



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING  
SERVICES DIVISION**

EJ Ivaldi, Deputy Director

**HEARING DATE:** April 9, 2015  
**ITEM NO.:** 2  
**TIME:** 10:20 AM

**TO:** Placer County Planning Commission  
**FROM:** Development Review Committee  
**DATE:** March 25, 2015  
**SUBJECT: ORCHARD AT PENRYN  
REZONE/VESTING TENTATIVE SUBDIVISION MAP/VARIANCE (PLN14-00052)  
ADDENDUM TO PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT  
REPORT  
SUPERVISORIAL DISTRICT 3 (HOLMES)**

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**COMMUNITY PLAN AREA:** Horseshoe Bar/Penryn Community Plan

**COMMUNITY PLAN DESIGNATION:** Penryn Parkway

**ZONING:** RM-DL10 PD=10 (Residential Multi-Family, combining Density Limitation of 1dwelling units per acre, combining Planned Development of 10 dwelling units per acre) and C1-UP-DC (Neighborhood Commercial, combining Use Permit Required, combining Design Scenic Corridor)

**ASSESSOR PARCEL NUMBERS:** 043-060-052 and 043-060-053

**STAFF PLANNER:** Sherri Conway, Senior Planner

**LOCATION:** The subject property is comprised of two parcels (Assessor's Parcel Numbers 043-060-052 and 043-060-053) totaling ±15.1 acres, located on the west side of Penryn Road, approximately 0.50 miles north of Interstate 80, in the Penryn area. (Attachment B – Vicinity Map).

**APPLICANT:** Mike Mahoney, Penryn Development LLC

**PROPOSAL:** The project proposes to develop a 54-lot single-family residential subdivision, including two open space lots and one tot lot, on a 15.1-acre site. Requested entitlements include 1) a Rezone from RM-DL10 PD=10 (Residential Multi-Family, combining Density Limitation of 10 units per acre, combining Planned Residential Development of 10 units per acre) and C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor) to RS-B-4 (Residential Single-Family, combining Building Site of 4,000 square feet), 2) a Vesting Tentative Subdivision Map, and 3) a Variance to Section 17.54.060(B)(5) of the Zoning Ordinance to allow for a reduction in the required parking standards from 158 to 136 spaces. The submitted application would modify the planning approvals previously granted by Placer County in 2012 allowing for development of 150 multi-family residential units at the project site.

### **CEQA COMPLIANCE:**

In 2007, Penryn Development LLC filed an application for the Orchard at Penryn project, to develop 150 multi-family residential dwelling units on the project site that included a Tentative Subdivision Map and Conditional Use Permit. Placer County prepared a Draft and Final EIR, and certified the Final EIR on December 11<sup>th</sup>, 2012.

The Draft Environmental Impact Report prepared for the prior Orchard at Penryn project identified the following impacts as "significant" or "potentially significant". However, with implementation of the mitigation measures identified in the Final EIR, these impacts will be reduced to less than significant levels:

- Land Use
- Biological Resources
- Visual Resources (except as specifically noted below under impacts that remain "Significant and Unavoidable")
- Transportation and Circulation (except as specifically noted below under impacts that remain "Significant and Unavoidable")
- Air Quality (except as specifically noted below under impacts that remain "Significant and Unavoidable")
- Noise
- Geology and Soils
- Hydrology and Water Quality
- Utilities
- Hazards and Hazardous Materials
- Cumulative Impacts

The Draft EIR also concluded that after implementation of all mitigation measures, there would be impacts that remain "significant and unavoidable". These impacts are noted below and later discussed in the staff report under "Discussion of Issues":

- Visual Resources
  - Substantially Degrade Existing Visual Character or Quality
  - Contribute to Cumulative Degradation of Existing Visual Character or Quality
- Traffic and Circulation
  - Substantially Increase Traffic or Conflict with Level of Service Standards in the Cumulative Plus Project Condition
  - Conflict with Transportation and Circulation Plans and Policies in the Cumulative Plus Project Condition
- Air Quality
  - Violate any Air Quality Standard During Project Construction
  - Increase Cumulative Concentrations of ROG or NO<sub>x</sub>

The California Environmental Quality Act (CEQA) recognizes and authorizes the approval of projects where not all adverse impacts can be fully mitigated to a less than significant level. As such, Placer County adopted the Statement of Findings and Overriding Considerations to satisfy this requirement.

As Lead Agency, Placer County has evaluated whether the currently proposed single-family residential development would result in new or more severe environmental impacts than those evaluated in the prior EIR. Consistent with the requirements of CEQA Guidelines Section 15162 and 15163, the County must determine whether the proposed changes to the proposed project trigger the need for a subsequent or supplemental EIR. If there are no grounds for either a subsequent EIR or supplemental EIR, then the County would be required to prepare an addendum pursuant to CEQA Guidelines Section 15164.

Based on the conclusions provided in the Supplemental Checklist for the Orchard at Penryn project, Placer County has concluded that an addendum to the previously certified EIR for the Orchard at Penryn project is the appropriate document under CEQA for the following reasons:

- The proposed revisions to the Orchard at Penryn project would not alter any of the conclusions of the certified EIR regarding the significant of environmental impacts. Because the proposed revisions would not alter the site boundaries, and would likely reduce the impact of the development by reducing the number of proposed dwelling units, these modifications would not result in an increased impact on the physical environment.
- The inclusion of Additional Mitigation Measure 1 will adequately address impacts to forestry resources; this measure restates the requirements expressed in Mitigation Measure 5.1c, which was included in the certified EIR.
- The inclusion of Additional Mitigation Measure 2 will adequately address impacts related to noise levels; this measure identifies parameters necessary for provision of sound barriers for residential lots adjacent to the onsite landscape easement along Penryn Road.

