. Agricultural activities would generally only affect properties on the urban edge. Placer County has adopted a Right-to-Farm Ordinance (County Code 5.24.040) to reduce the loss of productivity of the County's commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. While the Right-to-Farm Ordinance would not prevent potential nuisance activities from occurring, it requires notification about potential nuisance activities. With this notification, new home buyers would be made aware of operations on adjacent property and would have the opportunity to evaluate the personal significance of these potential nuisances. For an analysis of project specific impacts related to adjacency issues between agricultural uses and future residences, see Sections 6.3, Air Quality and 6.9, Noise, and to adjacent agricultural uses, see Section 6.2 of the Draft EIR. (DEIR, p. 4-24.)

Planned Adjacent Land Uses

The proposed project Plan Area falls within the identified Placer County General Plan Future Study Area; therefore, the Plan Area is an appropriate location for consideration of potential future urban or suburban growth. Adjacent lands to the north, south, east, and

southeast are planned for mixed-use and residential development, which would be mutually compatible with the proposed project's objectives. (DEIR, p. 4-24.)

Projects Within An Approved Community or Specific Plan

Lands to the east are included in the City of Roseville's WRSP area, which includes approximately 3,150 acres. At buildout, the WRSP area will contain approximately 8,500 dwelling units, 200 acres of commercial/office development, and 980 acres of public facilities including open space. Adjacent to this Plan Area are two areas planned for future annexation to the City of Roseville that will likely be developed. The WRSP area is now under construction. (*Placer Vineyards Specific Plan Revised Draft EIR*, page 4.1-3.) The WRSP includes a 267-acre vernal pool open space preserve. The proposed project would not include any uses that would directly affect the preserve area. As discussed in the technical sections of this Draft EIR, the proposed project would be required to implement Best Management Practices to prevent indirect impacts from runoff on the preserve area. The proposed project also includes a fence along the eastern portion of the project site (east of Watt Avenue) to prevent intrusion into the preserve area. (DEIR, p. 4-24.)

Projects Designated for Development by a City or County General Plan Designation or by Mutual Agreement

The proposed Sierra Vista Specific Plan area, located on approximately 2,160 acres, is situated to the southeast of the project area, north of Base Line Road, between Fiddyment Road and east of Watt Avenue. The City of Roseville is currently processing this application. Although in the initial planning stages, if the project is approved as proposed, at buildout it would consist of approximately 10,320 dwelling units, along with approximately 188 acres of commercial. (DEIR, p. 4-25.)

Projects Currently in Discussions with Cities and/or the County

Although no formal applications have been submitted, the County is considering a portion of the Future Study Area for development as the Curry Creek Community Plan, which would encompass adjacent land north and south of the project site. The Curry Creek Community Plan area is located directly north of Base Line Road between South Brewer Road and Watt Avenue on approximately 4,198 acres. (DEIR, p. 4-25.)

All of the adjacent uses identified above would be similar to those proposed in the RUSP, since they primarily consist of residential and commercial uses. Therefore, these uses would be considered mutually compatible with the RUSP. (DEIR, p. 4-25.)

Proposed Amendments to Placer County General Plan and Dry Creek/West Placer Community Plan Policies

The project applicant is proposing amendments to the 1994 General Plan and the Dry Creek/West Placer Community Plan. The proposed amendments related specifically to land use are included in this chapter under the heading Project-Required Amendments to the County General Plan. The entire list of proposed amendments is included in Draft EIR Chapter 2, Project Description. Changes are shown in underline for new text and strikeout for deleted text. (DEIR, p. 4-25.)

The proposed General Plan amendments are considered necessary due to the passage of more than a decade since 1994 and due to some lack of clarity regarding the interplay between certain policies in the General Plan Transportation and Circulation Element. Certain proposed amendments are also intended to achieve greater clarity than can be found in the current language and to give the Board of Supervisors flexibility, in approving specific plans such as the Regional University Specific Plan, to tailor certain requirements to the needs of particular specific plan areas. (DEIR, p. 4-25.)

The proposed amendments to Policies 3.A.7, 3.A.8, and 3.A.12 of the Transportation and Circulation Element of the General Plan are intended to eliminate the existing lack of clarity regarding the extent to which the long-standing "exception" language found in existing Policy 3.A.7 was intended to apply with equal force to less qualified language currently found in Policies 3.A.8 and 3.A.12. This lack of clarity can be remedied by importing language from 3.A.8 directly into 3.A.7, deleting 3.A.8 as a stand-alone policy, and by cross-referencing 3.A.7 within 3.A.12. As amended, Policy 3.A.7 will be the one policy setting forth acceptable levels of service ("LOS") for various types of roadways in the County, and will permit the Board of Supervisors to consider "exceptions" to such LOS with respect to proposed transportation improvements that might be unacceptable for various specified reasons. (DEIR, p. 4-25.)

Similarly, there is currently some uncertainty regarding whether, in enacting Policy 3.A.7 in 1994 as part of the updated General Plan, the Board intended that the policy's "exception" language apply to similar pre-existing community plan policies setting forth acceptable LOS standards within individual community plan areas. Based on the belief that the 1994 exception language was probably intended to also apply in such situations, and based on the further belief that any ambiguity on that point should be eliminated in the interest of achieving greater consistency with regards to transportation policy, the applicants propose to expressly add the exception language from Policy 3.A.7 directly into Policy 9 of the Transportation and Circulation Element of the Dry Creek/West Placer Community Plan. (DEIR, pp. 4-25 to 4-26.)

The exception language in Policy 3.A.7 has taken on greater significance than was perhaps anticipated in 1994 when the Board approved the updated General Plan, based on the most current and thorough traffic studies available at that time. In creating, at the same time, Exhibit 1 to the Dry Creek/West Placer Community Plan, which has been the basis for the proposed Placer Vineyards Specific Plan, the Board clearly intended to ultimately approve a specific plan within the Community Plan area consistent with the standards and policies set forth therein. Planning decisions and considerations not in play

in western Placer County when the Dry Creek/West Placer Community Plan was adopted in 1990 and the General Plan was updated in 1994, such as annexations to Roseville and the proposed Curry Creek Community Plan, will result in an increase in the number of trips generated in and projected for this portion of the County. Even without the Regional University Specific Plan, congestion on western County roads will exceed the normally applicable LOS thresholds set forth in Policy 3.A.7. This reality has been demonstrated by the traffic impact analysis prepared as part of this Draft EIR, as well as the Revised Draft EIR prepared for the Placer Vineyards Specific Plan. Because the RUSP applicants assume that, in enacting Exhibit 1 together with Policy 3.A.7, the Board did not intend the LOS standards set forth in 3.A.7 and related policies to defeat the Board's ability to approve a specific plan (i.e., Placer Vineyards) consistent with Exhibit 1, the applicants are proposing to eliminate language from the Transportation and Circulation Element that, if taken out of context or interpreted in certain ways, could possibly frustrate the Board's ability to approve a specific plan in a form consistent with Exhibit 1. Similar considerations lay behind the proposal to amend Policy 9 of the Transportation and Circulation Element of the Dry Creek/West Placer Community Plan. (DEIR, p. 4-26.)

The applicants are proposing to amend General Plan Policy 7.B.1 dealing with buffers and the need to minimize urban/rural conflicts for two reasons. The first is that there is some ambiguity in the existing policies that makes them unclear in terms of exactly what might be required of the Regional University Specific Plan. The second reason is that, by allowing the Board to address these issues within individual specific plans without the need to be encumbered by the existing General Plan language, the proposed amendments, the applicants believe, will allow the Board to address the contents of the proposed Specific Plan based on the unique facts associated with the proposed Specific Plan. (DEIR, p. 4-26.)

The applicants are proposing General Plan amendments to allow the Board to use the Development Standards and Design Guidelines for individual specific plans to vary from the more generic "Placer County Design Guidelines Manual" where the Board deems such variance to be appropriate. This change would allow specific plan proponents to suggest, and the Board to approve if it desires, Design Guidelines for specific plans tailored to the unique circumstances of, and land use types contemplated by, those specific plans. (DEIR, p. 4-26.)

Next, the applicants are proposing amendments to General Plan policies dealing with "activity-oriented recreation programs." P olicy 5.A.16 and 5.A.25 from the Recreation and Cultural Resources Element would be modified to eliminate the current unqualified prohibition on direct county involvement in such programs to allow such involvement, at the Board's discretion, in connection with approved specific plans. This would allow the County to develop and maintain community recreation programs. (DEIR, p. 4-26.)

The applicants are also proposing an amendment to Policy 9.A.2 to allow noise associated with occasional events held at the proposed university stadium to be acceptable even if the noise may temporarily exceed the standards included in the

Specific Plan. This change would allow events to take place at the proposed stadium recognizing that noise may, on a temporary basis, exceed the noise standards set forth in the General Plan. The applicants believe that the temporary exceedences that the changed policy would permit would help to attract a university to the site, as football games and other periodic sports activities are a normal part of on-campus activities. Without the ability to schedule sporting events, a university interested in the RUSP area might find the project site insufficient for its purposes. This amendment is consistent with Placer County Municipal Code (section 9.36.060), which exempts noise from the normal operation of public and private schools, typically consisting of classes and other school-sponsored activities. (DEIR, p. 4-27.)

The proposed amendment to the language included on page 146 of the Placer County General Plan is considered necessary due to the passage of more than a decade since 1994. This amendment clarifies that the County would not consider a general plan amendment in the Future Study Area until a specific application for the West Placer Specific Plan (Placer Vineyards) has been accepted by the County. This amendment to the text provides more specific direction from the County on when GPAs would be considered. Among the considerations for this change are the Board of Supervisor's direction to develop the Curry Creek Community Plan and the fact that there is development already approved and planned immediately adjacent to the Future Study Area to the east in the City of Roseville. (DEIR, p. 4-27.)

As noted earlier, the Board of Supervisors already approved most of these amendments in July 2007 in connection with the Placer Vineyards Specific Plan, which is in litigation currently. Because, despite the County's confidence that the Placer Vineyards approvals were lawful, litigation always creates a degree of uncertainty, the Board decided to re-approve these amendments in connection with the RUSP. The newly approved amendments are those relating only, or primarily, to the RUSP (e.g., the amendments relating to noise levels from stadiums and dealing with roadways in the Specific Plan area).

B. AESTHETICS

Standards of Significance

The Initial Study for the proposed project found that there would be no impact on a scenic vista or State scenic highway because the project site is not considered a scenic vista and there are no listed State scenic highways in the project vicinity. Therefore, this issue was not addressed further in the EIR. Under criteria based on the State CEQA Guidelines, for purposes of this EIR, impacts to aesthetics are considered significant if the proposed project would:

- Be incompatible with the rural, open-space and agricultural character of the natural landscape;

- Substantially degrade the existing visual character or quality of the project site or its surroundings; or

- Create a new source of light or glare which would contribute to the discomfort glare or disability glare experienced by adjacent residences and other users.

Impact 6.1-1: **Development of the proposed project could be incompatible with the agricultural character of the natural landscape in the project site and its surrounding areas. This impact is *potentially significant.*** (DEIR, pp. 6.1-14 to 6.1-15.)

Finding:

Changes or alternatives have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the project's potential incompatibility with the agricultural character of the natural landscape in the project site and its surrounding areas. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

As shown in Figures 6.1-2 through 6.1-5, the project site is characterized by undeveloped agricultural land. Because the topography of the project site is generally flat, viewers from within the site are able to see beyond the project site boundaries. The eastern portion of the project site would include development of the University Village, a Central Civic Area, North and East Villages, and an open space network. The University Village would provide a commercial mixed-use area and high-density residential housing primarily to serve the University community; the Central Civic Area would provide a community park, a fire station, public/quasi public uses, and some high-density residential housing; the North and East Villages would provide low to medium-density residential housing; and the open space network would contain linear open spaces, drainageways, greenbelts, and parks to provide for drainage purposes and pedestrian and bicycle circulation. A limited amount of open space would be retained and would be visible from Base Line Road, Phillip Road and Brewer Road; however, the retained open space would exist in an altered condition within an urban setting. Residential areas would be developed with residential units of varied density, ranging from 5 to over 20 units per acre. Lower density units would be single-family detached homes (up to 2 stories in height) with relatively large front and back yards and fences. Higher density multi-family units would be smaller detached and attached units, and may include townhouses, condominiums, and apartment buildings that could be up to 3 stories or 45 feet in height. Non-residential uses in the community portion of the project site could be multistory (up to 3 stories or 45 feet in height). (DEIR, p. 6.1-14.)

The western portion of the project site along Brewer Road would be developed with the University campus, including preservation of existing wetlands and lake system for year-round water habitat and on-site stormwater retention and detention. The University campus would include buildings containing classrooms, lecture halls, laboratories, studios, administrative offices, libraries, dormitories, and faculty housing that may be housed in multi-story buildings up to 55 feet in height and could include structures, such as a tower, that exceed this height. In addition, the University campus could also include athletic fields, a stadium, landscaping, signage, campus lighting, and open space. Although a design has not been submitted for the stadium, it is anticipated that it could be up to 55 feet in height and could be located on a portion of the University Campus located near proposed residential uses in the Community portion of the project site. (DEIR, p. 6.1-14.)

The Design Guidelines prepared for the project define parameters for building height, materials, and style and address signage on the site and specifically restrict the number, location, size, and construction materials of all signs on the project site. (DEIR, p. 6.1-15.)

Infrastructure development shall be governed by the Regional University Specific Plan Infrastructure Plan, described below. (See FEIR pp. 2-2—2-8.) The project would also include off-site infrastructure improvements such as off-site road extensions, roadway and intersection improvements, and sewer, electrical, natural gas, and communications infrastructure. These off-site infrastructure improvements would be underground, with the exception of the Watt Avenue extension. (DEIR, p. 6.1-15.)

These proposed land uses would substantially change views from within the Plan Area because the rural undeveloped character would be eliminated and replaced with solid, geometric structures rising from the area. The proposed project would also change the views from off site. The proposed Plan Area would be visible from Brewer Road, nearby rural residences, the adjacent wrecking yard, and surrounding agricultural land, and the adjacent West Roseville Specific Plan area. The project site would also be visible from Base Line Road, which is a widely used arterial. (DEIR, p. 6.1-15.)

Viewers from Brewer Road, the adjacent West Roseville Specific Plan area, and adjacent properties to the north and south would see a change within the Plan Area with development of the proposed land uses. Changes to the project site as a result of the proposed project would occur in portions planned for the University campus and the Community. For nearby viewers, the change in visual character would be considerable, because the existing landscape would be substantially altered from agricultural land to a mostly urbanized setting with a university campus, suburban density housing, and commercial buildings. (DEIR, p. 6.1-15.)

The project would appear in the foreground to middleground for these adjacent receptors. Because of their placement, construction of large buildings, stadiums, parking lots, and various university buildings would be a significant impact. For receptors farther away,

the project site would appear in the middleground to background. The proposed construction would appear in the distance from Base Line Road and other surrounding proposed projects such as the West Roseville Specific Plan and Placer Vineyards; however, because of the size and scope of the proposed university buildings, impacts to distant receptors would be substantial. Other agricultural land would still be prominent, but the contrast of large angular structures against the rural undeveloped area would remain significant. (DEIR, p. 6.1-15.)

Similarly, the degree of perceptible change for adjacent residences and properties is strong, while perceptible change for more distant roadways in the area is weak. The closer the receptor is to the site, the more the project creates a visual contrast between the undeveloped area and the buildings on the site. (DEIR, p. 6.1-15.)

There are no measures available to mitigate the loss of the agricultural character of the project site. The proposed project includes design guidelines that would define the character of the project. However, although these guidelines would make the developed project more attractive than it otherwise may be, the guidelines would not mitigate the aesthetic effects to a less-than-significant level. This is considered a *significant impact.* Implementation of Mitigation Measure 6.1-1 would preserve land within the County from development; however, despite implementation of this mitigation measure, the loss of the visual character of the undeveloped land on the RUSP site would remain ***potentially significant***. (DEIR, p. 6.1-15.)

Mitigation Measure:

6.1-1 *Implement Mitigation Measure 6.2-1, which requires that one acre of agricultural land be preserved within Placer County for each acre of agricultural land impacted by the Community and University development within the Specific Plan area.* (DEIR, p. 6.1-16.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.1-2: **Development of the proposed project could introduce new sources of light and glare to the specific plan and surrounding areas, which could contribute to the discomfort glare or disability glare experienced by adjacent residences and other uses. This impact is *potentially significant.*** (DEIR, p. 6.1-16.)

Finding:

Changes or alternatives have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect

associated with the introduction of light and glare to the specific plan and surrounding areas. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

New development within the Plan Area would create artificial light from new educational, residential, commercial, and recreational uses by introducing nighttime lighting for security purposes, occasional recreational activities, automobile headlights, signs, and street lighting. Because the existing Plan Area is devoid of light sources, the proposed uses would substantially change the existing conditions at the site with respect to lighting, resulting in a significant impact. (DEIR, p. 6.1-16.)

New development would have the potential to reflect sunlight during the day, potentially affecting future residents within the project. However, individual development applications within the RUSP would be subject to design/site review by the County, which would ensure that the materials used and the height of the buildings would not create substantial amounts of discomfort glare or disability glare. The project would be primarily residential uses, which typically do not incorporate exterior materials that produce substantial amounts of glare. (DEIR, p. 6.1-16.)

The proposed project includes areas designated for the University that could include a stadium and athletic facilities with associated lighting, which could be located near residential uses within the Plan Area. Because there is no specific proposal for a stadium, the details of stadium design can only be estimated at this time. Assuming a 20,000 seat stadium, the stadium structure itself, could be up to 55 feet tall with lighting extending above the rim of the stadium by another 50 to 60 feet. Lighting for other on-campus athletic facilities could also be 55 feet tall. Given the height of these potential light sources, the light would be visible for great distances and could illuminate adjacent residential uses within or beyond the Plan Area. (DEIR, p. 6.1-16.)

As discussed in the Environmental Setting portion of the Draft EIR, Policy 1.O.9 of the Placer County General Plan discourages lighting that shines unnecessarily onto adjacent properties or into the night sky. Illuminated signs are regulated by the County in Section 17.54.170F of the Placer County Zoning Ordinance. Lighting is also addressed in the Placer County Design Guidelines, which require screening of light sources adjacent to residential areas, directing lighting away from roadways and the minimization of upward lighting. (DEIR, p. 6.1-16.)

The proposed project includes construction of new roadways and pedestrian walkways that would require new street lighting within the project site. The project includes proposed standards that place taller fixtures along arterial and collector streets, medium height fixtures along residential streets, and short fixtures along pedestrian walkways, and includes standards for foot-candle intensity and design. The Table 6.1-1 provides the proposed height, foot candle, and design standards for street lighting. (DEIR, p. 6.1-16.)

Off-site improvement areas could include roadway lighting for the Watt Avenue extension. Similar to on-site elements of the proposed project, lighting associated with the Watt Avenue extension could introduce new nighttime lighting to surrounding areas that are currently devoid of artificial light. If constructed, those off-site improvements would be subject to design/site review by the County. (DEIR, p. 6.1-16.)

With the project, the project site would change from an unlit area to development that would include new light sources, such as new street lighting, exterior building and security lighting, campus lighting, athletic field lighting, and stadium lighting. Because the RUSP contains no information on the control of light and glare and local regulations are relatively limited and general in nature, there is a potential for substantial light as a result of RUSP development that could adversely affect nighttime views in the area. Clear nighttime views could be drowned out by the bright haze caused by sky glow. Therefore, this would be considered a ***significant impact***. (DEIR, p. 6.1-17.)

Mitigation Measure:

6.1-2 a) *In conjunction with tentative small lot map or design review process for commercial or park submittals within the Community, the applicant shall include a lighting plan for review and approval by the Planning Department. The lighting plan shall incorporate the following light control standards and provisions for minimizing, shielding, and screening of night lighting, angles of light sources, and control of light spill and glare:*

1. *All outdoor fixtures shall use shielded fixtures with a maximum cutoff angle of 90 degrees.*

2. *Residential development shall use shielded fixtures with a maximum cutoff angle of 90 degrees for security lighting.*

3. *Energy efficient lamp technologies shall be incorporated wherever possible such as metal halide, induction lamps, high-pressure sodium, and linear and compact florescent sources. Mercury vapor shall be avoided. Incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time.*

b) *The project applicant for the University Campus shall submit for review and approval by the Planning Department a lighting plan as part of the Campus Master Plan that includes athletic facilities and stadium, if proposed. The lighting plan shall incorporate the following light control standards and provisions for minimizing, shielding and screening of night lighting, angles of light sources, and control of light spill and glare:*

1. *All outdoor fixtures shall use shielded fixtures with a maximum cutoff angle of 90 degrees.*

2. *Energy efficient lamp technologies shall be incorporated wherever possible such as metal halide, induction lamps, high-pressure sodium, and linear and compact florescent sources. Mercury vapor shall be avoided. Incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time.*

3. *Stadium and athletic field lighting systems shall protect surrounding uses from spillover light and glare by incorporating the following guidelines and specifications into all proposed lighting plans and construction documents:*

    A. *Stadium and athletic field lighting shall be sized, oriented, and hooded to minimize spill light beyond the campus property line and glare visible at nearby residences or residential-zoned land.*

    B. *The proposed stadium and athletic fields within the Plan Area shall include field lighting fixtures and lamps that are metal halide, or a combination of metal halide and high-pressure sodium, which provide more natural color rendition. Low watt fluorescent or incandescent bulbs shall also be installed in any associated service building and for security lighting.*

    C. *On-field lighting shall be matched to the specific type of field requirements (e.g., lighting levels needed for type of sport, division, and telecast requirements).*

    D. *Exterior project lighting shall be directed downward and sufficiently shielded to avoid substantial light trespass on adjacent uses.*

    E. *The applicant shall provide a lighting plan that shall be subject to review and approval by the County. The plan shall include a photometric diagram, prepared by a certified lighting professional, showing predicted maintained lighting levels produced by the proposed lighting fixture facilities. The lighting plan shall demonstrate how the plan has been formulated to minimize new light and glare to area residents and motorists.*

F. *The lighting plan shall include provisions to limit glare from direct and indirect sources (e.g. reflective surfaces illuminated by direct sources) at residences.*

(DEIR, pp. 6.1-17 to 6.1-19.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.1-3: **The proposed project, in conjunction with other cumulative development in west Placer County, could be incompatible with the agricultural character of the natural landscape in the project site and its surrounding areas. This impact is *potentially significant.*** (DEIR, p. 6.1-19.)

Finding:

Changes or alternatives have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the incompatibility of the proposed project, in conjunction with other cumulative development in west Placer County, with the agricultural character of the natural landscape in the project site and its surrounding areas. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

The Specific Plan area is typical of undeveloped agricultural areas of west Placer County and is not unique in appearance. Similar areas to the east, such as the approved West Roseville Specific Plan area and Placer Vineyards, and the proposed Placer Ranch and Sierra Vista Specific Plan areas, would result in conversion of previously undeveloped agricultural land to suburban uses. More specifically, the Sierra Vista, Placer Ranch, and Placer Vineyards Specific Plan areas along with the WRSP and Curry Creek area of which the RUSP project is included, total approximately 18,400 acres. The Plan Area would represent approximately 6.2 percent of that total. Taking into account other development projects in the cities of Lincoln and Rocklin, RUSP would account for less than 6 percent of converted land in the region. (DEIR, p. 6.1-19.)

There are a number of planned and approved land use changes and development in west Placer County. Along Interstate 80 and Highway 65, west Placer County has already undergone a significant change from rural undeveloped land and agriculture to urban uses. The nearby City of Roseville is fast approaching projected buildout of its Sphere of Influence, which contributes to the landscape change in west Placer County area. Land

development proposals nearby to the Specific Plan area include the approved West Roseville Specific Plan area, and the proposed Placer Vineyards, Placer Ranch, and Sierra Vista Specific Plan areas. Development of the Curry Creek Community Plan, adjacent to RUSP, is also likely in the future. Development of the project site, in conjunction with other development in west Placer County, would continue the trend of replacing the rural character of the area with suburban development. (DEIR, p. 6.1-19.)

The landscape would change from scattered oaks, riparian vegetation, grasslands, and vernal pools to suburban and urban development with prominent buildings rising from the landscape. West Placer County would change from an area with an agricultural character to an area with prominent buildings for suburban and urban uses. The proposed project would contribute to this change. Because the project proposes land uses that could develop larger scale structures, such as university buildings up to 5-stories in height and a stadium up to 60 feet in height, which could be larger in scale than nearby approved and proposed suburban residential and commercial uses. The degree of perceptible change associated could be greater from the larger scale development in the proposed project than in surrounding developments at future buildout. This could create a visual contrast to viewers adjacent to the project site, as well as viewers on nearby roads and properties. Therefore, the cumulative visual impacts of the project and other probable future projects are significant, and the project's incremental contribution to these visual impacts would be cumulatively considerable and thus *significant* in and of itself. (DEIR, p. 6.1-19.)

Assuming approval and implementation of the project, there are no measures available to mitigate the loss of the agricultural character of the project site. The proposed project includes design guidelines that would define the character of the project. However, although these guidelines would make the developed project more attractive than it otherwise may be, the guidelines would not mitigate the aesthetic effects to a less-than-significant level. Implementation of Mitigation Measure 6.1-1 would help preserve agricultural land. Off-site preservation of undeveloped land would lessen the cumulative effect of the conversion to urban uses. However, despite implementation of this mitigation measure, the cumulative loss of the agricultural character at the RUSP site, including the various surrounding specific plan areas, remains ***significant and unavoidable***. (DEIR, p. 6.1-20.)

Mitigation Measure:

6.1-3 *Implement Mitigation Measure 6.1-1.*

Significance After Mitigation:

Significant and unavoidable.

<u>Impact 6.1-4</u>: The proposed project, in combination with other cumulative development in west Placer County, could contribute to sky glow and diminished views of the night sky experienced by

residents of west Placer County. This impact is *potentially significant.* (DEIR, p. 6.1-20.)

Finding:

Changes or alternatives have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the contribution of the proposed project, in conjunction with other cumulative development in west Placer County, to sky glow and diminished views of the night sky experienced by residents of west Placer County. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Similar to the change in views and alteration of the existing visual character, planned and approved cumulative urban development in west Placer County would introduce new light sources to the area and would result in an increase in sky glow in the region. Although project-specific impacts, such as those discussed in Impact 6.1-2, could be reduced through specifications in design guidelines that incorporate focused and intensity-appropriate lighting design, the accumulation of light sources to an area of Placer County that is mostly devoid of artificial light sources would lead to increased sky glow in the area, which could diminish views of the night sky. Because the project could be developed before other approved or proposed projects, light emanating from this project would be the sole contributor to sky glow in the area. While project-specific mitigation could reduce impacts of other individual development projects, the cumulative effect of multiple new sources of light would nonetheless diminish views of the night sky. Clear views of the natural night sky would be diminished due to the haze of light emanating from cumulative development in the area. This would be a significant cumulative impact. (DEIR, p. 6.1-20.)

The artificial light from new educational, residential, and commercial buildings in addition to nighttime lighting for security purposes would not create a substantial perceptible change or a stark visual contrast to other nearby lighting. However, the possibility of stadium and athletic field lighting in the proposed project could be more intense than nighttime lighting typical of suburban residential and commercial uses approved and proposed in western Placer County. The stadium and athletic field lighting would be major contributors to sky glow. When considering the project in a regional context of approved development in west Placer County, the proposed project's incremental contribution to regional sky glow would be considerable and thus *significant.* Implementation of Mitigation Measure 6.1-2, which would require special provisions for lighting design and guidelines for stadium and athletic field lighting, would not reduce this cumulative impact to a less-than-cumulatively considerable (i.e., less-than-significant) level, resulting in a ***significant and unavoidable*** cumulative impact. (DEIR, p. 6.1-20.)

Mitigation Measure:

6.1-4 *Implement Mitigation Measure 6.1-2.*

Significance After Mitigation:

Significant and unavoidable.

C. AGRICULTURAL RESOURCES

Standards of Significance

Under criteria based on the State CEQA Guidelines, for purposes of this EIR, an impact would be considered significant if the proposed project would:

- Convert Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) as defined in the California Department of Conservation Farmland Mapping and Monitoring Program to non-agricultural use;

- Create potential conflicts with County goals, policies, and standards that may lead to physical impacts on the environment;

- Conflict with existing zoning for agricultural use or with a Williamson Act contract;
  or

- Involve other changes in the existing environment that, due to their location or nature could result in conversion of Important Farmland to non-agricultural use.

Impact 6.2-1: **The proposed project could convert Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) as defined in the California Department of Conservation Farmland Mapping and Monitoring Program to non-agricultural use. This impact is *potentially significant.*** (DEIR, p. 6.2-12.)

Finding:

Changes or alternatives have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the proposed project's conversion of Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local

Importance) as defined in the California Department of Conservation Farmland Mapping and Monitoring Program to non-agricultural use. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

The California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP) combines technical soil ratings and current land use information to create an inventory of Important Farmland. The CDC divides Important Farmland into four categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. In addition, the Placer County Agriculture Department recognizes all farmland that would be converted to non-agricultural use for the RUSP project as farmland that is critical to the shrinking agricultural land base in Placer County, and recommends that conversion of all farmland to non-agricultural uses be mitigated on a 1:1 basis. (DEIR, p. 6.2-12.)

According to the most recent information from the FMMP, the approximately 1,157.5-acre RUSP project site contains 518.5 acres of Farmland of Local Importance, 564.1 acres of Unique Farmland, and 74.7 acres of Farmland of Statewide Importance. The project site includes approximately 183.5 acres of land that contains natural and created wetlands that support no agricultural uses. Nonetheless, this land has been classified by the State of California as Important Farmland. Agricultural lands that would be disturbed due to the construction of off-site infrastructure include 49.5 acres of land classified predominately as Farmland of Local Importance for an extension of Watt Avenue; 26 acres of land classified predominately as Unique Farmland for off-site grading; and 20 acres of Unique Farmland for a detention/retention basin. Because the ultimate footprint of the Watt Avenue extension and off-site grading areas would not occupy the entire disturbed area, the impacted area would be approximately 35 acres and 16.5 acres, respectively. The project proposes that the detention/retention basin would be used for agricultural purposes, such as grazing, so this area would not be converted. Table 6.2-3 shows the total acres of agricultural land that would be affected by the proposed project. (DEIR, pp. 6.2-12 to 6.2-13, FEIR p. 2-10.)

Development of the RUSP project site plus areas proposed for off-site infrastructure would result in the conversion of approximately 1,024 acres of Important Farmland, as defined by the CDC and farmland recognized by the Placer County Agriculture Department as critical to the shrinking agricultural land base in Placer County, to non-agricultural uses. In addition to the 1,024 acres of Important Farmland proposed for conversion with this project, the project site includes approximately 183.5 acres of land that currently supports no agricultural uses because of the dense matrix of naturally occurring and created wetlands that predominate the acreage. Although this land is identified as Important Farmland, the acreage has not been used for farming, and the land is important to maintain the existing biological resources and the natural drainage needed to support the wetlands. This acreage would be preserved in Open Space under the

proposed project to provide multiple benefits, including passive recreation, habitat, and stormwater detention/retention, and the land will continue to function in a similar manner to its current use/function. As a result, these 183.5 acres are not included in the acreage of land identified for conversion of Important Farmland, and the proposed project would convert 1,024 acres of Important Farmland that is currently used for agricultural purposes to developed urban uses. This is considered a ***significant impact***. (DEIR, p. 6.2-13.)

Mitigation Measure:

6.2-1 *In order to mitigate for the loss of farmland resources converted to non-agricultural uses on the project site and on areas designated for off-site improvements, one acre of agricultural land within Placer County shall be preserved for each acre of agricultural land impacted by the Community and University development within the project area. A total of 1,024 acres has been identified to be compensated at this one-to-one ratio. That portion of the University site consisting of 183.5 acres proposed as open space and not currently in agricultural production and 53 acres of land temporarily impacted do not require mitigation. If the 20-acre offsite detention/retention basin can used for agricultural purposes while maintaining its functional use as a detention/retention basin as determined by the County, no mitigation shall be required for this area. Mitigation lands shall be protected by agricultural conservation easements containing restrictive encumbrances in a form deemed acceptable to and approved by the County.*

Lands proposed for mitigation shall satisfy at least one of the following criteria, as determined by the Planning Director in consultation with the County Agricultural Commissioner: (1) be in agricultural production, or have the potential to support agriculture, (2) be undeveloped and have a Natural Resources Conservation Service soils classification of the same or greater value than lands being affected within the Regional University Specific Plan property at issue, or (3) be undeveloped and have the same or higher value California Department of Conservation Important Farmland Mapping categorization than lands being affected with the Specific Plan property. "In-kind" mitigation (i.e., rice land for rice land) is not required for the agricultural land impacted by the development within the Project Area when so approved by County.

Mitigation land shall be acquired in increments of no less than 80 total contiguous acres in size. This 80-acre minimum size standard can be met by the acquisition of one or more parcels that cumulatively add up to 80 acres or more. The mitigation land shall be within or adjacent to lands designated as Agriculture or Open Space within the Placer County General Plan, unless the Planning Director, in consultation with the

County Agricultural Commissioner, determines the proposed land meets the purpose and intent of this mitigation measure.

Mitigation lands shall be acquired in the appropriate minimum size prior to approval by the County of any permit or entitlement that could result in ground disturbance (e.g., prior to issuance of grading permit or improvement plans), including the construction of off-site or onsite project infrastructure.