**PUBLIC NOTICES AND REFERRAL FOR COMMENTS:**

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sacramento Bee* newspaper. Other appropriate public interest groups and citizens were sent copies of the public hearing notice and the Horseshoe Bar/Penryn Municipal Advisory Council. Copies of the project plans and application were transmitted to the Community Development Resource Agency staff and the Departments of Public Works and Environmental Health Services, the Air Pollution Control District and Facility Services for their review and comment.

**BACKGROUND:**

On December 11<sup>th</sup>, 2012, the Placer County Board of Supervisors approved the Orchard at Penryn project that would allow for 150 multi-family residential units. (Attachment C - Approved Site Plan). Approved entitlements included a Tentative Subdivision Map and Conditional Use Permit, including certification of a Final EIR. Since that time, Placer County has not issued any grading or building permits for the project and the property owner has not commenced any site preparation activities at the project site. Due to a changing economic climate, the applicant has determined that the previously-approved, multi-family residential product is no longer financially viable, and is now seeking a modification of the project to allow instead, a reduced density, single-family residential subdivision.

**PROJECT DESCRIPTION:**

The project applicant proposes to modify the land uses planned for the ±15.1-acre Orchard at Penryn project site, which was previously approved for development of 150 multi-family dwelling units (Approved Project). The currently proposed project would develop 54 single-family residential units with lot sizes ranging from 4,000 to 12,000 square feet. The project site would include six lots in common ownership containing open space in the central portion of the project site (Lots A and B), the private onsite roadway and guest parking (Lot C), a 0.12-acre recreational tot lot in the western portion of the site (Lot D), and two landscape corridor lots along the site's frontage on Penryn Road (Lots E and F). The primary vehicular access to the site would be off of Penryn Road. An exit-only driveway onto Taylor Road would also be provided. Both driveways would be gated. Onsite circulation would be provided with two looped roads connected with a single roadway crossing over the central drainage swale. The proposed project would also include a 30-foot wide landscape easement along Penryn Road, onsite landscaping, and placement of utilities. All utilities would be provided to the site through connections to existing utilities infrastructure within and adjacent to the project site. A large commonly

held open space area that bisects the property would be maintained and several prominent rock outcroppings would be preserved. (Attachment D - Proposed Site Plan).

#### Comparison with Approved 150 Unit Multi-family Residential Project

The proposed project results in overall fewer impacts than the Approved Project. The key changes between the multi-family project approved in 2012 and the current single family proposed project are as follows:

- The proposed project will create a 54 lot subdivision, where the Approved Project would not have resulted in the creation of individually-owned parcels.
- The number of dwelling units proposed will be reduced from 150 to 54, with a corresponding reduction in local population growth from 420 people to 152.
- The type of dwelling unit proposed will be changed from multi-family to single-family.
- Residential units will have a smaller building scale and mass than the 6 and 8-unit multi-family dwelling units, reducing visual impacts.
- The proposed project would generate fewer greenhouse gas emissions than the Approved Project.
- The proposed project would result in a decreased water demand from 60 acre-feet of water annually for the Approved Project to 29.3 acre-feet.
- There will be reduction in ambient noise with the proposed project as compared to the approved project due primarily to the elimination of the community pool and recreation area.
- The proposed project will result 516 daily vehicle trips as compared to 989 daily trips generated by the Approved Project.
- The proposed project will generate 301 pounds per day of solid waste as compared to 378 pounds per day from the Approved Project.
- While the total volume of soil cuts and fills would be reduced (cut volume reduced from 43,147 to 37,300 cubic yards and total fill volume reduced from 55,177 to 54,500 cubic yards), the amount of soil imported to the site would increase from 23,630 to 28,800 cubic yards.

#### Site Planning

The project proposes 54 single-family residential lots on the two combined parcels (5.22 acres and 9.92 acres) totaling 15.1-acres. The RS-B-4 (Residential Single Family, combining Building Site of 4,000 square feet) zone district sets forth specific lot development standards. The minimum lot sizes for the proposed residential lots would be in the 4,000 to 6,000 square feet range, maximum lot sizes would be in the 10,000 to 12,000 square feet range and the average lot size would be approximately 8,200 square feet. Interior minimum lot widths are 45 feet, while corner lots are a minimum of 50 feet wide. The exception to this applies to Lots 16, 47, 48, 52, and 53, which shall have a minimum lot width of 45 feet as measured at the front setback of 20 feet.

Residences would be located so that they meet or exceed the County's minimum setback requirements. Front setbacks would be a minimum of twelve and one-half feet (12.5') for any portion of the structure; however garages would be set back a minimum of 20 feet to allow adequate parking for two (2) vehicles in the driveway. A minimum side yard setback of five feet (5') for one-story, and seven and one-half feet (7.5') for two story homes will be required. Rear setback requirements are ten feet (10') for one-story, twenty feet (20') for two story homes, except for the lots along the northern and southern perimeter of the project site. Buildings on these lots will be required to maintain a minimum rear setback of fifteen feet (15') from the rear property line to reduce impacts to the existing rural residential properties to the north and south of the project site. As required by the Horseshoe Bar/Penryn Community Plan, the project would maintain a 30-foot wide landscape

corridor along the site's Penryn Road frontage. The four lots backing up to Penryn Road would be located a minimum of forty feet (40') from the edge of the highway easement.

Within the RS-B-4 zone district, the maximum lot coverage permitted on any lot would be forty (40) percent and the maximum building height allowed would be 30 feet.

### Grading and Site Remediation

In the past, the project site was used as a fruit orchard. The site soils contain hazardous materials associated with pesticide use at the orchard formerly supported onsite. Therefore, site remediation is proposed as part of the project. The Removal Action Workplan (RAW) for the site has been approved by the California Department of Toxic Substances Control (DTSC). The RAW describes the excavation and off-haul of affected soil that would be completed to reduce the site-related soil contaminants to levels that do not pose a threat to human health and to reduce the potential for adverse ecological effects from the site contaminants and offsite migration of site contaminants. Grading would begin upon issuance of a tentative "No Further Action" letter from DTSC. Post-excavation soil testing would be completed to demonstrate that the site remediation has been completed successfully, and DTSC would provide final certification for unrestricted land use at the project site.