(DEIR, p. 6.2-14.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.2-2: **The proposed project could create potential conflicts with County goals, policies, and standards that may lead to physical impacts on the environment. This impact is *potentially significant.*** (DEIR, p. 6.2-15.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the project's creation of potential conflicts with County goals, policies, and standards that may lead to physical impacts on the environment. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Goals and policies from the Placer County General Plan and the Placer Legacy Program that are relevant to the proposed project are listed above in the Regulatory Setting portion of the Draft EIR. The goals and policies focus on the preservation of agricultural uses and the protection of existing agricultural operations in Placer County from land use conflicts. (DEIR, p. 6.2-15.)

As discussed with respect to Impact 6.2-1, the proposed project would convert farmland to non-agricultural uses. Of the land that would be disturbed for construction of the proposed project, approximately 1,024 acres are used for agriculture. General Plan policy 1.H.4 allows the conversion of existing agricultural land to urban uses only within community plan areas and within city spheres of influence where the subject land is designated for urban development on the General Plan Land Use Diagram. Although the project site is not within an approved community plan area, it is within an area defined in the General Plan as a "Future Study Area." As stated in Part III of the Placer County

General Plan, the County "recognizes that as the county continues to grow, additional areas may be identified as being suitable for development at urban or suburban densities and intensities. The most appropriate location for such additional growth, and the area that will be considered first by the County, is the 'Future Study Area.'" The County is considering a portion of the Future Study Area, including the RUSP site and much of the land bordering the RUSP site, for development as the Curry Creek Community Plan, though the County has not yet initiated the formal planning process. So, although the project site is currently designated for agriculture, its possible conversion to other uses was anticipated in the General Plan as a Future Study Area. (DEIR, p. 6.2-15.)

The proposed project includes an amendment to the Placer County General Plan policy 1.H.4 that would allow the conversion of existing agricultural land to urban uses within specific plan areas, as well as for community plan areas. The process for approval of a community plan would be similar to that required for a specific plan: both would require environmental documentation (such as an EIR) that would be circulated for public review and comment and would ultimately have to be approved by the Placer County Board of Supervisors. Therefore, the project would be consistent with the overall intent of General Plan policy 1.H.4. If approved, this amendment would apply to other specific plans in the County as well as the proposed project. However, this amendment would broaden the policy to allow conversion of agricultural land in specific plans, which, as noted above, would undergo a similar process to that required for community plans, including preparation of an environmental document that would be circulated for public review and comment. Therefore, this amendment would not result in an additional physical change in the environment that would not otherwise be subject to environmental review. However, such an amendment could be seen by some person as setting a political precedent for other projects, not already identified in the General Plan for development, to convert agricultural land to non-agricultural uses. (DEIR, p. 6.2-15.)

The Placer County General Plan requires the use of buffer zones in several types of development. These buffer zones are required to separate urban uses (particularly residential) from lands designated Agriculture or Timberland on the Land Use Diagram. The County requires the buffer zones because external effects of agricultural operations, such as noise from machinery, dust, the use of fertilizers and chemical sprays, and other related agricultural/timber harvesting activities, could create problems for nearby residential and other sensitive land uses. A conflict may be created when development intrudes into areas of existing agriculture, which, when located in rural areas, can generally carry on activities burdening adjacent properties without having to mitigate for such effects. The County's minimum buffers, included on the development side, are intended to allow agriculture, with its external effects, to continue adjacent to development. In addition, Measure AV-22 of the Placer Legacy Program recommends, but does not require, the establishment by the County of "permanent transition areas and buffers between urban/suburban areas and agricultural areas through conservation easements and/or fee title acquisition of lands containing multiple resource values." These buffers also serve to minimize disturbance of agricultural operations from nearby urban or suburban uses, including trespassing by nearby residents and domestic animals.

Since production operations vary by crop or agricultural type, the effect of those operations can vary; thus the General Plan includes different buffer distances for various crops or agricultural types. For instance, rice production requires the aerial application of seed and fertilizers, so the buffer for rice production is a minimum of 400 feet. Practices associated with grazing, on the other hand, are less intense, so the General Plan requires a 100-foot buffer. (DEIR, pp. 6.2-15 to 6.2-16.)

The proposed project does not include buffers, but the RUSP includes proposed amendments to the Placer County General Plan (see "Required Permits and Approvals" in DEIR Chapter 2, Project Description), including amendments that would allow the County to establish different buffer zone standards, or remove buffer zone standards, within a specific plan as part of the specific plan approval. Therefore, with approval of the proposed amendments, the project would be consistent with the General Plan. However, the change or removal of buffer zone standards that would be permitted by the revised General Plan policies could result in a loss of agricultural productivity on lands adjacent to the proposed project and on lands adjacent to future specific plans in Placer County. These lands would not be converted to non-agricultural use as a result of development of the RUSP, but since one of the purposes of the buffers is to minimize disturbance of agricultural operations from nearby urban or suburban uses, the policy assumes that the absence of buffers would result in a disturbance of agricultural operations and a resultant loss of productivity on lands where buffers would be required absent the proposed policy revisions. (DEIR, p. 6.2-16.)

A number of factors prevent a quantified determination of loss of agricultural productivity that could result from the revised General Plan policies on lands adjacent to the proposed project and on lands adjacent to future specific plan areas in Placer County. These factors include the types of agricultural uses affected by the policy revisions, the types of land uses proposed within a specific plan, and the selection of alternate agricultural uses within the affected areas. For example, the General Plan requires a buffer width range of 200 to 800 feet and a residential exclusion area of 400 feet between urban development and irrigated rice and vegetables. For field crops, the required buffer width range is 100 to 400 feet, with a residential exclusion area of 100 feet. The proposed project site is on land used predominately for irrigated rice farming. Using the standards of the General Plan, the development of the proposed project would result in a loss of rice-farming potential within 400 feet of all residential uses. However, lands adjacent to the developed project could be suitable for other forms of agricultural production. New development adjacent to existing agricultural operations generating substantial external effects (e.g., odors or pesticide drift) could effectively require an adjacent farming or ranching operation to modify its agricultural operation to accommodate the development by reducing the extent of external effects. For instance, according to the General Plan, field crops could be operated within 100 feet of residential uses. Therefore, in the case of the proposed project, the loss of agricultural productivity on lands adjacent to residential uses that would result from the proposed General Plan amendments is unknown because the number of productive acres lost is dependent on the selection of alternate crops on land currently used for irrigated rice. At the County level, the loss of agricultural

productivity that would result from the proposed General Plan amendments would depend upon the number and location of specific plans to which the revised policies would apply, the land uses within the proposed specific plan, and the selection of alternate agricultural uses within the affected areas. In the case of land uses within a specific plan, the General Plan does not require buffers for all land uses; they are required only for commercial/office uses, business park uses, and some types of recreational uses. Therefore, it is reasonable to assume that agricultural operations and land uses proposed within a specific plan that do not require buffers are fully compatible. In any event, all future specific plans in Placer County will require public disclosure of environmental impacts in an environmental document, which will be subject to approval by the Board of Supervisors. Nonetheless, because the proposed project includes General Plan amendments that could result in a loss of productivity on an undetermined number of acres of agricultural land, and no mitigation is available to prevent or reduce this loss, this impact is considered ***significant and unavoidable***. (DEIR, pp. 6.2-16 to 6.2-17.)

Mitigation Measure:

None available.

Significance After Mitigation:

Significant and unavoidable.

Impact 6.2-3: **The proposed project could conflict with existing zoning for agricultural use or with a Williamson Act contract. This impact is *potentially significant*.** (DEIR, p. 6.2-17.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the project's creation of potential conflicts with County goals, policies, and standards that may lead to physical impacts on the environment. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

The project site is currently zoned F-B-X (80-acre minimum) with a General Plan designation of Agriculture. This designation allows a variety of agricultural uses and related structures including, but not limited to, agricultural processing, animal raising and keeping, ranching, and crop production. F-B-X means farm-building site with an 80-acre minimum lot size. The proposed project would convert land currently designated for agricultural uses in the County General Plan and zoning ordinance to develop a university campus and mixed use community and associated off-site infrastructure. However, the

proposed project is within the "Future Study Area," indicating that the County has determined that the subject land is appropriate to consider for suburban or urban growth. Therefore, although the project site is currently designated for agriculture, its ultimate conversion to other uses was anticipated in the General Plan. In addition, much of the land bordering the RUSP project site is planned, or being considered, for future urban development. In addition, the proposed project includes an amendment to the General Plan to designate the project site for development. Therefore, the project as proposed would not conflict with the Agriculture designation in the General Plan. (DEIR, p. 6.2-17, FEIR p. 2-11.)

No parcels within the RUSP project site or off-site improvement areas are currently enrolled under a Williamson Act contract. However, a 159.38-acre parcel (APN 017-090-021-510) north of and adjacent to the University portion of the project site is enrolled under a Williamson Act contract, and parcels south of and adjacent to the University portion of the project site (APNs 017-130-007-000 [52.26 acres], 017-130-009-000 [118.6 acres], 017-130-034-000 [20.17 acres], and 017-130-033-000 [19.74 acres]) are enrolled under a Williamson Act contract, but are currently in non-renewal and will expire in 2014. The parcels under Williamson Act contract identified above and adjacent Williamson Act parcels in the project vicinity that would not be affected by the proposed project are shown on Draft EIR Figure 6.2-3. As discussed above with respect to Impact 6.2-1, because the proposed project does not include buffers within the site, there would be the potential for incompatibilities between future users of the RUSP site and adjacent agricultural operations. Because the proposed project would include residential uses adjacent to agricultural uses, certain agricultural practices, such as aerial spraying of pesticides, could be limited or eliminated, which could result in a potential loss of productivity on adjacent lands. However, lands to the south have filed for non-renewal of the Williamson Act contracts and there is an existing residence on the parcel to the north that is currently under contract, so intense farming in this area would already be limited. Nonetheless, because there would be no buffers included on the project site, there could be a loss of agricultural productivity on the land enrolled under a Williamson Act contract. Therefore, this would be considered a *significant impact*. No mitigation is available to prevent or reduce this loss; therefore, this impact is considered ***significant and unavoidable***. (DEIR, p. 6.2-17.)

Mitigation Measure:

None available.

Significance After Mitigation:

Significant and unavoidable.

Impact 6.2-4: **The proposed project, in conjunction with other development in Placer County, could convert Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) as defined in the**

California Department of Conservation Farmland Mapping and Monitoring Program, to non-agricultural uses. This impact is *potentially significant.* (DEIR, p. 6.2-19.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with conversion of Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) as defined in the California Department of Conservation Farmland Mapping and Monitoring Program, by the project, in conjunction with other development in Placer County. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

The cumulative context for the loss of farmland would be development in west Placer County, including development in the cities of Lincoln and Rocklin; the approved West Roseville Specific Plan and the proposed Sierra Vista Specific Plan in the City of Roseville; and the (not yet formulated) Curry Creek Community Plan, the proposed Placer Ranch Specific Plan, and the approved Placer Vineyards Specific Plan in unincorporated Placer County. (DEIR, p. 6.2-19.)

Development of the RUSP project site plus areas proposed for off-site infrastructure would result in the conversion of approximately 1,024 acres of Important Farmlands, as defined by the CDC to non-agricultural uses. Farmland within the County is recognized by the Placer County Agriculture Department as critical to the shrinking agricultural land base in Placer County. Future development in Placer County would convert Important Farmland to non-agricultural uses. Specifically, development in the vicinity of the project site, including the approved West Roseville Specific Plan and the proposed Sierra Vista Specific Plan in the City of Roseville, the yet-to-be-written Curry Creek Community Plan, the proposed Placer Ranch Specific Plan, the approved Placer Vineyards Specific Plan, and the RUSP, is projected to convert more than 18,000 acres of land classified predominantly as Farmland of Local Importance and Unique Farmland by the CDC. Additional farmland is being converted in the cities of Lincoln and Rocklin. The cumulative loss of agricultural land would result in a *significant impact.* The RUSP project's contribution would represent approximately 9 percent of the converted Important Farmland in the immediate vicinity of the project site. The incremental impact of the proposed project on the cumulative loss of agricultural land in Placer County is *cumulatively considerable.* (DEIR, p. 6.2-19, FEIR p. 2-11.)

Although implementation of Mitigation Measure 6.2-1 would set aside farmland to compensate for some of the farmland converted to non-agricultural uses for the proposed project, it would not prevent the direct loss of farmland in Placer County contributed by

the proposed project. Purchase of conservation easements would preserve existing farmland elsewhere in the County, but would not create new farmland to replace that lost to project development. Therefore, on a cumulative level, the impact is considered ***significant and unavoidable***. (DEIR, p. 6.2-19.)

Mitigation Measure:

6.2-4 *Implement Mitigation Measure 6.2-1.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.2-5: **The proposed project, in conjunction with other development in Placer County, could create potential conflicts with County goals, policies, and standards that may lead to physical impacts on the environment. This impact is *potentially significant*.** (DEIR, p. 6.2-19.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with potential conflicts with County goals, policies, and standards that may lead to physical impacts on the environment as a result of the proposed project, in conjunction with other development in Placer County. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

As discussed in connection with Impact 6.2-2, there are goals and policies contained in the Placer County General Plan and the Placer Legacy Program that focus on the preservation of agriculture uses in Placer County and the protection of existing agricultural operations from land use conflicts. These goals and policies would apply to future development and serve to reduce impacts on agricultural land. However, the RUSP includes proposed amendments to the Placer County General Plan that would allow the County to establish different buffer zone standards, or remove buffer zone standards, within a specific plan as part of the specific plan approval. If the proposed amendments are approved, future development in the County could be developed without buffers for agricultural land, thus affecting agricultural production within the County. This would be considered a *significant cumulative impact*. The proposed project would contribute to this impact by developing the project site without including buffers for the adjacent agricultural land. The proposed project's contribution to the cumulative reduction in agricultural production due to the potential elimination of buffers is,

therefore, *cumulatively considerable*. Because no mitigation is available to reduce this impact, the cumulative impact remains ***significant and unavoidable***. (DEIR, pp. 6.2-19 to 6.2-20.)

Mitigation Measure:

None available.

Significance After Mitigation:

Significant and unavoidable.

Impact 6.2-6: **The proposed project, in conjunction with other development in west Placer County, could conflict with existing zoning for agricultural use or with a Williamson Act contract. This impact is *potentially significant*.** (DEIR, p. 6.2-20.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with potential conflicts with existing zoning for agricultural use or with a Williamson Act contract as a result of the proposed project, in conjunction with other development in west Placer County. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

The majority of development in western Placer County will occur on agricultural land, some of which could be under Williamson Act contract. However, the extent to which future development would conflict with agricultural zoning or Williamson Act contracts is not known. Nonetheless, the conversion of agriculturally zoned land would be cumulatively *significant*. Although the proposed project would not result in the development of land under a Williamson Act contract, as discussed above with respect to Impact 6.2-3, the project could indirectly affect production on land under a Williamson Act contract. Therefore, the project's incremental contribution to this impact is *cumulatively considerable* and this would be a *significant cumulative impact*. Because no mitigation is available to prevent or reduce this loss, this is considered a ***significant and unavoidable cumulative impact***. (DEIR, p. 6.2-20.)

Mitigation Measure:

None available.

Significance After Mitigation:

Significant and unavoidable.

D. AIR QUALITY

Standards of Significance

Under criteria based on the State CEQA Guidelines, air quality impacts are considered significant if the proposed project would:

- Expose sensitive receptors to substantial pollutant concentrations in excess of adopted standards;
- Expose sensitive receptors to toxic air contaminant concentrations that would adversely impact their health and well being;
- Result in a cumulatively considerable increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard that would conflict with or obstruct implementation of the applicable air quality attainment plan; or
- Exceed thresholds of significance set by the local air district.

(DEIR, p. 6.3-16.)

As the agency principally responsible for comprehensive air pollution control in Placer County, the PCAPCD recommends that projects should be evaluated in terms of air pollution control thresholds established by the PCAPCD. These thresholds were developed by the PCAPCD to provide a way to quantifiably evaluate project air quality impacts. The following quantified thresholds are currently used by the PCAPCD and are used to determine significance of construction-related and operational air quality impacts associated with the proposed project. These thresholds apply to project-specific impacts (construction and operational). Based on PCAPCD guidance, cumulative impacts are only considered for operational air emissions. The PCAPCD thresholds are as follows:

- 82 pounds per day of ROG;
- 82 pounds per day of NOx;
- 550 pounds per day of CO;
- 82 pounds per day of PM10; and
- Cumulative operational emissions: 10 pounds per day for both ROG and NOx.

(DEIR, p. 6.3-16.)

In keeping with CARB standards, the PCAPCD would also consider TAC concentrations from any one stationary source that would expose individuals to ten excess cancer cases per million to be significant. (DEIR, p. 6.3-17.)