Implementation of the RAW would require excavation and removal of 11,600 cubic yards of soil. This soil would be replaced with 11,600 cubic yards of clean soil imported to the site. In addition, development of the proposed project would require grading for building pads, roadways, and utilities. The Preliminary Grading Plan provides for grading cuts that total 25,700 cubic yards of soil and 42,900 cubic yards of fill, requiring import of an additional 17,200 cubic yards to balance cuts and fills on the site. Considering both the RAW and the proposed site grading, a total of 28,800 cubic yards of soil would be imported to the site. Areas that would remain ungraded include the northern portion of the central intermittent stream and oak woodland habitat associated with this wetland feature, areas around the preserved rock outcroppings, and other limited areas around the site perimeter.

### Landscaping/Fencing

The preliminary Landscaping Plan provides for a variety of trees and shrubs along the property boundaries, common areas, and parking areas (Attachment E). Tree plantings would include a mixture of 15-gallon, 24-inch box, and 36-inch box trees, in a variety of species. Interior live oak trees would be planted in and around the open space areas; other tree species in the proposed planting list include sycamore, deodar cedar, eastern redbud, Japanese maple, fern pine, and other ornamental species. Black maples would line the main road that traverses the project site from east to west. As noted above, the project would establish a 30-foot landscape easement along the site's Penryn Road frontage. This area would be landscaped with trees, shrubs, and ground cover. When mature, the project landscaping would partially screen views to the interior of the project site from Penryn Road and properties to the east.

Fencing would be placed around the perimeter of the project site and would comply with applicable County requirements and design guidelines. The fencing would be an open wrought iron (or similar material) designed with a maximum height of six feet and would be compatible with existing residential land uses in the vicinity. The vehicle gates proposed along Penryn Road and Taylor Road (exit-only) would also be open wrought iron (or similar material) and subject to the Design/Site review process. A series of retaining walls would also be constructed along portions of the property boundaries.

### Utilities

The proposed project would require placement of infrastructure to provide water, electricity, telephone, natural gas, and cable television services to the site. Underground utilities would run in easements along roadways and alleys within the development. Domestic water would be supplied

from Placer County Water Agency (PCWA). The project would connect to an existing 10-inch water line located in Penryn Road and an existing 24-inch water line located in Taylor Road. Solid waste would be collected by Recology Auburn Placer and disposed of at the Western Placer Sanitary Landfill and Materials Recovery Facility. Wastewater conveyance would be provided by South Placer Municipal Utility District (SPMUD). Wastewater treatment would be provided at the Dry Creek Regional Wastewater Treatment Plant, which is owned and operated by the City of Roseville on behalf of the South Placer Wastewater Authority. Sanitary sewer pipelines would be installed within the project site, connecting to an existing sewer mainline that runs from north to south across the center of the project site.

### Frontage Improvements

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

### **SITE CHARACTERISTICS:**

The ±15 acre project site is located in the community of Penryn, on the west side of Penryn Road, approximately 0.50 miles north of Interstate 80. The subject property is comprised of two parcels identified by Assessor's Parcel Numbers 043-060-052 (5.22 acres) and 043-060-053 (9.92 acres). The property is located within the Horseshoe Bar/Penryn Community Plan area, which encompasses approximately 25 square miles south of the unincorporated community of Newcastle, north of the community of Granite Bay, west of Folsom Lake, and east of the Town of Loomis and the cities of Rocklin and Roseville.

The project site is presently undeveloped and there are no existing structures onsite. The site has approximately 495 feet of frontage along Penryn Road and 60 feet of frontage along Taylor Road. The topography of the site is gently sloping, with elevations ranging between 460 and 500 feet above mean sea level. The topography of the site can be described as mainly flat with a gentle slope from north to south. The predominant habitat types on-site are oak woodland, annual grassland, and riparian scrub. Approximately half of the site, 6.59 acres, is characterized as oak woodland, which supports a wide diversity of wildlife. The site includes 6.02 acres of grassland habitat, which is comprised primarily of weedy species. The site also supports 2.34 acres of riparian scrub habitat associated with the two drainage swales onsite and 0.499 acres of waters of the U.S. There is a drainage swale that crosses the site from north to south near its eastern boundary. Another drainage swale traverses the central portion of the site. These swales carry water from north to south and off-site into Secret Ravine, located approximately one mile south of the project site.

Properties adjacent to the project site's northern and western boundaries support large-lot rural residential land uses. The northwest corner of the property is adjacent to Taylor Road, and properties on the northern side of Taylor Road also support large-lot rural residential lands uses, which include residential-agricultural activities. Penryn Road forms the eastern project boundary. Parcels across Penryn Road include rural residential uses, undeveloped commercial land, and agricultural and retail uses. The Loomis Basin Equine Medical Center is located across Penryn Road to the east. The Hope Lutheran Church property, developed with a church and accessory structures, abuts the Project site to the south, along with commercially zoned property along Penryn Road. A small portion of fencing and landscaping associated with the Church encroach onto the Project site. These features would be removed with development of the proposed Project.

**EXISTING GENERAL PLAN DESIGNATIONS, ZONING AND LAND USE:**

Location	Zoning	Horseshoe Bar/Penryn Community Plan Designation	Existing Land Use
Project Site	RM-DL 10 PD=10 (Residential Multi-Family, combining Density Limitation of 10, Planned Development of 10 dwelling units per acre)	Penryn Parkway	Undeveloped
	C1-UP-Dc (Neighborhood Commercial, combining Use Permit Required, combining Design Scenic Corridor)	Penryn Parkway	Undeveloped
North	RA-B-X DR 2.3 acre minimum (Residential Agriculture, combining Minimum Building Site of 2.3 acres, combining Development Reserve, with a 2.3 acre minimum parcel size)	Penryn Parkway	Rural Residential
South	RS-B-20 PD=4 (Residential Single Family, combining Building Site of 20,000 square feet, Planned Residential Development of 4 dwelling units per acre)	Medium Density Residential (2-4 dwelling units per acre)	Undeveloped
	RA-B-100 (Residential Agriculture, combining Minimum Building Site of 2.3 acres)	Rural Residential 2.3 to 4.6 Acre Minimum	Church
	C1-UP-DC (Neighborhood Commercial, combining Use Permit Required, combining Design Scenic Corridor)	Penryn Parkway	Undeveloped
East	C1-UP-DC (Neighborhood Commercial, combining Use Permit Required, combining Design Scenic Corridor)	Penryn Parkway	Undeveloped/Commercial/Retail
West	RA-B-100 (Residential Agriculture, combining Minimum Building Site of 2.3 acres)	Rural Residential 2.3-4.6 Acre Minimum	Rural Residential

**DISCUSSION OF ISSUES:**

Community Plan/Zoning Consistency

The Project site is designated Penryn Parkway in the Horseshoe Bar/Penryn Community Plan (HB/PCP). The Penryn Parkway comprises 166 acres or 1% of the Plan area and is intended to develop as a compact commercial core to serve the Penryn community as well as travelers on Interstate 80, thereby eliminating the need for scattered commercial sites within the outlying rural areas of Penryn. The land use designation of Penryn Parkway does not specify an allowable density or establish minimum and maximum lot sizes. –Therefore the zone district generally determines density.

The Horseshoe Bar/Penryn Community Plan identifies specific development policies that apply to the area designated Penryn Parkway. The proposed Orchard at Penryn project has incorporated these policies into the design of this single-family residential project, including the requirement of landscaped corridors along the site’s Penryn Road frontage. The Proposed Project would be required to implement the mitigation measures listed in Table 4.2 of the Orchard at Penryn EIR to ensure that the Proposed Project would be consistent with the Community Plan. With implementation of the other previously adopted mitigation measures identified in this Supplemental Checklist, the Proposed Project would not conflict with applicable General Plan and Community Plan policies.

The Placer County Zoning Ordinance designates 9.92 acres of the Project site as RM-DL10 PD=10 (Residential Multi-Family, combining Density Limitation of 10 dwelling units per acre, combining

Planned Residential Development of 10 dwelling units per acre). The remaining 5.22 acres is zoned C1-UP-DC (Neighborhood Commercial, combining Use Permit Required, combining Design Scenic Corridor). The project proposes to change the zoning designation for both parcels to RS-B-4 (Residential Single-Family, combining Minimum Building Site of 4,000 square feet). Under the RS-B-4 zone district, the project proposes to develop 54 single-family residential lots on the project site. Development of the site with single-family residential land uses would be consistent with the surrounding properties, which include rural residential properties to the west and north, and the Hope Lutheran Church property, which contains a church and accessory structures, to the south.

The Approved Project was approved to allow for the construction of 150 multi-family residential units. The current project's proposal to construct 54 single-family residential units takes into account the County's development standards and recognition that the reduced density project reflects the more rural nature of the Penryn community. The proposed project would decrease the number of dwelling units compared to the Approved Project and thus decrease the impacts associated with local population growth. The proposed rezone to RS-B-4 is consistent with applicable policies and requirements of the Horseshoe Bar/Penryn Community Plan and is consistent with the land uses in the immediate area.

### Visual Resources

Penryn is primarily a rural community, where visual resources include areas of open space, natural vegetation, and agricultural crops. The Project site is located in a visible location along Penryn Road, a primary point of access for the Penryn community. Development of the proposed Project would contribute to the loss of visual resources, as undeveloped open space would be converted to a single-family residential neighborhood. As compared to the Approved Project, the proposed project will result in a reduction in building scale and mass and overall development intensity, and therefore would reduce visual impacts and improve the development's consistency with surrounding land uses. However, substantial changes to the visual characteristics of the site would remain, primarily due to soil removal for site remediation purposes. All existing vegetation would be removed on ±7.11 acres, and with the exception of one-quarter acre that would be preserved as open space along with some rock outcroppings; the remaining natural vegetation would be removed with proposed grading activities.

In order to reduce potential visual impacts, mitigation measures are proposed that would require the project to provide landscaped building setbacks that exceed the Zoning Ordinance's minimum setback requirements. A detailed Landscaping Plan would be required to help restore some of the existing visual character of the site. A 30-foot wide landscape easement would be required along Penryn Road consistent with the Horseshoe Bar/Penryn Community Plan. Views of the residential structures from Penryn Road would be partially screened by landscaping within the 30-foot landscape easement and the maximum building height allowance of 30 feet. Views of the residential structures from Taylor Road would be almost entirely screened by topography and landscaping. Residential parcels west and north of the site would be the most sensitive to a view change as these properties are located at a higher elevation than the project site. Parcels to the south slightly below the elevation of the project site would also experience a change in views from the existing character of the site.

In addition, the Project would be subject to the County's Design/Site Review process, which would ensure that the Project's effects on existing visual character of the project site are minimized. Although these and other mitigation measures (MM1.1, 6.1a, 6.1b, 6.1c, 6.1d, 14.1a, 14.1b, 14.1c) would lessen the extent of visual change in the project area, the impacts would remain significant and unavoidable as disclosed in the Orchard at Penryn EIR and as stated in the Findings of Fact and Statement of Overriding Considerations adopted by Placer County.