Impact 6.3-1: **The proposed project could generate PM_{10} through land-clearing and other earth-moving activities during construction. This impact is *potentially significant.*** (DEIR, p. 6.3-17; FEIR, p. 2-8.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the generation of PM_{10} through land-clearing and other earth-moving activities during construction. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Construction activity such as grading, trenching, and heavy equipment and vehicles traveling on exposed soils at the project site would produce PM_{10} especially on windy days when the fine soil on the graded site is blown up from the ground. The burning of fuel by construction equipment would also add to overall PM_{10} emissions. Final EIR Table 6.3-5 shows the amount of PM_{10} that would be generated for project construction. The values for PM_{10} shown in Final EIR Table 6.3-5 are mitigated emissions that are achieved by standard dust control methods, which are described on page 2-9 of the Final EIR. (FEIR, pp. 2-13-2-14)

Many mitigation measures are available that can reduce the impact from land clearing activities. Some of these mitigation measures would provide a substantial reduction in PM_{10} emissions, while other measures would provide only slight PM_{10} reductions. Not all of the recommended measures can be quantified. Measures 6.3-1(a), (b), and (d) can be quantified in the URBEMIS 2007 program. Watering exposed surfaces can result in an approximately 55 percent reduction in emissions. The application of soil stabilizers reduces emissions by approximately 84 percent. Replacing ground cover helps reduce emissions by approximately 5 percent. Additionally, dust control methods used during equipment loading and unloading can reduce PM_{10} emissions by approximately 69 percent..

With the implementation of Mitigation Measure 6.3-1, the maximum daily PM_{10} emissions impact from grading activities would be reduced to approximately 230 pounds per day. This remains above PCAPCD threshold of significance; therefore, this impact, though substantially lessened by the mitigation measure set forth below, would remain a ***short-term significant and unavoidable impact.***

(FEIR, p. 2-14.)

Mitigation Measure:

6.3-1 a) *Water exposed surfaces, as required, to control fugitive dust, including areas where soils are being loaded and/or unloaded;*

b) *Apply soil stabilizers to inactive areas;*

c) *Suspend grading operations when wind is sufficient to generate visible dust emissions crossing the boundary line of a project site, despite the application of dust mitigation measures;*

d) *Pave, use gravel cover, apply water three times daily, or spray a dust control agent on all unpaved haul roads;*

e) *In compliance with Rule 228, Fugitive Dust, all visible roadway dust tracked-out upon public paved roadways as a result of active operations shall be removed at the conclusion of each work day when active operations cease, or every twenty-four (24) hours for continuous operations. Wet sweeping or a HEPA filter equipped vacuum device shall be used for roadway dust removal;*

f) *Cover all trucks hauling soil, sand and other loose materials or ensure that all trucks hauling such materials maintain at least two feet of freeboard space;*

g) *Install sandbags or other erosion control measures to prevent silt runoff onto public roadways;*

h) *Unpaved areas subject to vehicle traffic must be stabilized by being kept wet, treated with a chemical dust suppressant, or covered;*

i) *Prior to groundbreaking, the applicant shall submit a Construction Emission/Dust Control Plan to PCAPCD for its review and approval. This plan must address the minimum Administrative Requirements found in section 400 of District Rule 228, Fugitive Dust. The applicant shall keep a hard or electronic copy of Rule 228, Fugitive Dust, on-site for reference.*

In addition, the applicant shall have a preconstruction meeting for grading activities on 20 or more acres to discuss the Construction Emission/Dust Control Plan. The applicant shall invite PCAPCD to thismeeting;

j) *The applicant shall suspend all grading operations when fugitive dust exceeds District Rule 228, Fugitive Dust limitations. An applicant representative who is CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate compliance with Rule 228, Fugitive Dust. This requirement for a VEE applies to all projects grading 20 or more acres in size, regardless of how many acres are to be disturbed daily. Fugitive dust shall not exceed 40 percent opacity and shall not go beyond the Specific Plan boundary line at any time. If lime or other drying agents are utilized to dry out wet grading areas, they shall be controlled so as not to exceed District Rule 228, Fugitive Dust limitations; and*

k) *The speed of any vehicle or equipment traveling on unpaved areas must be no more than 15 miles per hour unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust exceeding Ringlemann 2 or visible emissions from crossing the project boundary line.*

l) *The County shall include as a condition of approval for any grading permit that no more than 50 acres of the proposed project site is to be disturbed on any day.*

(DEIR, p. 6.3-18; FEIR, pp. 2-14—2-15.)

Significance After Mitigation:

Short-term significant and unavoidable impact.

Impact 6.3-2: **The proposed project could generate emissions of ROG, NO_x, and CO during construction. This impact is *potentially significant*.** (DEIR, pp. 6.3-18 to 6.3-19; FEIR, p. 2-15.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the generation of ROG, NO_x, and CO during construction. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Use of heavy-duty equipment during the construction of the proposed project would generate emissions of ROG, NOx, and CO. Emissions for each construction year are listed in Final EIR Table 6.3-5. Emissions of ROG would be highest during the final year of each phase and would exceed the PCAPCD threshold. During years when construction is primarily related to ground disturbance and construction of buildings and infrastructure, ROG emissions would be well below the threshold. NOx emissions would also exceed the PCAPCD 82 pounds per day threshold at times. Consequently, this would be a *significant impact*. CO emissions would be well under the threshold, and this would not be a significant impact. (FEIR, p. 2-15.)

Mitigation measures are available to reduce the ROG and NOx impacts of project construction, but the emissions are not quantifiable in the URBEMIS 2007 model. These measures would substantially lessen the impact but would not likely reduce the project's daily construction emissions below PCAPCD thresholds. Therefore this would be a ***short-term significant and unavoidable impact***. (FEIR, p. 2-12.)

Mitigation Measure:

6.3-2 *Contractors shall be required to reduce NOx and ROG emissions by complying with the construction vehicle air pollutant control strategies developed by the PCAPCD. Contractors shall include in the construction contracts the following requirements or measures shown to be equally effective:*

a) *Construction equipment operators shall shut off equipment when not in use to avoid unnecessary idling. Generally, vehicle idling should be kept below 5 minutes.*

b) *Contractor's construction equipment shall be properly maintained and in good working condition.*

c) *Construction equipment exhaust shall not exceed PCAPCD Rule 202 Visible Emissions limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified and the equipment must be repaired within 72 hours. An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy-duty on-road equipment emissions for compliance with this requirement for projects grading more than 20 acres in size regardless of how many acres are to be disturbed daily.*

d) *The prime contractor shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all heavy-duty off-*

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

e) *Construction contractors shall be required to use low-VOC architectural coatings and asphalt in compliance with District Rules and Regulations. Contractors shall also be required to fuel stationary construction equipment with low-sulfur fuels, and use existing power sources (e.g., power poles) or clean fuel generators in place of temporary diesel power generators whenever feasible.*

f) *Use add-on retrofit controls, where applicable, for construction equipment to reduce NOx and DPM.*

g) *Use CARB-certified lower-emitting, alternatively fueled equipment when possible.*

h) *Use existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators. If project construction requires diesel powered generators greater than 50 horsepower, a Permit to Operate shall be obtained from the PCAPCD.*

(FEIR, pp. 2-16 to 2-17.)

Significance After Mitigation:

Short-term significant and unavoidable impact.

Impact 6.3-3: **The proposed project could generate $PM_{2.5}$ through the use of heavy-duty equipment during construction. This impact is *potentially significant*.** (DEIR, pp. 6.3-20 to 6.3-21.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the generation of $PM_{2.5}$ through the use of heavy-duty equipment during construction. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

PM_{10} is mostly generated by earthmoving activity and disturbed soils, but $PM_{2.5}$ is primarily a product of combustion. Use of heavy-duty equipment during the construction of the proposed project would generate emissions of $PM_{2.5}$. As diesel construction equipment operates, the burning of diesel fuel would contribute $PM_{2.5}$ as a byproduct. Table 6.3-5 shows the amount of $PM_{2.5}$ estimated to be generated on a daily basis by the proposed project. With implementation of Mitigation Measure 6.3-1, $PM_{2.5}$ emissions would be reduced by more than approximately 75 percent. (FEIR, pp. 2-17 to 2-18.)

Unlike ozone, where impacts are experienced regionally, $PM_{2.5}$ is a directly emitted, localized pollutant. Consequently, any $PM_{2.5}$ impacts would be experienced in the vicinity of the actual construction activity associated with the proposed project. (FEIR, p. 2-18.)

Initially, the closest receptors to any project-related construction would be two rural residences in the vicinity of the proposed project site. One residence is to the south of the project site, approximately one-half mile from the site's property line. The second receptor is to the north of the project site, adjacent to the site's property line. Since the receptor to the south is at least one-half mile from the project site, construction would not be expected to occur at less than approximately 50 yards from this receptor. While the receptor to the north is much closer to the property line of the project site, it is adjacent to a portion of the site that is proposed to be maintained as open space. Consequently, no construction activity would occur at this portion of the site. Construction along the borders of the project site that are not designated as open space would take place for only a small portion of the overall construction period. The vast majority of development associated with the proposed project would be at the interior of the site, at substantial distances from existing receptors. (FEIR, p. 2-18.)

The portion of the construction that would produce the most $PM_{2.5}$ would be the grading portion. It is expected that grading would occur over large portions of the project site prior to actual construction of residences. Consequently, it is likely that adjacent parcels would already be graded when new residents begin to occupy housing units, and so these residents would not be subject to $PM_{2.5}$ from grading activities. If grading were to occur at parcels adjacent to new residents, grading equipment would only need to work on a

particular section of the parcel for a short period of time. Accordingly, the duration over which new residents could be in proximity to this equipment would be of very short duration. (FEIR, p. 2-18.)

PCAPCD requires a 45 percent particulate reduction compared to the most recent CARB fleet average. At the expected distances between receptors and construction activity, $PM_{2.5}$ concentrations from construction would not be expected to exceed existing 24-hour or annual standards. Placer County is in attainment for the existing federal 24-hour and annual $PM_{2.5}$ standard, but in non-attainment for the State $PM_{2.5}$ annual standard. (FEIR, p. 2-18.)

The EPA has recently lowered the federal 24-hour $PM_{2.5}$ standard from 65 micrograms per cubic meter to 35 micrograms per cubic meter. Construction activity is not anticipated to substantially increase $PM_{2.5}$ concentrations at any location; however, due to the fact that construction may be concentrated in time, this impact is considered ***short-term and potentially significant.*** (FEIR, p. 2-18.)

Mitigation Measure:

6.3-3 *Implement Mitigation Measures 6.3-1 and 6.3-2.*

Significance After Mitigation:

Short-term significant and unavoidable impact.

Impact 6.3-4 **The proposed project's long-term operational emissions could exceed PCAPCD thresholds of significance for PM_{10}, ROG, NO_x, and CO. This impact is *potentially significant*.** (FEIR, p. 2-19.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the proposed project's long-term operational emissions exceeding PCAPCD thresholds of significance for PM_{10}, ROG, NO_x, and CO. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Operational emissions from the proposed project would include stationary, area, and mobile source emissions. Primary area and stationary sources present would include residential fireplaces, landscape maintenance equipment, and residential gas heaters.

Mobile sources, which are the vehicle trips associated with the proposed project, would constitute the largest source of operational emissions. (FEIR, p. 2-19.)

Table 6.3-6 lists the estimated emissions of PM_{10}, ROG, NO_x, and CO at project buildout (i.e., community and university, combined) in 2020. Emissions for 2010 are presented for comparative purposes. Using the same land use development assumptions as 2020, the data indicate that future operational emissions from motor vehicles are predicted to be lower than would occur if the entire project were built out in 2010. (FEIR, p. 2-19.)

For 2020, all emissions would all be in excess of PCAPCD thresholds of significance. Certain components are already incorporated into the proposed project that could reduce emissions of these criteria pollutants. For instance, the project would include a comprehensive pedestrian/bikeway network that would encourage the use of alternative, non-vehicular transportation modes. The proposed project includes 6.3 miles of multi-use trails and 3.4 miles of Class II bike paths in the Plan Area so that parks can be easily accessed via non-vehicular modes. All new residential units would be required to have low-NO_x water heaters (PCAPCD Rule 246), and no wood-burning fireplaces or wood stoves would be installed in new single-family residential units. (FEIR, pp. 2-19.)

However, these measures would not reduce emissions below PCAPCD thresholds of significance. Consequently, this would be a ***significant impact***. (FEIR, p. 2-19.)

Mitigation Measure:

6.3-4 a) *The following guidelines shall be used by the County during review of future project specific submittals for development within the Specific Plan area in order to reduce generation of air pollutants with the intent that specified measures be required where feasible and appropriate. PCAPCD may replace or supplement air pollution measures for individual projects as new technology and feasible measures become available over the course of Plan Area buildout.*

- *Include in all new parking lots tree plantings designed to result in 50 percent shading of parking lot surface areas within 15 years. Incorporated by reference are the City of Sacramento Parking Lot Tree Shading Design and Maintenance Guidelines dated June 17, 2003.*

- *Prohibit wood-burning fireplaces, woodstoves, or similar wood-burning devices for the entire Specific Plan area. Only natural gas/propane-fired fireplace appliances are allowed.*

- *Install two 110/208 volt power outlets for every two loading docks.*

- *Implement the following, or equivalent measures, as determined by the County in consultation with the APCD:*

    - *Establish building guidelines that require the use of high-albedo (low-absorptive) coatings/Energy Star roofing products on all roofs and other building surfaces, if available and economically feasible at the time building permits are issued.*

    - *Establish paving guidelines that, if feasible, require businesses to pave all privately-owned parking areas with a substance with reflective attributes (albedo = 0.30 or better) similar to cement concrete. The use of a paving substance with reflective attributes similar to concrete is considered feasible if the additional cost is less than 20% of the cost of applying a standard asphalt product.*

b) *In order to incorporate passive solar building design and landscaping conducive to passive solar energy use, the Regional University Specific Plan Design Guidelines shall include the following measures:*

- *Encourage the orientation of buildings to be in a south to southwest direction where feasible.*

- *Encourage the planting of deciduous trees on western and southern sides of structures.*

- *In all residences, include high-efficiency heating and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units.*

- *In all residential units, include energy-efficient window glazings, wall insulation, and efficient ventilation.*

- *Landscaping plans shall prohibit the use of liquidambar and eucalyptus trees that produce smog-forming compounds (high emission factors for isoprenes).*

c) *In order to promote bicycle usage, a pedestrian/bikeway (P/B) Master Plan shall developed for the entire Plan Area. This master plan shall be consistent with the guidelines established in the Placer County Regional Bikeway Plan and the Regional University Specific Plan Design Guidelines. The P/B Master Plan shall include the following measure:*

- *Non-residential development shall provide an additional 20 percent of bicycle lockers and/or racks over what is currently required in the applicable local code.*

d) *The project applicant shall implement an offsite mitigation program, coordinated through the PCAPCD, to offset the project's long-term ozone precursor emissions. The project offsite mitigation program must be approved by PCAPCD. The project's offsite mitigation program provides monetary incentives to sources of air pollutant emissions within the project's air basin that are not required by law to reduce their emissions. The emission reductions are real, quantifiable, and implement provisions of the 1994 State Implementation Plan. The offsite mitigation program reduces emissions within the air basin that would not otherwise be eliminated.*

In lieu of the applicant implementing their own offsite mitigation program, the applicant can choose to participate in the PCAPCD Offsite Mitigation Program by paying an equivalent amount of money into the District program. The PCAPCD, on behalf of Placer County, will determine air quality mitigation fees using calculation methodology established in practice and routinely applied to other, similar, contemporaneous land use development projects. The Offsite Mitigation Program, coordinated by PCAPCD, is designed to offset the project's long-term ozone precursor emissions. The actual amount of emission reductions needed through the Offsite Mitigation Program, and, thus, the project's air quality mitigation fees, would be calculated when the project's average daily emissions have been determined. Fees are to be paid at the time of final map recordation.

(FEIR, pp. 2-19—2-22.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.3-5: **CO concentrations could exceed the CAAQS at any intersections as a result of the proposed project. This impact is *less than significant*.** (DEIR, p. 6.3-24.)

Finding:
Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Buildout of the proposed project would create new roadways and would create traffic on both these new roadways and existing roadways in the vicinity of the proposed project. While the PCAPCD has a "mass emissions" threshold for CO, CO can also be of concern when conditions create high concentrations. Since CO emissions are partly the product of incomplete combustion of fossil fuel, high CO concentrations can sometimes occur at busy intersections that experience very congested conditions and low levels of service (LOS). (DEIR, p. 6.3-24.)

The traffic analysis presented in Section 6.11 examined 20 intersections that would be affected by the increased traffic associated with the proposed project. According to the traffic report, nine of these intersections would adjoin roadway segments where the LOS would be lowered to LOS "D" or worse as a result of the proposed project. LOS of "D" or worse would be unacceptable by County of Placer standards, unless the Board of Supervisors, under General Plan Policy 3.A.7, chooses to make an exception to its normal LOS policy because necessary mitigation is infeasible or otherwise unacceptable. Potential CO concentrations that could result at these intersections were modeled. The results of this modeling are shown in Table 6.3-7. As shown in Table 6.3-7, none of the modeled intersections show CO concentrations that would exceed 8-hour or 1-hour CO CAAQS during either the AM or PM peak hours. Because other intersections affected by the proposed project would operate at higher levels of service, these intersections would experience lower CO concentrations than the modeled intersections. Consequently, this would be a ***less-than-significant impact***. (DEIR, p. 6.3-24.)