## Biological Resources

### *Drainage Swales*

Two drainage swales carry water from north to south through the project site. One swale is located near the center of the project site (western swale) while the other (eastern swale) is located at the site's eastern boundary, adjacent to Penryn Road. The swales are tributary to Secret Ravine, which is located approximately one mile south of the project site, on the south side of I-80. Secret Ravine flows southwesterly and drains to the Sacramento River. The eastern swale supports riparian scrub habitat along its entire length through the project site. A small pocket of riparian vegetation is supported by the seasonal wetland adjacent to the western swale.

Implementation of the RAW and development of the proposed project would result in direct and indirect impacts to the full length of the eastern swale and to portions of the seasonal wetland and western swale, requiring issuance of permits under Sections 401 and 404 of the Clean Water Act (refer to *Checklist Section 4 Biological Resources* for additional discussion of these effects).

The existing 100-year floodplain associated with the eastern swale is generally 40 to 60 feet wide through the project site. A 60-inch pipe is proposed to replace the eastern swale. The post 100-year floodplain would widen by 10 feet at the inlet to the 60-inch pipe and would gradually conform to the existing floodplain approximately 55 feet north of the pipe inlet, near the northern project site boundary.

The existing 100-year floodplain associated with the western swale varies in width from 10 to 100 feet wide. The project proposes to construct a road crossing this swale, using a culvert to convey flows under the road. The culvert will be sized to create onsite detention upstream and meter the outflow so as not to increase the floodplain for properties downstream of the project site. This would widen the post 100-year floodplain north of proposed culvert crossing by 70 feet, and the floodplain would conform to its existing width approximately 220 feet north of the culvert. The post development floodplain increases for each swale would be contained within the project site boundaries.

### *Oak Woodlands*

The EIR found that site remediation and construction activities under the Approved Project would impact the oak woodland present onsite. The impacts to oak woodland habitat would be generally the same under the Proposed Project as compared to the Approved Project as the Proposed Project would not alter the project's development footprint. The project applicant would be required to compensate for the loss of oak woodland habitat in accordance with Placer County requirements (Mitigation Measure 5.1c). The BRE found that the extent of oak woodland has slightly decreased in the time since the original Biological Resources Assessment was prepared. The BRE found that there is a total of 6.59 acres of oak woodland habitat at the project site (compared to the 7.5 acres of oak woodland previously identified) and the Proposed Project would result in removal of 5.65 acres of this habitat (compared to the 6.41 acres of oak woodland that the Approved Project would impact). Mitigation Measure 5.1c has been updated to reflect this revised acreage. Implementation of this measure would ensure that the Proposed Project's impacts to oak woodland habitat would be less than significant.

### *Riparian*

The EIR found that the Approved Project would destroy most of the riparian habitat onsite as a result of the proposed site remediation and construction. The impacts to the riparian habitat would be generally the same under the Proposed Project as compared to the Approved Project because the Proposed Project would not alter the project's development footprint. However, the BRE prepared for the project site (Helix, 2014) updated the amount of riparian habitat supported onsite. The EIR found that the site supported 1.3 acres of riparian habitat and would result in direct impacts to 1.03 acres of this habitat. The BRE found that the site supports 2.34 acres of riparian habitat and would result in direct impacts to 2.04 acres of this habitat. Conservation of a portion of the riparian habitat onsite would be required under Mitigation Measure 5.1a, which has been updated to reflect the updated BRE, which indicates

that the Proposed Project would preserve 0.3 acres of riparian habitat onsite. In addition, Mitigation Measure 5.1b requires that the project obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW), which would typically include requirements related to construction techniques and compensation for adverse impacts to riparian habitat. Implementation of these measures would ensure that the Proposed Project's impacts to riparian habitat would be less than significant.

#### *Federally Protected Wetlands and Related Habitat*

The Orchard at Penryn EIR found that the project site supported a total of 0.499 acres of waters of the U.S. and that the Approved Project would result in direct impacts to 0.42 acres of this resource and indirect impacts to all of the remaining extent of waters of the U.S. on the project site. As updated in the BRE, the project site is now known to support 0.531 acres of waters of the U.S., comprised of two swales, an intermittent stream, and a seasonal wetland. The Proposed Project would have generally the same impacts to the onsite wetlands as the Approved Project by directly and indirectly affecting all of the 0.531 acres.

The Orchard at Penryn EIR found that the Approved Project would result in impacts related to conflicts with Placer County's requirements for stream setbacks, the County and US Army Corps of Engineers' no net loss wetland policy, and the County's Tree Preservation Ordinance. The EIR identified Mitigation Measures 5.5a through 5.5f to ensure that adverse environmental effects associated with potential conflicts with these policies would be reduced to less than significant levels. The Proposed Project would not substantially change the development footprint and would result in the same potential policy conflicts, requiring implementation of the same mitigation measures to reduce impacts to a less than significant level.

#### Traffic and Circulation

The site for the Orchard at Penryn project is located adjacent to Penryn Road south of the intersection with Taylor Road in an unincorporated area of Placer County near the Town of Loomis. An ultimate plan for roadway and intersection improvements in the Newcastle/Penryn/Horseshoe Bar area is based on a capacity need determined with the preparation of the Community Plan for this area. Funding of the improvements outlined in the Community Plan EIR is being secured via the County's Capital Improvement Program and administration of Traffic Mitigation Fee Program.

The Proposed Project would generate fewer vehicle trips than the Approved Project, but would have generally the same trip distribution as the Approved Project. The Proposed Project would generate a total of approximately 516 daily trips, with 41 A.M. peak hour trips and 54 P.M. peak hour trips, reducing the number of project-generated trips to about half of the trips generated by the Approved Project. As the proposed project would also incorporate mitigation to sponsor roadway improvements to Penryn Road the impacts of the proposed project on level of service and travel demand would be less severe than the impacts of the Approved Project.