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

Impact 6.3-6: **The proposed project could expose receptors to unhealthy levels of TAC. This impact is *less than significant*.** (DEIR, p. 6.3-25.)

Finding:

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Development of the non-University portion of the proposed project would include only residential and commercial development. The University portion of the proposed project

could include sources such as research facilities. These types of sources could potentially generate TACs. The type or size of facilities that could emit TACs is not presently known. Nor is information currently available on the types of contaminants that could be emitted from potential sources. Therefore, a quantitative estimate of TACs is not possible, and potential effects would be analyzed qualitatively. (DEIR, p. 6.3-25.)

Aside from research facilities that would be associated with the University, TACs can also be produced by smaller everyday uses such as dry cleaners and gasoline stations. It is not known at this time whether any of these sources would develop as part of the proposed project, although it is likely. It can be said with certainty, however, that very large TAC-producing uses, such as industrial manufacturing facilities, would not be allowed under the zoning associated with the proposed project. (DEIR, p. 6.3-25.)

As stated in the Regulatory Setting portion of the Air Quality chapter of the DEIR, the PCAPCD regulates and permits all stationary sources, such as dry cleaners and gasoline stations, that emit toxic air contaminants pursuant to the Air Toxics Hot Spots Information and Assessment Act (Assembly Bill 2588; California Health and Safety Code sections 44000-44394). The review and permitting standards for these facilities are based on public safety levels, as well as federal regulatory requirements. Because these facilities would be required to comply with the PCAPCD rules and regulations, any TAC source would have to reduce its impact to a less than significant level. This would apply to both research facilities associated with the University, and also to smaller commercial sources that may develop as part of the proposed project. (DEIR, p. 6.3-25.)

In addition to stationary sources of TAC, mobile sources can also contribute TAC in the form of diesel particulate matter. Mobile sources can be divided into two categories: on-road vehicles and off-road engines and vehicles. On-road vehicles generally include light to heavy-duty trucks, school buses, urban buses, and passenger vehicles. There are approximately 700,000 on-road diesel-fueled vehicles currently in use in California. Off-road engines and vehicles are typically used for agricultural, construction, commercial, industrial, and landscaping applications. There are approximately 550,000 off-road diesel-fueled engines and vehicles currently in use in California. District preconstruction and operating permit programs implement the local, state, and federal air pollution control requirements applicable to new or modified sources of air pollution. Sources located in a nonattainment area must apply the Lowest Achievable Emission Rate (LAER) control technology to minimize emissions, and they must "offset" the remaining emissions with reductions from other sources when appropriate. A source located in an attainment or unclassified area must apply the Best Available Control Technology (BACT) and meet additional requirements aimed at maintaining the region's clean air. In addition, "major sources" of air pollution must obtain federal Title V operating permits that govern continuing operation. Many Districts have also adopted, pursuant to the California Health and Safety Code, Reasonably Available Control Technology/Best Available Retrofit Control Technology requirements that apply to existing sources located in nonattainment, attainment, and unclassified areas. These requirements are also implemented through the district's permit program. (DEIR, pp. 6.3-25 to 6.3-26.)

The CARB suggests siting sensitive receptors more than 500 feet from freeways, rural roads with 50,000 vehicles per day, and urban roads with 100,000 vehicles per day. Under the proposed design guidelines, sensitive receptors would be located at least 5 miles from Highway 65, over 10 miles from Interstate 80, but within 100 feet of University Boulevard and Watt Avenue. At project build-out, University Boulevard is anticipated to accommodate 23,000 vehicles per day while Watt Avenue is expected to accommodate 42,000 vehicles per day. These projected vehicle volumes are below both thresholds mentioned above. However, three of the potential alignments of the planned Placer Parkway, a regional high-speed roadway that would connect SR 65 in Placer County (east of the Plan Area) with SR 99 in Sutter County (approximately 10.5 miles to the west), would be routed to the north of the project site, the closest being approximately 300 feet from the University portion of the Plan Area. As described above in the Methods section, the SMAQMD *Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways* was applied to the project to determine whether a site-specific HRA would be required. The Protocol uses factors such as peak hour trips, location of the project relative to the roadway, average annual wind direction. More than 24,000 peak hour trips would have to occur in order to trigger the requirement for an HRA at 300 feet because the project site is upwind of the average annual wind direction. Therefore, based upon the Protocol, a site-specific HRA is not recommended for the project. (DEIR, p. 6.3-26.)

Major stationary sources of TACs are not expected to be developed as part of the proposed project. In addition, all TAC sources would be subject to current regulations that would effectively reduce their impacts. Since the proposed project would comply with all applicable regulations governing TAC emissions, this impact would be considered ***less than significant***. (DEIR, p. 6.3-26.)

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

Impact 6.3-7: **The proposed project could expose sensitive receptors to objectionable odors. This impact is *less than significant*.** (DEIR, pp. 6.3-26 – 6.3-27.)

Finding:

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Unpleasant odors do not necessarily result in physical harm, but they can create annoyance or discomfort for exposed individuals. The PCAPCD has no guidance for CEQA air quality analyses, but refers to the SMAQMD Guide. The SMAQMD Guide states that odors can potentially create a "secondary air quality impact" if a project would either create a new objectionable odor that would affect sensitive receptors, or if it would place new receptors near existing odor sources. (DEIR, pp. 6.3-26 to 6.3-27.)

Odor sources such as landfills, chemical plants, or refineries are not proposed to be developed as part of the proposed project. Odors generated in the Plan Area would be typical of mixed use development and would not be expected to be offensive. However, the proposed project could place new receptors, such as residences, in close proximity to existing agricultural odor sources. The project site is currently predominantly agricultural, and agricultural uses also surround the proposed project. Agricultural uses, especially those associated with produce and livestock would create odors that could be noticeable at nearby residential uses developed as part of the proposed project. There are no livestock facilities, such as dairies within a one-mile radius of the proposed project area. However, other smells associated with other agricultural activity, such as the odor of unharvested produce, could potentially affect residents living in the Plan Area. These types of odors are typical of an agricultural area. (DEIR, p. 6.3-27.)

While most of the project area would not generate offensive odors, agricultural operations near the Plan Area may subject residents to unpleasant odors. The County's right-to-farm ordinance includes a requirement to provide disclosure to prospective residents of the possibility for experiencing unpleasant odors from agricultural activities. Consequently, the impact would be ***less than significant.*** (DEIR, p. 6.3-27.)

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

Impact 6.3-8: **Future residents, employees, and students in the Plan Area could be exposed to pesticide spray drift from adjacent agricultural operations. This impact is *less than significant.*** (DEIR, p. 6.3-27.)

Finding:

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

As discussed previously, agricultural uses would exist immediately adjacent to the Plan Area. It is likely that these off-site areas would be in agricultural production after part or all of Plan Area is occupied. The agricultural operations on these sites could require the aerial application of pesticides, which when broadly defined, can include herbicides, rodenticides, and fungicides. (DEIR, p. 6.3-27.)

Pesticides can be applied during the spring, summer, fall, and possibly even late winter. While pesticides do not necessarily have to be applied aerially, it is possible that they could be applied at adjacent agricultural areas in this way. Aerial application could be a cause of concern if the pesticides drift off-site and towards the Plan Area. (DEIR, p. 6.3-27.)

The application of aerial pesticides is regulated by Title 3, Division 6, of the California Code of Regulations (CCR) and is implemented by the County Agricultural Commissioner's Office. The CCR has specified guidelines governing application of individual pesticides. (See Cal. Code Regs., Tit. 3, Section 6450 et seq.) Pesticides can only be applied aerially during calm weather conditions with equipment that allows the pesticides to be dropped straight down. The Code also prohibits the application of pesticides when there is a reasonable possibility of contamination of persons not involved in the application process. The Placer County Agricultural Commissioner's Office is the entity responsible for enforcing and monitoring pesticide application. Local farmers are required to register the type and amount of pesticides they use for their crops with the Agricultural Commissioner's Office. Because the application of pesticides is regulated, the normal use of pesticides would not result in spray drift affecting residents or employees of the Plan Area, even though aerial application could conceivably occur over agricultural land less than 100 feet to the north of portions of the Plan Area where residential development is proposed. Therefore, this would be a ***less-than-significant impact***. (DEIR, pp. 6.3-27 to 6.3-28.)

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

Impact 6.3-9: **Construction of the proposed project, in combination with other construction and agricultural activities in the vicinity of**

the Plan Area, could add to cumulative levels of PM_{10} during construction. This impact is *potentially significant.* (DEIR, p. 6.3-29.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the project's contribution to cumulative levels of PM10 during construction. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

As discussed in Impact 6.3-1, the proposed project would generate PM10 during construction, especially the grading portion of construction. While mitigation exists to reduce this impact, the impact of the proposed project would still be significant by itself. The total impact would be compounded if other activities on adjoining land parcels create PM10 emissions at the same time. It is likely that grading during construction of the proposed project would coincide with agricultural operations on adjoining parcels that would generate PM10, such as discing. This would create a cumulative impact. Of the activities in and around the Plan Area that would contribute PM10 their PM10 contribution is expected to be similar to that from project construction. Consequently, project construction would be one of the major sources of PM10 in the area, and thus one of the major PM10 sources in the cumulative context. Thus, the project, taken together with ongoing agricultural operations and other foreseeable development projects in the affected area, would create a *significant cumulative impact* with respect to PM10 emissions. The project's incremental contribution to this impact would itself be cumulatively considerable and thus a ***significant impact.*** (DEIR, p. 6.3-29.)

Mitigation Measure:

6.3-9 *Implement Mitigation Measure 6.3-1.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.3-10: **Construction of the proposed project, in combination with other sources of criteria pollutants in the region, could temporarily add to criteria pollutant levels in the air basin. This impact is *potentially significant.*** (DEIR 6.3-29.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the project's contribution to cumulative levels of criteria pollutants in the region. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

As discussed in Impact 6.3-2, during construction of the proposed project, heavy-duty equipment would generate emissions of the ozone precursors ROG, and NOx. While construction emissions would be temporary, during the construction period they would nevertheless be a part of overall ozone precursor emissions in the Sacramento Region. The Sacramento Ozone Nonattainment Area, of which Placer County is a part, is in nonattainment of State and federal ozone standards. During periods when ozone could be especially high, such as the summer months, the proposed project's construction emissions would add to the total amount of ozone precursors available for ozone production. The air quality history of the Sacramento Valley Air Basin shows that, at times during the year, ozone precursors generated throughout the Valley can combine to exceed State or federal standards. The cumulative development in the region would contribute to these emissions, creating a *significant cumulative impact.* (DEIR, p. 6.3-29.)

Draft EIR Table 6.3-3 illustrates that on any given day in Placer County, ozone precursors are generated by a large number of different sources. While some of these sources are small, many are also quite large. As stated in the discussion of Impact 6.3-2, the construction emissions associated with the proposed project would be above PCAPCD thresholds of significance for construction. These thresholds have been set at a level that will help ensure that construction emissions do not hinder the PCAPCD in meeting its attainment goals for ozone. The fact that these thresholds would be exceeded by the proposed project indicate that the proposed project's construction would be substantial compared to other emissions sources in the Region, or even compared to other construction projects that would occur at the same time. Consequently, the incremental contribution of the proposed project would be cumulatively considerable, resulting in a ***significant impact.*** (DEIR, pp. 6.3-29 to 6.3-30.)

Mitigation Measure:

6.3-10 *Implement Mitigation Measure 6.3-2.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.3-11: **The proposed project could contribute to cumulative levels of $PM_{2.5}$. This impact is *potentially significant.*** (DEIR, p. 6.3-30.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the project's contribution to cumulative levels of $PM_{2.5}$. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

The EPA recently lowered the significance threshold for the federal 24-hour standard from the current level of 65 micrograms per cubic meter to 35 micrograms per cubic meter, based on an assessment of a significantly expanded body of scientific information that strengthened the association between long-term PM2.5 exposure and serious health effects. Under this new standard, Placer County would be classified as a nonattainment area. Therefore ambient air concentrations of PM2.5 would exceed the new standard, resulting in a *significant* impact. As discussed in connection with Impact 6.3-3, the PM2.5 impact for construction of the proposed project would be potentially significant. Project operation would also generate PM2.5 emissions. Therefore, temporary and long-term project emissions of PM2.5, would contribute to ambient air concentrations of PM2.5 that exceed standards. This would be a ***significant impact.*** (DEIR, p. 6.3-30.)

Mitigation Measure:

6.3-11 *Implement Mitigation Measure 6.3-4.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.3-12: **The proposed project's long-term operational emissions could add to the cumulative levels of criteria pollutant levels in the air basin. This impact is *potentially significant.*** (FEIR, pp. 2-22.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the contribution to cumulative levels of criteria pollutants in the air basin as a result of the project's long-term operational emissions. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation:

As discussed in connection with Impact 6.3-4, operation of the proposed project would create emissions of ozone precursors. These emissions would, when combined with precursor emissions from other sources, contribute to cumulative ozone levels in the Sacramento Ozone Nonattainment Area. Since the Sacramento Area consistently does not attain the federal or state ozone standards, the cumulative impact would be considered *significant.* (FEIR, p. 2-22.)

As shown in Final EIR Table 6.3-6, emissions from operations of the proposed project would substantially exceed PCAPCD thresholds of significance for criteria air pollutants. Exceeding the thresholds, though, does not necessarily mean that a project is significant in the cumulative context. However, the Regional University Specific Plan is not specifically included in the State Implementation Plan (SIP) for western Placer County; thus, emissions from this project were not assumed under the cumulative condition. Consequently, the proposed project's incremental contribution of ozone precursors in an area that is in nonattainment of ozone standards would be cumulatively considerable, resulting in a ***significant impact.*** (FEIR, p. 2-22.)

Mitigation Measure:

6.3-12 *Implement Mitigation Measure 6.3-4.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.3-13: **CO emissions from operation of the proposed project could contribute to significant cumulative CO levels. This impact is *less than significant.*** (DEIR, p. 6.3-31.)

Finding:

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

As discussed in connection with Impact 6.3-5, the proposed project would create or increase traffic at new and existing intersections. While operations of the entire project would exceed PCAPCD's thresholds of significance for CO, cumulative CO impacts would only be significant if the CAAQS for CO were to be exceeded. If exceedances of the standard were to occur, they would most likely occur at the busiest intersections affected by the proposed project, since CO is a byproduct of fuel combustion, and there is

the potential for CO levels to be high at very congested intersections. The traffic report prepared for the proposed project shows that ten of the intersections studied in the traffic report under cumulative conditions would adjoin roadway segments where LOS would be lowered to LOS "D" or worse as a result of the proposed project. The cumulative conditions in the traffic report take into account other future development in the vicinity of the proposed project. These intersections were modeled to estimate worst-case CO concentrations that could occur during peak hours. The results of the modeling are shown in Draft EIR Table 6.3-8. As shown, none of the intersections would experience CO levels in excess of the CAAQS for CO. Consequently, this would be a ***less-than-significant cumulative impact***. (DEIR, p. 6.3-31.)

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

E. BIOLOGICAL RESOURCES

Standards of Significance

The following standards were derived from Appendix G and Section 15065 of the CEQA Guidelines and the policies contained in the *Placer County General Plan*. For purposes of this EIR, impacts to biological resources are considered significant if the proposed project would:

- Have a substantial adverse effect, either directly or through habitat modifications on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Substantially reduce the habitat of a fish or wildlife species;
- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Substantially reduce the number or restrict the range of an endangered, threatened, or rare species;

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;

- Have a substantial adverse effect on federally protected wetlands defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or by other means;

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;

- Conflict with the provisions of an approved local, regional or State policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan.

Impact 6.4-1: **Development of the proposed project, including off-site infrastructure, could result in the conversion of the project site to another use, which could affect the availability of habitat and biological function. This impact is *potentially significant.*** (DEIR, pp. 6.4-28 to 6.4-29.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the conversion of the project site to another use, which could affect the availability of habitat and biological function. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

For purposes of the following discussion, development impacts refer to impacts resulting from the development of the proposed project, which includes the Community, the University, and off-site improvements (see Figure 2-5 in DEIR Chapter 2, Project Description). The site is dominated by agricultural and other disturbed and undisturbed open land, which provides habitat for a variety of common and special-status species.

Only a limited amount of development exists on the site, mostly in the form of access roads. Development of the University and Community would displace all of the agricultural resources, although some resources would remain intact in the form of 247.3 acres of dedicated open space (63.8 acres within the Community and 183.5 acres within the University). (DEIR, p. 6.4-28.)

Both special-status, and more common plant and wildlife species are found throughout the project area. Some of these species use more than one habitat (e.g., migratory waterfowl forage in aquatic habitats and may nest in agricultural land), or can use these undeveloped areas, including agricultural land, to move from one habitat area to another. A component of the proposed project is the preservation and enhancement of the existing drainage corridor that traverses the project site. Additionally, the project area currently provides foraging and resting habitat for migratory waterfowl and raptors that use the Pacific Flyway. Urbanization of the area would reduce the amount of agricultural and other open land, and thus available habitat, that occurs on-site and in the surrounding area. Although preservation of open space and drainage corridors would prevent isolation of habitat areas from each other, urbanization could still affect the range of some species and reduce the value of preserved habitat (e.g., by removing foraging habitat from the vicinity of nesting habitat). The Placer County General Plan supports the preservation and enhancement of natural vegetation and resources as open space, particularly open space that is interconnected and of sufficient size to protect biodiversity, accommodates wildlife, and sustains ecosystems, (General Plan Goal 6E and Policies 6.D.6, 6.E.1 and 6.E.3). (DEIR, pp. 6.4-28 to 6.4-29.)

The Watt Avenue extension area (approximately 35 impacted acres) provides foraging habitat for a variety of raptors, including the State-listed Swainson's hawk. Development of the University campus and off-site detention/retention basin would impact another approximately 324 acres of raptor foraging habitat. The balance of the project site is in active rice production and, therefore, does not constitute Swainson's hawk foraging habitat. (DEIR, p. 6.4-29.)

Development of the proposed project, which includes the University, the Community, and offsite improvements (i.e., the Watt Avenue extension, utility corridors, off-site grading, and the off-site retention/detention basin), would occur on or result in the disturbance of approximately 1,282 acres of currently undeveloped land. Of this total, approximately 247.3 acres (63.8 acres within the Community and 183.5 acres within the University) would be retained as dedicated open space. The remaining portion of the University site (416.5 developed acres, which excludes the 183.5 acres of dedicated open space) may include other campus open space elements, including the arboretum, turf areas, and gardens, but these areas would not retain biological values consistent with current uses. Approximately 54.86 acres would be temporarily disturbed for the development of utility corridors and for off-site grading; all but approximately 16.5 acres of these areas would return to their current agricultural use once construction is completed. The 20-acre offsite detention/retention basin, if it is used for an agricultural purpose, such as grazing, would not be permanently converted to a developed use and

would retain its current habitat value. The Watt Avenue extension could result in the conversion of up to 35 acres (with a total temporary impact of approximately 49.5 acres). Excluding the 247.3 acres of dedicated open space, the 38.36 acres of the project site temporarily disturbed for the development of utility corridors and for off-site grading, and the 20-acre offsite detention/retention basin, the current estimated acreage that would be permanently developed within the study area would be 1,025.5 acres. This development acreage total includes 557.5 acres for the Community, 416.5 acres for the University, 35 acres for the extension of Watt Avenue from the project site to Base Line Road, and 16.5 acres in the off-site grading areas. The loss of habitat and biological function described above that would result from development of the proposed project is considered a ***significant impact***. (DEIR, p. 6.4-29.)

Mitigation Measure:

6.4-1 a) *Habitat Mitigation: Applicants for development entitlements within the Regional University Specific Plan area shall comply with the mitigation standards set forth in this Mitigation Measure 6.4-1 and shall also obtain applicable permits from the State and Federal resource agencies as may be required by law. Preservation of mitigation land shall occur, in order of preference, by acquisition in fee, through permanent conservation easements, or by purchase of mitigation credits, as deemed acceptable to and approved by Placer County.*

b) *No Net Loss of Wetlands: Applicants for development entitlements or approvals associated with the Regional University Specific Plan are required to comply with Placer County's policy of "no-net-loss of wetlands" in connection with proposed development activity that will impact this resource. To satisfy this County "no-net-loss of wetlands" standard, the applicant shall satisfy a preservation component and an enhancement, restoration, and creation component. Table 6.4-2 that follows sets forth the County's mitigation ratios to be achieved to provide for preservation and for restoration, creation, and enhancement to offset wetlands impacts.*

TABLE 6.4-2

COUNTY MITIGATION RATIOS FOR IMPACTS ON WETLANDS

	Preservation	Creation/Restoration
Vernal Pool Wetlands	2:1	1:1
Non-Vernal Pool Wetlands[1]	N/A	1:1

Notes:
1. Final mitigation ratio will be derived through implementation of Mitigation Measure 6.4-2

Since all potential jurisdictional waters of the U.S. will not be avoided in the proposed Specific Plan, the wetland delineation shall be finalized and mapped, and then submitted to the Corps for verification through the Section 404 permit process. Completion of the delineation will be used to identify the precise final acreage of various wetland types impacted within properties surveyed.

The project applicant shall preserve and replace, re-create, or restore wetland habitat lost, as determined by the County, to comply with the above no-net-loss standards. Assuming that the project will result in the direct loss of approximately 18 acres of non-vernal pool complex habitat-type wetlands, the preservation and replacement, re-creation or restoration of similar wetlands is required. The total required acreage shall be determined by the County prior to issuance of any permit or entitlement that could result in ground disturbance, such as a grading permit or improvement plans, based upon the verified wetland delineation.

Additionally, the applicant shall comply with Placer County General Plan Policy 6.A.1, which requires sensitive habitat buffers as follows: a minimum of 100 feet from the centerline of perennial streams, a minimum of 50 feet from the centerline of intermittent streams, and a minimum of 50 feet from the edge of sensitive habitats to be protected including riparian zones, wetlands, old growth woodlands, and the habitat of rare, threatened or endangered species. If development is proposed within these buffers, prior to approval of the project by the County the project applicant shall be required to ensure that no wetlands, sensitive habitats or threatened or endangered species are present in these areas, or would be affected by project activities.

c) *(Non-Vernal Pool) Wetland Impacts: Impacts on "waters of the United States" (not including vernal pools) and other non-jurisdictional wetlands identified in the Placer County General Plan shall be mitigated to provide "no-net-loss" through avoidance, minimization and/or compensatory mitigation techniques. Both the wetland and upland components of all wetland mitigation lands may be creditable towards agricultural land mitigation requirements of Mitigation Measure 6.2-1 and uplands shall count as wetland buffers when appropriate. To minimize indirect effects to the preserve site, the County may impose measures such as controlling and redirecting runoff from adjoining properties or the construction or removal of fences.*

Buffers of such off-site mitigation lands shall be consistent with requirements of the PCCP as ultimately adopted by the County to the extent that the PCCP is adopted prior to the acquisition of preserve sites and to the extent feasible.

d) *Vernal Pool Impacts: Impacts on vernal pool (fairy shrimp and tadpole shrimp) habitat shall be mitigated through preservation and restoration of acreage based on each acre directly impacted. Required ratios are set forth in Table 6.4-2. Both the wetland and the upland components of all wetland mitigation lands may be creditable towards agricultural land mitigation requirements of Mitigation Measure 6.2-1 and uplands shall count as wetland buffers when appropriate. To minimize indirect effects to a preserve site, the County may impose measures such as controlling and redirecting runoff from adjoining properties or the construction or removal of fences.*

Additional acreage may be required to address impacts on non-vernal pool type wetlands that function as habitat for state or federally-listed species, and indirect impacts on similar avoided habitat. The total required acreage shall be the greater of 1) the amount determined by the County to compensate for the loss of habitat function and value including temporal loss, or 2) the amount determined by the federal agencies working with project applicants. As an alternative, once the Placer County Conservation Plan (PCCP) is adopted, project applicants may participate in the PCCP which is intended to provide for adequate mitigation of vernal pool habitat.

Buffers of such off-site mitigation lands shall be consistent with requirements of the PCCP as ultimately adopted by the County to the extent that the PCCP is adopted prior to the acquisition of preserve sites and to the extent feasible.

e) *Swainson's Hawk Foraging Impacts: Swainson's hawk foraging habitat shall be mitigated according to California Department of Fish and Game Guidelines: one acre for each acre lost within one mile of a nest, 0.75 acre for each acre lost within one to five miles of a nest, and 0.5 acre lost within five to ten miles of a nest, unless otherwise addressed through the PCCP. Mitigation for impacts on Swainson's hawk habitat may occur within the land required for agricultural mitigation provided that the lands acquired provide suitable foraging habitat for Swainson's hawks. (For example, according to DFG, rice is not a compatible foraging type.) Additionally, the Applicant shall be required to obtain a CESA take permit for any active Swainson's hawk nest that may be removed as part of any proposed construction under the Specific Plan. Additional mitigation*

measures for the loss of active nest trees shall include planting of suitable nest trees (e.g., valley oak, California black walnut, California sycamore, or Fremont's cottonwood) at a 15:1 ratio (tree per tree) on suitable foraging habitat areas within west Placer County.

f) *Out-of-County Habitat Mitigation: Use of out-of-County lands for habitat mitigation shall only be allowed when such lands are of equal or of higher resource value than those in the Specific Plan area. Use of any such lands may be allowed by the County after an evaluation of the resource value of the lands proposed for such use.*

g) *"Out-of-Kind" Habitat Mitigation: "Out-of-kind" habitat mitigation shall only be allowed as mitigation for loss of a particular habitat type after approval by the County. "Out-of-kind" mitigation may be appropriate where the mitigation lands include areas with a mosaic of riparian habitat, creek corridors, flood plains and upland areas, where an assemblage of vernal pool complexes in fallow or grazed lands is in close proximity to such riparian habitat, or where the County deems that the "out-of-kind" mitigation lands contain other unique or desirable characteristics that provide a comparable level of habitat mitigation.*

h) *Funding for Mitigation Land Acquisition (Fee Title or Conservation Easement) and Monitoring and Maintenance: Funding for land acquisition, adaptive management and monitoring and maintenance may be financed, if acceptable to the County, through a Mello-Roos Community Facilities District (CFD) or other funding mechanism similar to the funding mechanism used to fund Specific Plan infrastructure construction. The specific funding plan, including a method for preserve acquisitions and for in-perpetuity preserve management must be approved by Placer County prior to the first preserve acquisition and prior to any ground disturbance associated with the project.*

i) *Excess Habitat: Excess habitat within mitigation lands acquired for the mitigation of impacts associated with an approved development project within the Specific Plan area may be used to mitigate for subsequent approved development projects within the Specific Plan area. Transfer of excess habitat shall be accomplished through a private cost sharing agreement. The project applicant shall provide Placer County with copies of such agreements for review and for tracking purpose (e.g., debits and credits).*

j) *Mitigation and Management Plans: Implementation of the "no-net–loss of wetlands" standard of this Mitigation Measure 6.4-1 shall occur through the implementation of Mitigation and Management Plans for mitigation sites. Such Plans shall accompany each proposed development project, or*

group of projects, within the Specific Plan area. The applicant shall demonstrate to the County compliance with an approved Mitigation and Management Plan prior to recordation of a final small lot map. For non-residential uses that do not require a tentative subdivision map, as well as development of any off-site infrastructure project associated with the Regional University Specific Plan, a condition of approval shall be placed that requires the approval of a Mitigation and Management Plan prior to issuance of improvement plans, grading permits, or a building permit, whichever comes first.

Each Mitigation and Management Plan shall identify the specific mitigation lands that will be necessary to fully mitigate impacts on habitat and special-status species. The plan shall demonstrate capacity to control said property by fee title, permanent conservation easement, or mitigation credits to the satisfaction of the County and State and federal agencies to the extent required by applicable state or federal permits. Recordation or purchase of said property shall take place after approval of the plan by the County. The Plan shall also identify the necessary funding mechanism for the long-term maintenance and management of the mitigation lands along with provisions for adaptive management. Purchase of required habitat credits shall be identified in the Mitigation and Management Plan when such credits are proposed for all or part of a mitigation requirement.

k) *Dedication of Mitigation Lands for Regional University Specific Plan Projects: The mitigation lands necessary to mitigate for the impacts of developing a project within the Regional University Specific Plan area, as well as developing any off-site infrastructure project associated with the Regional University Specific Plan, shall be dedicated to the County (or other County approved entity) prior to recordation of a final small lot map, or as a condition of issuance of a project-level discretionary approval for non-residential land uses that do not require a tentative subdivision map.*

l) *Placer County Conservation Plan: At the time of the release of the Draft EIR Placer County was preparing a Natural Community Conservation Plan, a Habitat Conservation Plan Programmatic Section 404/401 Compliance and a Master Streambed Alteration Agreement to comply with the State and Federal Endangered Species Acts and the Federal Clean Water Act. Collectively, this planning effort is known as the proposed Placer County Conservation Plan (PCCP). The mitigation measures for certain biological resources were therefore written without certainty as to whether or not the PCCP would be approved in advance of certification of the final RUSP EIR and approval of the RUSP. Because the RUSP EIR was certified and the RUSP was approved before the PCCP*

has been approved, however, biological mitigation for the Regional University project as set forth in this Measure 6.4-1 shall not be subject to the requirements of the PCCP, except at the applicant's discretion and as set forth in subsection (d) of this measure. In lieu of the above described measures, the Specific Plan may, at the applicant's discretion, fulfill mitigation requirements by compliance with the terms of the adopted PCCP. Such compliance, as determined by Placer County, shall constitute sufficient mitigation that will obviate the need to comply with this Mitigation Measure.

m) *Joint Mitigation: Provided that the mitigation land satisfies the criteria set forth in both Mitigation Measure 6.2-1 and this Mitigation Measure, land acquired to meet the habitat mitigation requirements of this Mitigation Measure, and/or any additional habitat mitigation that is required by any governmental agency for any development project undertaken pursuant to the Regional University Specific Plan, may occur within and also be counted towards the required agricultural land mitigation obligation set forth in Mitigation Measure 6.2-1.*

(DEIR, pp. 6.4-30 to 6.4-33)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.4-2: **The proposed project could result in the filling or adverse modification of jurisdictional wetlands, non-jurisdictional wetlands, and other "waters of the U.S." This impact is *potentially significant*.** (DEIR, pp. 6.4-33 to 6.4-34.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the conversion of the project site to another use, which could affect the availability of habitat and biological function. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation:

As shown on Draft EIR Figure 6.4-1, the areas studied for the proposed project include approximately 85.28 acres of potential waters of the U.S., including those within the project site, those within the Watt Avenue extension study area, and those along the off-site infrastructure corridors to the north and east of the project site. These wetlands include seasonal wetlands, vernal pools, channels (including Curry Creek and its

tributaries) and channelized drainages, marsh and woody vegetation. Although some of these wetlands would be included as a part of designated open space areas within the project site, wetland impacts would occur on approximately 18 acres within the project site. The precise extent to which wetlands in the off-site infrastructure areas could be impacted, including impacts in the Watt Avenue extension area, cannot be determined until final alignments are determined. However, it is unlikely that the off-site infrastructure can be designed such that wetlands are completely avoided. Although the proposed project includes an alignment for the Watt Avenue extension, the ultimate alignment could differ, thus resulting in different impacts on the resources within the study area. Based on the distribution of resources within the Watt Avenue study area, impacts from any alignment within the study area, however, would be similar to those identified for the proposed alignment and would be substantially less that the total resources identified in the study area. (DEIR, pp. 6.4-33 to 6.4-34.)

The U.S. Army Corps of Engineers protects jurisdictional wetlands under the Clean Water Act. Federal policy calls for "no-net-loss" of jurisdictional wetlands. Wetlands that are not considered "jurisdictional" by the Corps could provide habitat for special-status species and/or meet the *Placer County General Plan* definition of "wetland." The General Plan has identified wetland communities and related riparian areas as resources that should be protected (see, for example, Policies 6.B.1 and 6.B.2, which call for "no-net-loss" of jurisdictional and non-jurisdictional wetlands, 6.B.4, supporting preservation of upland areas, and 6.B.5, requiring development to avoid, minimize and/or compensate for impacts on wetlands). Therefore, because fill of jurisdictional wetlands, nonjurisdictional wetlands, and other waters of the United States is prohibited without prior approval from the Corps or the County, this is considered a ***significant impact***. (DEIR, p. 6.4-34.)

Mitigation Measure:

6.4-2 a) *Implement Mitigation Measures 6.4-1 as they pertain to wetland resources.*

The mitigation acreage required by these measures may be partially or entirely included within Mitigation Measure 6.4-1, to the extent that the mitigation area includes wetlands similar in type and equal or greater in habitat value to those pools lost to development. Once it is adopted, the PCCP will provide an alternate means of mitigating the impacts on wetlands by contributing to the preservation and restoration of wetlands in western Placer County.

Additional steps shall be taken for properties that require more detailed resource identification prior to development. These steps shall include: wetland delineations, habitat mapping, and where appropriate, protocol level presence/absence surveys for special-status species within the Plan Area.