#### Air Quality

The Orchard at Penryn project is located within the Sacramento Valley Air Basin (SVAB) portion of Placer County and is under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). There are state and federal standards for six "criteria pollutants" which the PCAPCD monitors, including ozone (O<sub>3</sub>) standards, carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter 10 microns in size and smaller (PM<sub>10</sub>) and lead. Nitrogen oxides (NO<sub>x</sub>) and reactive organic gasses (ROG) are the precursors to the formation of ground-level ozone. ROG and NO<sub>x</sub> are emitted from a variety of sources, including motor vehicles and the evaporation of various fuels and solvents.

An updated air quality emissions analysis using CalEEMod was conducted by Dudek to determine the air quality impacts of the Proposed Project. The results of the modeling determined that with the exception of ROG emissions during the architectural coating phase, all of the construction emissions from the Proposed Project would remain below the APCD's thresholds. ROG emissions from construction of the Proposed Project are estimated to be about half of the estimate for ROG emissions from construction of the Approved Project. The mitigation measures incorporated in the Approved Project would apply to the proposed project to ensure that air pollutant emissions are minimized to the extent feasible.

Under the Proposed Project, ROG and NO<sub>x</sub> emissions would remain below the APCD's recommended cumulative threshold of 10 pounds per day, and mitigation would not be required. Therefore, Mitigation Measure 14.4a that was included in the certified Orchard at Penryn EIR, the adopted Findings of Fact, and the adopted MMRP would not be required of the currently proposed project and would be removed from the MMRP.

### Noise

Residents of the proposed project would not be exposed to noise levels in excess of standards set forth in the Placer County General Plan and the Horseshoe Bar/Penryn Community Plan. As stated in the Orchard at Penryn EIR, existing noise levels due to surrounding uses have an average value of 45 dB in the daytime and 46 dB in the nighttime while noise levels within 100 feet of the centerline of Penryn Road range between 63 and 66 dB. The EIR also stated that the predicted future traffic noises within 100 feet of the centerline of Penryn Road were estimated to range between 65 and 68 dB. Because the Proposed Project would generate fewer vehicle trips than the Approved Project, the future noise levels would be the same or slightly less than those predicted under the Approved Project.

The proposed project would locate single-family residential lots along the eastern project boundary, with the 30-foot wide landscaping easement placed between the rear lot lines and Penryn Road. With this road width and the 30-foot landscape easement, rear lot lines of the easternmost residential units would be approximately 74 feet from the Penryn Road centerline. Based on the existing and predicted future traffic noise levels along Penryn Road, it is likely that the rear yards of residential lots adjacent to Penryn Road would experience noise levels in excess of the County's 60 dB standard for exposure to transportation-generated noise within outdoor activity areas associated with residential land uses.

For the single-family residences that would be developed under the proposed project, the front, rear, and side yards are considered the outdoor activity areas. Construction of noise barriers, such as berms or fences, along the eastern boundary of the proposed residential lots adjacent to Penryn Road, as required by Additional Mitigation Measure 2, would ensure that noise levels in the outdoor activity areas of parcels adjacent to Penryn Road would comply with the County's General Plan and ensure that the impact would remain less than significant. Additional Mitigation Measure 2 was not required of the Approved Project because that project proposed to develop multi-family units and did not include any outdoor activity areas near Penryn Road.

### Sewer

In the time since the Orchard at Penryn EIR was certified, SPMUD has added new customers and re-evaluated the capacity of existing infrastructure to collect and convey wastewater flows to the SPWA treatment facilities, finding that the Lower Loomis Trunk line is currently operating at its maximum capacity. This would preclude any new wastewater collection hook-ups (Attachment H). SPMUD and the Town of Loomis have initiated planning efforts for construction of a sewer transmission line known as the Loomis Diversion Line. This trunk line is part of SPMUD's adopted master plan to serve all areas that are within SPMUD's boundaries. The Loomis Diversion Line would be a 15-inch

transmission line that begins at a manhole near the Raley's Shopping Center in Loomis along I-80, crosses under I-80, and then turns southwesterly to connect into an 18-inch transmission line that would be constructed in the southern end of Dias Lane in Loomis. This is a separate project that SPMUD would design and construct subject to a separate CEQA compliance process. At this time, SPMUD is continuing to evaluate the design and alignment of the diversion line and has not identified a construction schedule or funding source. In the interim, SPMUD is pursuing a project to reline the Lower Loomis Trunk Line. This would entail inserting a new liner within an approximately 10,500-foot section of the existing 10-inch sewer line. The new liner would be constructed of material that provides for faster flows through the line compared to the existing line. By increasing the speed of flow, the new liner would increase overall conveyance capacity in the Lower Loomis Trunk Line and is anticipated to provide capacity for approximately 200 to 300 new sewer connections within the SPMUD service area.

As with the Approved Project, the project applicant would be required to obtain a will-serve letter prior to approval of improvement plans and recordation of the Final Subdivision Map to demonstrate that SPMUD has confirmed there is adequate capacity to serve the proposed project. This would ensure that no construction could occur prior to the time that wastewater collection and conveyance service is available to the project site.

#### Variance to Parking

One of the proposed project's stated objectives was to "provide a site design that is sensitive to natural habitat while improving water quality downstream in Secret Ravine and ultimately the Sacramento River." The main road providing access through the site is proposed as a 34-foot wide road standard, with one travel lane in each direction and on street parking on the south side of the road. Looped streets would intersect the main road to provide access to the proposed homes. These looped roads however, would be constructed to a 28-foot wide road standard and would not accommodate on-street parking. Two parking spaces would be provided on the driveway on each proposed residential lot. In addition, 28 off-street parking spaces would be located throughout the project site. Where on-street parking is not provided, Section 17.54.060(B)(5) of the Placer County Zoning Ordinance requires that single-family dwellings provide for four parking spaces. This would require a total of 158 parking spaces for the Proposed Project. The project plans accommodate a total of 136 spaces, and thus requires approval of a variance from the parking standards. The variance is warranted, as each residence will also contain a two-car garage, which will provide additional on-site parking.