(DEIR, p. 6.4-34.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.4-3: **Development of the proposed project could result in the loss of special-status vernal pool crustacean and amphibian species and degradation and/or loss of their habitat. This impact is *potentially significant*.** (DEIR, p. 6.4-35.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the loss of special-status vernal pool crustacean and amphibian species and degradation and/or loss of their habitat as a result of development of the proposed project. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation:

Surveys have determined that the federally listed (threatened) vernal pool fairy shrimp occurs on the western portion of the site. Other special-status vernal pool crustaceans, including vernal pool tadpole shrimp and California linderiella, and one special-status amphibian, the western spadefoot, may also occur in pools within the Watt Avenue extension study area and along the off-site infrastructure corridors. While many of the pools within the project site would be preserved in designated open space areas, habitat for these species occurring within other portions of the site and off-site infrastructure areas could be lost during development of the proposed project. Loss of potential habitat for federally listed vernal pool crustaceans is prohibited under the ESA without prior permission from the USFWS. Therefore, this is considered a ***significant impact.*** (DEIR, p. 6.4-35.)

Mitigation Measure:

6.4-3 *The project applicant shall preserve, replace, re-create, or restore vernal pool crustacean habitat lost, at a ratio determined by the County in consultation with the Corps, to comply with established no-net-loss standards. Potential compensation ratios for loss of vernal pool crustacean habitat could be 3:1 for direct impacts (i.e., direct loss of a pool, or a portion of a pool) and 2:1 for indirect impacts (i.e., ground disturbance within 250 feet of a pool). This may be accomplished through implementation of Mitigation Measure 6.4-1 as it pertains to vernal pools.*

Additional steps may be required through the State and federal permitting process for properties requiring more detailed resource identification prior to development. Steps the project applicant shall implement, if required, include mapping of habitat types, delineation of wetlands (followed by submission of delineation report to the Corps for verification), special-status species habitat assessments, and possibly protocol-level special-status species surveys.

(DEIR, p. 6.4-35.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.4-4: **The proposed project could result in the loss and/or degradation of rare plant populations. This impact is *potentially significant*.** (DEIR, pp. 6.4-35 to 6.3-36.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

The proposed project area contains potential habitat for a variety of special-status plant species known to occur in the region. The project site contains known locations for Boggs Lake hedgehyssop and dwarf downingia in the western portion of the property, south of the perennial drainage on the site. Potential habitat for these and other special-status plant species, including big-scale balsamroot, legenere, and Sanford's arrowhead, also occurs within the Watt Avenue extension study area and along the off-site infrastructure corridors. Although the known locations of Boggs Lake hedge-hyssop and dwarf downingia will be avoided through the designated open space areas on the project site, potential habitat for these, and the other species mentioned above, would be lost during development of the project site, the Watt Avenue extension study area, and the off-site infrastructure. Development within the grassland portions of the project site, the Watt Avenue extension study area, and the off-site infrastructure corridors would result in the removal of habitats that could support some or all of the special-status plant species listed previously. Such habitat removal would constitute a ***significant impact.*** (DEIR, pp. 6.4-35 to 6.4-36.)

Mitigation Measure:

6.4-4 a) *Known populations of Boggs Lake hedge-hyssop and dwarf downingia*

shall be preserved in designated on-site open space preserves. Such preserve areas shall be developed in coordination with the CDFG and the USFWS, and preserved and managed in perpetuity. Additionally, potential habitat occurs in the remainder of the project site for these species as well as Ahart's dwarf rush, big-scale balsamroot, legenere, Henderson's bent grass, pincushion navarretia, Red Bluff dwarf rush, Sacramento Orcutt grass and Sanford's arrowhead. Therefore, focused botanical surveys shall be performed for these species within suitable habitat areas. The project applicant shall retain a qualified biologist to conduct focused surveys within the project site during the appropriate flowering period for these species. If any of these species are found, locations of these occurrences shall be mapped. A detailed mitigation/conservation plan that includes long-term strategies for the conservation of the species shall be developed in coordination with CNPS and/or USFWS. The conservation plan shall provide for preservation and restoration at ratios that would ensure "no-net-loss" of the affected plant habitat. If none of these species are located during surveys, no mitigation would be necessary.

The mitigation acreage required by this measure could be partially or entirely included within Mitigation Measure 6.4-1.

b) *The project applicant shall replace, re-create, or restore special-status plant habitat lost, at a ratio determined by the County. This may be accomplished through implementation of Mitigation Measure 6.4-1 as it pertains to vernal pool habitat. If any other special-status vernal pool plant species are located during the surveys, implementation of Mitigation Measure 6.4-1 for avoidance of vernal pool crustacean habitat will concurrently protect vernal pool plant species occurring in those pools.*

c) *If any other special-status upland plant species are located during the surveys locations of these occurrences shall be mapped. A detailed mitigation/conservation plan that includes long-term strategies for the conservation of the species shall be developed confirming the presence of these species. The plan shall provide for preservation and restoration at ratios that would ensure "no-net-loss" of the affected plant habitat.*

The mitigation acreage required by this measure could be partially or entirely included within Mitigation Measure 6.4-1, to the extent that the mitigation area includes upland habitat, such as annual grasslands, that provide equal or greater habitat value for the affected special-status species plants.

(DEIR, p. 6.4-36.)

Significance After Mitigation:

Less than significant.

Impact 6.4-5: **Construction of the proposed project could result in loss of valley elderberry longhorn beetles and their habitat. This impact is *less than significant*.** (DEIR, p. 6.4-37.)

Finding:

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

During the biological assessment of the project area, one elderberry shrub was observed along the south side of Curry Creek west of Brewer Road. No VELB exit holes were observed on this shrub during the biological assessment survey, and no other elderberry shrubs were observed elsewhere within the project boundaries or off-site infrastructure alignments. VELB is listed as threatened under the ESA and take of this species or its habitat, including any ground disturbance within 100 feet of the dripline of an elderberry shrub, is prohibited under the ESA. (DEIR, p. 6.4-37.)

The proposed project includes the construction of an approximately 20-acre off-site storm water retention/detention basin along Brewer Road. Due to the location of the elderberry shrub, the proposed location of the storm water detention basin would have no effect on the elderberry shrub. Therefore, this would be considered a ***less-than-significant impact***. (DEIR, p. 6.4-37.)

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

Impact 6.4-6: **The proposed project could result in the loss and/or degradation of western pond turtles and their habitat. This impact is *potentially significant*.** (DEIR, p. 6.4-37.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

Potential habitat for the western pond turtle is present within the project boundaries along the perennial drainages on the project site. Although this species was not observed during the biological resource assessment for this project, western pond turtles are known to occur along waterways downstream from Curry Creek and its tributaries. Grasslands and other relatively undisturbed habitats adjacent to the aforementioned waterways could also provide suitable nesting habitat for this species in the project area. It is therefore possible that the species is present within the project area, but was simply not detected during the survey. Construction of the proposed project, including crossings and other alterations to on-site drainages, including Curry Creek and its tributaries, as well as jurisdictional drainage ditches (see Impact 6.4-8), could result in loss of individuals or degradation of habitat for this species. This is considered a ***potentially significant impact***. (DEIR, p. 6.4-37; FEIR, p. 2-23.)

Aquatic and nesting habitat for western pond turtle will be protected through project designs that will preserve aquatic habitat, and establish a buffer zone along the drainages such that the maximum feasible amount of upland habitat is preserved. Aquatic habitat and buffer zone shall be protected in perpetuity through establishment of a permanent conservation easement. Implementation of the following mitigation measure would further reduce the magnitude of this impact by monitoring for, and moving any western pond turtles out of harm's way. These measures would ensure that no individual western pond turtles are lost during construction. (FEIR, p. 2-23.)

Mitigation Measure:

6.4-6 *Prior to project construction, the project applicant shall retain a qualified biologist to conduct pre-construction surveys of suitable marsh habitat within the project site within 30 days prior to project construction to ensure no western pond turtles have established territories. If ground-disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. If western pond turtle are identified during the pre-construction survey, it shall be moved out of the construction zone to a comparably suitable habitat not proposed for construction activities. This area would ideally be located in the same watershed, so that individuals moved would be able to easily find their way back after construction is completed. If this species is not observed during the pre-construction survey, no further mitigation would be required.*

(DEIR, pp. 6.4-37 to 6.4-38; FEIR, p. 2-23.)

Significance After Mitigation:

Less than significant.

Impact 6.4-7: **The proposed project could result in the direct loss or disturbance of nesting birds, including burrowing owls and raptors (birds-of-prey).**

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

Although relatively low in number, trees present in the project area could provide nesting habitat for nesting birds, including Swainson's hawk, white-tailed kite and other raptors, as well as other migratory bird species. Trees occur along the perennial drainage on the project site (unnamed tributary to Curry Creek). Additionally, annual grasslands and associated ground squirrel burrows present in the grassland portions of the project site and along the Watt Avenue extension study area, and the off-site infrastructure corridors are considered potential nesting habitat for burrowing owls and other ground nesting raptors such as short-eared owl and northern harrier. Nesting birds are protected under the Migratory Bird Treaty Act (MBTA) and nesting raptors are further protected under Section 3503.5 of the Fish and Game Code of California. Burrowing owls are a CDFG species of concern and nest on the ground. Construction activities in close proximity to trees or burrows could disturb nesting birds, if present. Active nests could also be lost to tree removal and grading activities. Disruption of nesting birds, resulting in the abandonment of active nests or the loss of active nests through structure removal, would be a ***potentially significant impact***. (DEIR, p. 6.4-38; FEIR, p. 2-23.)

Mitigation Measure:

6.4-7 a) *When construction is proposed during the raptor breeding season (February to early September), a focused survey for raptor nests (including both tree and gound nesting species) shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests on-site. If active nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. To the extent possible, tree removal should be conducted outside of the active raptor nesting season (late September to January). If no active nests are found during the focused survey, no further mitigation will be required. This measure will ensure that active nests are not moved or substantially disturbed during the breeding season, so that raptor eggs and young are not destroyed or abandoned as a result of construction. If an active Swainson's hawk nest is found, no intensive new disturbances (e.g., heavy equipment operation associated with*

construction, use of cranes or draglines, new rock crushing activities) or other project-related activities that could cause nest abandonment or forced fledging, can be initiated within 500 feet (buffer zone) of an active nest between March 1 and September 15. If a qualified biologist and CDFG agree, the size of the buffer area may be adjusted up or down as appropriate to the specific on-site conditions of the nest location, provided it would not be likely to have adverse effects on the hawks. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active.

b) *When construction is proposed during the burrowing owl breeding season (February 1 - August 31), a focused survey for burrows shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify any active burrows. Because burrowing owls can be present year-round, a preconstruction survey shall be conducted regardless of the time of year. If active nests are found, no construction activities shall take place within 160 feet of the burrow during the non-breeding season of September 1 through January 31, or 250 feet of the nest during the breeding season, until the young have fledged. If no active nests are found during the focused survey, no further mitigation will be required.*

Where possible, active burrowing owl burrows shall be avoided by incorporating them into open space areas and protecting the burrows in perpetuity. If these burrows, along with 6 acres of adjacent foraging habitat per pair, are avoided, no further mitigation would be required.

If burrows are removed as a result of implementation and there is suitable habitat onsite, CDFG shall be consulted on current passive relocation methodology before relocation of owls is attempted. Relocation of owls should only be implemented during the non-breeding season. On-site habitat shall be preserved in a conservation easement and managed to promote burrowing owl use of the site.

If there is not suitable habitat on-site, off-site passive relocation shall be required. Off-site habitat must provide suitable burrowing owl habitat. Land shall be purchased and/or placed in a conservation easement in perpetuity and managed to maintain suitable habitat. Off-site mitigation shall use one of the following ratios:

1. *Replacement of occupied habitat with occupied habitat: 1.5 times 6.6 (for a total of 9.9 acres) acres per pair or single bird.*

2. *Replacement of occupied habitat with habitat contiguous to currently occupied habitat: 2 times 6.5 (for a total of 13 acres) acres per pair or single bird.*

3. *Replacement of occupied habitat with suitable unoccupied habitat: 3 times 6.5 (for a total of 19.5 acres) acres per pair or single bird.*

The replacement of burrowing owl habitat required by this measure could be partially or entirely included within Mitigation Measure 6.4-1, to the extent that the mitigation area includes areas appropriate for burrowing owl.

Other Ground Nesting Raptors

Loss of potential nesting habitat for ground nesting raptors will be accomplished concurrently with avoidance and mitigation measures proposed for burrowing owl, and through the project designs that call for preservation of annual grasslands within buffer areas along creeks and vernal pool uplands.

(DEIR, pp. 6.4-38 to 6.4-39; FEIR, p. 2-24.)

Significance After Mitigation:

Less than significant.

Impact 6.4-8: **The proposed project could result in the loss of foraging habitat for Swainson's hawk, white tailed kite, burrowing owl, and other raptors. This impact is *potentially significant*.** (DEIR, pp. 6.4-39 to 6.4-40.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the loss of foraging habitat for Swainson's hawk, white tailed kite, burrowing owl, and other raptors as a result of the project. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Swainson's hawk, white tailed kite, burrowing owl, and other raptors forage (search for food) over annual grasslands and agricultural habitats, which are present on a majority of the project site. While the suitability of agricultural habitat is variable, depending on the

season and rice farming schedules, approximately 1,382 acres of agricultural land and 316.87 acres of annual grassland is available within the study area (which includes the project site and study areas for off-site infrastructure). (DEIR, p. 6.4-39.)

The CDFG considers grasslands and some agricultural lands occurring within 10 miles of an active Swainson's hawk nest site to be suitable foraging habitat. At least one active nest has been documented within five miles of the project site. Implementation of the proposed project would result in the loss of up to 940.22 acres on the project site and the off-site infrastructure corridors of foraging habitat for these species through conversion to urban land uses (this acreage is generated by subtracting the total wetland acres [85.28] from the total impacted acreage of 557.5 acres for the Community, 416.5 acres for the University, 35 acres for the extension of Watt Avenue from the project site to Base Line Road, and 16.5 acres in the off-site grading areas). The loss of Swainson's hawk foraging habitat would also affect other raptors and migratory birds that utilize the same annual grasslands for foraging. Swainson's hawk is State-listed as threatened, and removal of their habitat is prohibited without prior approval from the CDFG. Therefore, the impact to Swainson's hawk habitat is considered ***significant***. (DEIR, pp. 6.4-39 to 6.4-40.)

Mitigation Measure:

6.4-8 *The project applicant shall replace, re-create, or restore Swainson's hawk nesting and foraging habitat lost, at a ratio of 1:1 for each acre lost, as determined appropriate by the County. This may be accomplished through implementation of Mitigation Measure 6.4-1 as it pertains to Swainson's hawk foraging habitat and nesting trees.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.4-9: **The proposed project could result in loss of nesting habitat for non-raptor special-status bird species. This impact is *potentially significant*.** (DEIR, pp. 6.4-40 to 6.4-41.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

Non-raptor special-status bird species, such as Tricolored blackbirds and California black rails, are known to nest in dense colonies in thick stands of emergent wetland vegetation (e.g., cattails, tules, blackberries) where there is a permanent water source. They have also been observed nesting in riparian vegetation such as willows (*Salix* spp.), thistles

(*Cirsium* spp.), wild rose (*Rosa* spp.) when freshwater emergent vegetation is not available. They nest from April through August and nesting sites are generally in close proximity to foraging areas (i.e., rice fields, pond margins, and grasslands). The project site supports small areas of sparse, woody vegetation and marsh habitats with cattails along drainages that could provide nesting habitat for tricolored blackbirds and black rails. These areas occur primarily in the western portion of the project site. Alterations to other drainages that would occur as part of the proposed project could remove nesting habitat and/or disrupt active nesting/breeding activities resulting in nest abandonment if the birds occur on-site. (DEIR, pp. 6.4-40 to 6.4-41.)

Tricolored blackbirds are protected under the MBTA and are a California species of concern, and destruction of active nests is considered a violation of the MBTA. The California black rail is State listed as well as protected under the MBTA. Destruction of active nests is considered a violation of the MBTA, and, consequently, impacts to nesting special-status birds would be considered a ***potentially significant impact***. (DEIR, p. 6.4-41.)

Mitigation Measure:

6.4-9 *Prior to construction, a focused survey for non-raptor special-status bird species and nesting colonies shall be conducted by a qualified biologist within 30 days prior to the beginning of construction activities in order to identify active nests within the construction area. If active nests are found, no construction activities shall take place within five hundred feet of the nest and/or nesting colony until the young have fledged. The biologist shall consult with CDFG, particularly with respect to vegetation removal as a result of project construction. If no active nests and/or nesting colonies are found during the focused survey, no further mitigation will be required.*

(DEIR, p. 6.4-41.)

Significance After Mitigation:

Less than significant.

Impact 6.4-10: **The proposed project could resulting the modification of on-site drainages, disrupting the associated habitat. This impact is *potentially significant*.** (DEIR, pp. 6.4-41 to 6.4-42.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

On-site drainages traverse the project site, and could provide habitat for special-status species as described in Impacts 6.4-3, 6.4-4, and 6.4-8. In addition, these drainages could provide habitat for other wildlife species, such as ducks, egrets, and other waterfowl. (DEIR, p. 6.4-41.)

Construction contractors would be required to obtain and comply with the conditions of a State General Construction Activity Storm Water Permit adopted by the California State Water Resources Control Board (see Section 6.8, Hydrology and Water Quality). The general permit is intended to ensure compliance with State water quality objectives and water protection laws and regulations, including those related to waste discharges. Permit applicants are required to prepare and retain at the construction-site a Storm Water Pollution Prevention Plan (SWPPP). The storm water quality management program would address project construction and would specify control measures and best management practices (BMPs) designed to minimize sedimentation and release of products used during construction (e.g., petroleum products, paint, cement, etc.) into on-site drainages. (DEIR, p. 6.4-41.)

The proposed project would implement a restoration program along on-site drainages that would involve deepening and widening the channel, followed by revegetation with selected native vegetation and construction of additional wetland features. While this restoration program would ultimately improve both the vegetative quality of the wetland and water quality, temporary disturbances related to the in-channel restoration activities could disrupt existing plant and wildlife resources, through removal of existing vegetation, and excavation within the bank and streambed. (DEIR, pp. 6.4-41 to 6.4-42.)

The CDFG, pursuant to Section 1600 et seq. of the Fish and Game Code, has authority over work consisting of, but not limited to, the diversion or obstruction of natural flow or changes in the channel, bed, or bank of any river, stream, or lake. Any construction activities within the stream would require a Streambed Alteration Agreement. In addition, the Corps has jurisdiction over any construction activities that occur within waters of the United States (see impact 6.4-1). On-site drainages would be considered a water of the United States and any work within the channel would require approval from the Corps. The California Regional Water Quality Control Board would also have jurisdiction under Section 401 of the Clean Water Act and would require a water quality waiver or water quality certification. Alteration of on-site drainages could be considered a ***potentially significant impact***, as it could prevent use of this habitat by special-status and other wildlife species. (DEIR, p. 6.4-42.)

Mitigation Measure:

6.4-10 *Prior to the issuance of a grading permit, a Streambed Alteration Agreement shall be obtained from CDFG, pursuant to Section 1600 et seq. of the California Fish and Game Code, for each stream crossing and any*

other activities affecting the bed, bank, or associated woody vegetation of the stream. If required, the project applicant shall coordinate with CDFG in developing appropriate mitigation, and shall abide by the conditions of any executed agreements. Streambed Alteration Agreement measures to protect the channel bank of a stream from erosion and related effects of construction shall be included in all related construction contracts. Impacts to woody vegetation or removed trees adjacent to creeks would be addressed through the issued Streambed Alteration Agreement.

(DEIR, p. 6.4-42.)

Significance After Mitigation:

Less than significant.

Impact 6.4-11: **Development of the proposed project could result in the loss of bat roosting habitat. This impact is *potentially significant*.** (DEIR, p. 6.4-42.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

Housing and barn structures occurring on the Watt Avenue extension site could provide roosting habitat for special-status bats, and other bats protected through Section 4700 of the Fish and Game Code. Removal of these structures to accommodate project construction could result in the loss of individual bats or their roosting habitat. Because the loss of individual bats or their roosting habitat is prohibited through Section 4700 of the Fish and Game Code, this would be a ***potentially significant impact***. (DEIR, p. 6.4-42.)

Mitigation Measure:

6.4-11 *Prior to removal of existing structures on these properties, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for roosting bats in the buildings to be removed. If no roosting bats are found, then no further mitigation would be required. If a bat roost is found, CDFG or the USFWS shall be consulted on measures to avoid impacts to roosting bats. These measures may include avoidance of roosts during the maternity seasons, passive exclusion of bats during the non-maternity season, and/or incorporation of bat houses or other potential roosting habitat in project designs where appropriate.*

(DEIR, p. 6.4-43; FEIR, p. 2-24.)

Significant After Mitigation:

Less than significant.

Impact 6.4-12: **Development of the proposed project could result in habitat fragmentation and wildlife population isolation. This impact is *potentially significant.*** (DEIR, p. 6.4-43.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with habitat fragmentation and wildlife population isolation that may be caused by the project. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation:

The proposed project area provides potential habitat for a variety of native resident and migratory wildlife species. These species may use habitats within the project boundaries for foraging, cover, breeding, or nesting. Although the development of the proposed project would result in the development of natural and agricultural habitat, the proposed project area does not represent a major migration corridor. Open space corridors, including buffer areas, along natural and modified drainages would be preserved as a part of the project design. Development of the proposed project would remove some habitat from the site. However, with the inclusion of the open space corridor along the natural drainages, wildlife movement through the project area could continue, and the introduction of genetic diversity from adjacent sites would not be disrupted. Furthermore, wildlife would be able to use on-site drainages and the open space corridor for movement. Although preservation of open space and drainage corridors would prevent isolation of habitat areas from one another, urbanization could still affect the range of some species and reduce the value of preserved habitat (e.g., by removing foraging habitat from the vicinity of nesting habitat). Therefore, this impact is considered ***significant.*** (DEIR, p. 6.4-43.)

Mitigation Measure:

6.4-12 *Implement Mitigation Measure 6.4-1.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.4-13: **Construction of the proposed project, in combination with other development in the county, could contribute to the loss of native plant communities, wildlife habitat values, special-status species and their potential habitat, and wetland resources in the region. This impact is *potentially significant*.** (DEIR, pp. 6.4-43 to 6.4-44.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the loss of native plant communities, wildlife habitat values, special-status species and their potential habitat, and wetland resources in the region as a result of construction of the proposed project, in combination with other development in the county. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation:

As development in western Placer County in general continues, habitat for plant and wildlife species native to the region will be lost through conversion to urban development. Although more mobile species may be able to survive these changes in their environment by moving to new areas, less mobile species would simply be extirpated. With continued conversion of natural habitat to human use, the availability and accessibility of remaining natural habitats in this ecosystem would dwindle. Those remaining natural areas would not be able to support additional plant or animal populations above their current carrying capacities. The conversion of plant and wildlife habitat on a regional level would therefore result in a cumulatively significant impact on biological resources. (DEIR, pp. 6.4-43 to 6.4-44.)

The project area supports annual grassland and jurisdictional waters of the United States, including suitable habitat for vernal pool crustaceans, amphibians, and plants, as well as nesting and foraging habitat for the Swainson's hawk and other raptors. The project site also includes on-site drainages and tributaries which could provide habitat for special-status reptiles and birds. As discussed in project Impacts 6.4-1 through 6.4-11, construction of the proposed project could result in the loss and/or degradation of potential waters of the U.S., loss or degradation of special-status species and their habitat, and loss of foraging and nesting habitat for the Swainson's hawk and other raptors. Construction of the proposed project, in combination with other development projects in the immediate vicinity could, therefore, contribute to a fragmentation and loss of regional biodiversity through the incremental conversion of natural habitat for special-status species to human uses, and thereby limit the availability and accessibility of remaining natural habitats to regional wildlife. The loss of land supporting areas of natural habitat will overcome any one project's ability to compensate for lost habitat values. Therefore,

the loss of plant and wildlife habitat as a result of implementation of the proposed project is cumulatively considerable, resulting in a ***significant impact***. (DEIR, p. 6.4-44.)

Mitigation Measure:

6.4-13 *Implement Mitigation Measures 6.4-1 through 6.4-11.*

Significance After Mitigation:

Significant and unavoidable.

F. CULTURAL RESOURCES

Standards of Significance

Under criteria based on the State CEQA Guidelines, for purposes of this EIR, an impact would be considered significant if the proposed project would:

- Cause a substantial adverse change in the significance of a unique archaeological resource or an historical resource as defined in section 21083.2 of the Public Resources Code and section 15064.5 of the State CEQA Guidelines, respectively;
- Disturb any human remains, including those interred outside of formal cemeteries; or
- Directly or indirectly destroy a unique paleontological resource.

(DEIR, pp. 6.5-9 to 6.5-10.)

Impact 6.5-1: **The proposed project could cause a significant adverse change in the significance of a unique archaeological resource or an historical resource as defined in section 21083.2 of CEQA and section 15064.5 of the State CEQA Guidelines. This impact is *potentially significant*.** (DEIR, p. 6.5-10.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the significant adverse change in the significance of a unique archaeological resource or an historical resource as defined in section 21083.2 of CEQA and section 15064.5 of the State CEQA Guidelines as a result of the project.

Explanation:

The NCIC records search conducted for the proposed project indicated that approximately 65 percent of the study area had been formally surveyed for cultural resources. No cultural resources were newly identified and no previously recorded resources could be relocated during any of the previous surveys detailed in the results of the records search. The records search identified two previously recorded prehistoric sites (CA-PLA-134 and CA-PLA-137) within the study area. Neither of these sites nor any evidence of prehistoric presence or activity was observed anywhere within the study area during the pedestrian survey. Pursuant to SB 18 requirements, the Placer County Planning Department engaged in tribal consultation with the United Auburn Indian Tribe in accordance with the State of California Tribal Consultation Guidelines. This consultation process did not result in the identified of any known Native American cultural places that would be affected by the proposed project. (DEIR, p. 6.5-10.)

Two State bridges on the western edge of the project site have been determined ineligible for listing on the NRHP. One historic road course referred to as the "Sacramento and Nevada Road" and identified on an 1855 Government Land Office map as proceeding through the central portion of the RUSP project site was not located during the pedestrian survey. The original road track was most likely destroyed by plowing, discing, and land leveling by heavy equipment used in conjunction with rice farm operations. One historic isolate and one light-density trash scatter have been documented within the project area by ECORP, Inc. Neither the isolate nor the trash scatter containing a light-density mix of both historic and contemporary items have been recommended as significant per CEQA or eligible for inclusion in the NRHP. (DEIR, p. 6.5-10.)

All or nearly all of the study area, which includes the RUSP project site and the areas proposed for off-site infrastructure, has at one time or continues to be subjected to intense mechanized rice farming. Based on the intensity of agricultural production within the study area over the last several decades and the results of the records search, Native American consultation, and pedestrian survey, the study area retains a moderate to low sensitivity for the presence of subsurface cultural resources. However, there is a possibility that subsurface historical resources or unique archaeological resources exist on the project site that could be uncovered during grading, excavation, and other earth-moving activities during construction. If encountered during construction such resources could be damaged or destroyed. This would be considered a ***potentially significant impact***. (DEIR, p. 6.5-10.)

Mitigation Measure:

6.5-1 *In the event that any prehistoric or historic subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortar are discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the County shall be notified. The*

County shall consult with a qualified archeologist to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), then representatives of the County and the qualified archaeologist shall meet to determine the appropriate course of action, with the County making the final decision. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report shall be prepared by the qualified archaeologist according to current professional standards.

If the archaeologist determines that some or all of the affected property qualifies as a Native American Cultural Place, including a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (Public Resources Code §5097.9) or a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Public Resources Code §5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (Public Resources Code §5097.993), the archaeologist shall recommend to the County potentially feasible mitigation measures that would preserve the integrity of the site or minimize impacts to it, including any or a combination of the following:

a) *Avoidance, preservation, and/or enhancement of all or a portion of the Native American Cultural Place as open space or habitat, with a conservation easement dedicated to the most interested and appropriate tribal organization (e.g., the United Auburn Indian Tribe), if such an organization is willing to accept and maintain such an easement, or alternatively, a cultural resource organization that holds conservation easements;*

b) *An agreement with any such tribal or cultural resource organization to maintain the confidentiality of the location of the site so as to minimize the danger of vandalism to the site or other damage to its integrity; or*

c) *Other measures, short of full or partial avoidance or preservation, intended to minimize impacts to the Native American Cultural Place consistent with land use assumptions and the proposed design and footprint of the development project for which the requested grading permit has been approved.*

After receiving such recommendations, the County Planning Director shall assess the feasibility of the recommendations and impose the most protective mitigation feasible in light of land use assumptions and the proposed design and footprint of the development project. In reaching his or her conclusions with respect to these recommendations, the Planning

Director shall consult with both the project applicant and the most interested and appropriate tribal organization.

(DEIR, pp. 6.5-11.)

Significance After Mitigation:

Significant and unavoidable.

Impact 6.5-2: **The proposed project could disturb human remains, including those interred outside of formal cemeteries. This impact is *potentially significant*.** (DEIR, p. 6.5-12.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

Based on the intensity of agricultural production within the study area over the last several decades and the results of the records search, the Placer County Planning Department's tribal consultation pursuant to SB 18 requirements, and the pedestrian survey, the study area retains a moderate to low sensitivity for the presence of human remains. However, there is a possibility that human remains, including those interred outside of formal cemeteries, exist on the project site that could be disturbed during grading, excavation, and other earth-moving activities during construction. This would be considered a ***potentially significant impact***. (DEIR, p. 6.5-12.)

Mitigation Measure:

6.5-2 *If human remains are discovered at any project construction sites at any time during construction, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the Placer County Planning Department, the County coroner, and the United Auburn Indian Community shall be notified immediately. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains.*

The County shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation, to be verified by the County, before the resumption of ground-disturbing activities within 50-feet of where the remains were discovered.

(DEIR, p. 6.5-12; FEIR p. 2-24.)

Significance After Mitigation:

Less than significant.

Impact 6.5-3: **The proposed project could directly or indirectly destroy a unique paleontological resource. This impact is *potentially significant*.** (DEIR, p. 6.5-12.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

As previously described, a literature survey of the study area indicated a potentially fossiliferous geological formation (the Riverbank Formation) underlying the entire study area. Future development of the study area has the potential to unearth undiscovered paleontological resources. No fossils and no evidence of exposed geomorphological features that typically contain fossils were observed during the pedestrian survey of the study area, but that does not preclude the possibility of their existence at greater depth below the ground surface. Because the proposed project could directly or indirectly destroy a unique paleontological resource, this is considered a ***potentially significant impact***. (DEIR, p. 6.5-12.)

Mitigation Measure:

6.5-3 *Should paleontological resources be identified at a particular site, the project manager shall cease operation until a qualified professional can provide an evaluation. Mitigation shall be conducted as follows:*

1. *Identify and evaluate paleontological resources by intense field survey where impacts are considered high;*

2. *Assess effects on identified sites;*

3. *Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted;*

4. *Obtain comments from the researchers; and*

5. *Comply with researchers' recommendations to address any significant adverse effects where determined by the County to be feasible.*

In considering any suggested mitigation proposed by the consulting paleontologist, County Planning Department Staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, Specific Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

(DEIR, p. 6.5-13.)

Significance After Mitigation:

Less than significant.

Impact 6.5-4: **The proposed project, in combination with other development in the Sacramento region, could adversely affect unique archaeological resources or historical resources as defined in section 21083.2 of CEQA and section 15064.5 of the State CEQA Guidelines. This impact is *potentially significant*.** (DEIR, pp. 6.5-13 to 6.5-14.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the adverse effect on unique archaeological resources or historical resources as defined in section 20183.2 of CEQA and section 15064.5 of the State CEQA Guidelines as a result of the proposed project, in combination with other development in the Sacramento region.

Explanation:
Based upon previous cultural resource surveys and research, the Sacramento region (which includes El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba counties) has been inhabited by prehistoric and historic peoples for thousands of years. The proposed project, in combination with other development in the Sacramento region, could

contribute to the loss of significant cultural resources. Because all significant cultural resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. The loss of any one archaeological site affects all others in a region because these resources are best understood in the context of the entirety of the cultural system of which they are a part. The boundaries of an archaeologically important site extend beyond the site boundaries. As a result, a meaningful approach to preserving and managing cultural resources must focus on the likely distribution of cultural resources, rather than on project or parcel boundaries. The cultural system is represented archaeologically by the total inventory of all sites and other cultural remains in the region. Proper planning and appropriate mitigation can help to capture and preserve knowledge of such resources and can provide opportunities for increasing our understanding of the past environmental conditions and cultures by recording data about sites discovered and preserving artifacts found. Federal, State, and local laws are also in place, as discussed above, that protect these resources in most instances. Even so, it is not always feasible to protect these resources, particularly when preservation in place would frustrate implementation of projects, and for this reason the cumulative effects of the RUSP and related projects in the region will be significant. Moreover, because the proposed project has the potential to adversely affect significant cultural resources that are unique and non-renewable members of finite classes, the project's incremental contribution to these cumulative effects would itself be potentially cumulatively considerable, and thus ***potentially significant***. (DEIR, pp. 6.5-13 to 6.5-14.)

Mitigation Measure:

6.5-4 *Implement Mitigation Measure 6.5-1.*

Significance After Mitigation:

Significant and unavoidable.

Impact 6.5-5: **The proposed project, in combination with other development in the Sacramento region, could adversely affect human remains, including those interred outside of formal cemeteries. This impact is *potentially significant*.** (DEIR, p. 6.5-14.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant environmental effect as identified in the Final EIR.

Explanation:

Based upon previous cultural resource surveys and research, the Sacramento region (which includes El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba counties) has