#### **HORSESHOE BAR/PENRYN MUNICIPAL ADVISORY COUNCIL:**

The Orchard at Penryn project was presented to the Horseshoe Bar/Penryn Municipal Advisory Council (MAC) as an information item at its September 23, 2014 meeting. At its March 24, 2015, the Horseshoe Bar/Penryn MAC considered the project as an action item. -The MAC voted 5 to 2 to recommend approval of the proposed Project to the Placer County Planning Commission with the request that the Planning Commission take into consideration the potential impacts to wildlife migration resulting from the project.

#### **RECOMMENDATION:**

Based on the analysis described above, the Development Review Committee recommends that the Planning Commission recommend the following to the Board of Supervisors, subject to the following findings:

1. Adopt the Addendum to the previously Certified Orchard at Penryn Final Environmental Impact Report (State Clearinghouse Number 2010032070) and amended Mitigation Monitoring and Reporting Program;

2. Adopt an ordinance to Rezone the 15.1 acre site from RM-DL10 PD=10 (Residential Multi-Family, combining Density Limitation of 10 units per acre, combining Planned Residential Development of 10 units per acre) and C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor) to RS-B-4 (Residential Single-Family, combining Building Site of 4,000 square feet);
3. Approve the Vesting Tentative Subdivision Map; and
4. Approve a Variance to Section 17.54.060(B) (5) of the Zoning Ordinance to allow for a reduction in the required parking standards from 158 to 136 spaces.

#### **FINDINGS:**

##### CEQA

The Planning Commission has considered the Addendum to the previously certified Final Environmental Impact Report ("FEIR") for the Orchard at Penryn project, the staff report, and all comments thereto, and hereby recommends adoption of the Addendum to the previously certified FEIR based upon the following findings:

1. The proposed project will not result in substantial changes that would lead to the identification of new or previously unidentified significant environmental effects that would require major revisions of the previously certified Final Environmental Impact Report for the Orchard at Penryn project.
2. No new information of substantial importance which was not known, and could not have been known with the exercise of reasonable diligence at the time the Final Environmental Impact Report for the Orchard at Penryn project was certified, has been discovered which would require major revisions of the previously certified Environmental Impact Report.
3. There is no substantial evidence in the record as a whole that the project as revised may have a significant effect on the environment. With the incorporation of all previously approved mitigation measures and minor amendments thereto, the project will not result in any new or additional significant adverse impacts.
4. The Addendum to the previously certified Final Environmental Impact Report for the Orchard at Penryn has been prepared as required by law and in accordance with all requirements of CEQA and the CEQA guidelines and the document as adopted reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of the preparation of the Addendum.
5. An amended Mitigation Monitoring and Reporting Program ("MMRP") has been prepared consistent with CEQA to incorporate the additional mitigation measures (Additional Mitigation Measures 1 and 2) and minor revisions to existing mitigation measures.
6. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

##### REZONE

1. The proposed zoning change from RM-DL10 PD=10 (Residential Multi-Family, combining Density Limitation of 10 dwelling units per acre, combining Planned Residential Development of 10 dwelling units per acre, and C1-UP-DC (Neighborhood Commercial, combining Use Permit Required, combining Design Scenic Corridor) to RS-B-4 (Residential Single-Family, combining Minimum Building Site of 4,000 square feet) is consistent with applicable policies and

requirements of the Horseshoe Bar/Penryn Community Plan, is consistent with both zoning and land uses in the immediate area.

#### VESTING TENTATIVE MAP

1. The proposed subdivision, together with the provisions for its design and improvements, is consistent with the Placer County General Plan, the Horseshoe Bar/Penryn Community Plan, and with applicable County Zoning Ordinances.
2. The site of the subdivision is physically suitable for the type and proposed density of development, which includes 54 single-family dwellings.
3. The Project, with the recommended conditions of approval, is compatible with the neighborhood and adequate provisions have been made for necessary public services and mitigation of potential environmental impacts.
4. The design and proposed improvements of the subdivision are not likely to cause substantial environmental damage or public health problems.
5. The proposed road improvements along the project site's frontage on Penryn Road are consistent with the road cross-sections for Penryn Parkway as provided in the Horseshoe Bar/Penryn Community Plan.

#### VARIANCE

1. There are special circumstances applicable to the subject property, including the fact that the central portion of the 15.1-acre site will remain undeveloped and as a result, the area for development of street standards that allow for on-street parking is reduced. Because of such circumstances, the strict application of the Zoning Ordinance has been found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.
2. The granting of the Variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone district.
3. The Variance does not authorize a use that is not otherwise allowed in the zone district.
4. The granting of the Variance does not, under the circumstances and conditions applied in this particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements.
5. The Variance is consistent with the Placer County General Plan and the Horseshoe Bar/Penryn Community Plan.

Respectfully submitted,

  
Sherri Conway, Senior Planner

**ATTACHMENTS:**

- Attachment A – Recommended Conditions of Approval
- Attachment B – Vicinity Map
- Attachment C – Approved Site Plan
- Attachment D – Proposed Site Plan
- Attachment E – Preliminary Landscape Plan
- Attachment F – Preliminary Grading and Drainage Plan
- Attachment G – Preliminary Utility Plan
- Attachment H – Amended Mitigation Monitoring and Reporting Program
- Attachment I – Horseshoe Bar/Penryn MAC letter dated March 26, 2015
- Attachment J – SPMUD Correspondence

**Addendum to Final Environmental Impact Report – Orchard at Penryn** (provided under Separate Cover)

- cc:
- Penryn Development LLC, - Property Owner Mike Mahoney
  - Susan Mehl, Morton and Pitalo – Applicant
  - Michael Johnson – Community Development Resources Agency Director
  - E.J. Ivalidi – Deputy Planning Director
  - Karin Schwab – County Counsel
  - Phil Frantz – Engineering and Surveying Department
  - Janelle Heinzler – Department of Facility Services, Environmental Engineering Division
  - Stephanie Holloway, Department of Public Works (Transportation)
  - Laura Rath – Environmental Health Services  
Air Pollution Control District
  - Andrew Darrow – Flood Control District
  - Andy Fisher – Parks Department

Subject/chrono files

# Before the Board of Supervisors County of Placer, State of California

In the matter of:

Resolution No.: \_\_\_\_\_

A RESOLUTION ADOPTING AN ADDENDUM  
TO THE CERTIFIED FINAL ENVIRONMENTAL  
IMPACT REPORT FOR THE ORCHARD AT  
PENRYN PROJECT AND AMENDING THE  
ORCHARD AT PENRYN MITIGATION,  
MONITORING AND REPORTING PROGRAM

The following Resolution was duly passed by the Board of Supervisors of the County of  
Placer at a regular meeting held \_\_\_\_\_, by the following vote on  
roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

Clerk of said Board

Chair, Board of Supervisors

\_\_\_\_\_  
Clerk of the Board Signature

\_\_\_\_\_  
Chair Signature

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER,  
STATE OF CALIFORNIA, AS FOLLOWS:

WHEREAS, on December 11, 2012, , the Placer County Board of Supervisors adopted  
the Orchard at Penryn Project and certified the Orchard at Penryn Final Environmental  
Impact Report (State Clearinghouse #2010032070 FEIR”) as adequate and complete,  
and

WHEREAS, on December 11, 2012 , the Board of Supervisors adopted the Mitigation Monitoring and Reporting Program for the Orchard at Penryn project (MMRP”).

WHEREAS, the Orchard at Penryn Project Applicant has requested amendments to the adopted Project (“proposed Project”), and

WHEREAS, the County determined that the proposed Orchard at Penryn Project constitutes a “Project” (“proposed Project”) for purposes of the California Environmental Quality Act (“CEQA”--Public Resources Code sections 21000 et seq.) and CEQA Guidelines Section 15378, and

WHEREAS, an environmental analysis of the proposed Project was performed and it was concluded that the preparation of an Addendum to the FEIR is appropriate pursuant to CEQA Section 21166 and Guidelines sections 15162, 15163, 15164 and 15168, and

WHEREAS, necessary revisions and updates were also made to the MMRP, and

WHEREAS, on March 25, 2014, the Placer County Planning Commission (“Planning Commission”) held a duly noticed public hearing pursuant to Placer County Code Section 17.58.200(E)(1) to consider the Addendum, the amendments and the proposed Project, and

WHEREAS, on March 25, 2015, the Planning Commission made written recommendations to the Placer County Board of Supervisors to adopt the Addendum, approve the Rezone, the Tentative Subdivision Map, Variance to parking and amendments to the MMRP and to the proposed Project, and

WHEREAS, on May 28, 2015, the Board held a duly noticed public hearing pursuant to Placer County Code Section 17.60.090 to consider the recommendations of the Planning Commission, staff’s presentation, report and all supporting studies and documents, including written and oral testimony, related to the proposed Addendum and the amendments to the MMRP and to the proposed Project, and

WHEREAS, the Board has duly considered the Addendum, the comments of the public, both oral and written, and all written materials in the record connected therewith, and finds as follows:

1. The proposed Project will not result in substantial changes that would lead to the identification of new or previous unidentified significant environmental effects that would require major revisions of the previously certified Final Environmental Impact Report for the Orchard at Penryn Project. .
2. No new information of substantial importance which was not known, and could not have been known with the exercise of reasonable diligence at the time the Final Environmental Impact Report for the Orchard at Penryn Project was certified, has been discovered which would require major revisions of the previously certified Environmental Impact Report.

3. There is no substantial evidence in the record as a whole that the proposed Project may have a significant effect on the environment or result in any new or additional significant adverse impacts.
4. The Addendum has been prepared as required by law and in accordance with all requirements of CEQA and the CEQA Guidelines and the document as adopted reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of the preparation of the Addendum. The Board has reviewed the Addendum, and bases its findings on such review and other substantial evidence in the record.
5. The custodian of records for the proposed Project is the Placer County Planning Director, 3091 County Center Drive, Auburn CA, 95603.

NOW, THEREFORE, be it Resolved by the Placer County Board of Supervisors:

- Section 1:** The Board of Supervisors hereby adopts the Addendum to the Orchard at Penryn Final Environmental Impact Report, dated March 2015 , as set forth in Exhibit A and hereby incorporated herein, and
- Section 2:** The Board of Supervisors hereby approves the amendments to the Orchard at Penryn Mitigation Monitoring and Reporting Program as set forth in Exhibit B and hereby incorporated herein, and
- Section 3:** This resolution shall become effective immediately upon adoption.

# **EXHIBIT A**

## **ADDENDUM TO ORCHARD AT PENRYN CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH #2010032070)**

**Project Name: Orchard at Penryn**

### **Introduction**

This Addendum to the certified Orchard at Penryn Project Environmental Impact Report (SCH #2010032070) has been prepared pursuant to CEQA Guidelines Section 15164(a) and Placer County Environmental Review Ordinance Section 18.20.110.

### **Project Location**

The project site is within the Horseshoe Bar/Penryn Community Plan area, which encompasses an approximately 25-square-mile area located south of the unincorporated community of Newcastle and the City of Auburn, north of the community of Granite Bay, west of Folsom Lake, and east of the Town of Loomis and the cities of Rocklin and Roseville. Specifically, the project site consists of two parcels (APN 043-060-052 and 043-060-053) located in the community of Penryn and situated in Section 2 of Township 11 North and Range 7 East on the 7.5 minute Rocklin USGS topographic quadrangle. The ±15.1-acre project site is located on the west side of Penryn Road, approximately one-half mile north of Interstate 80 (I-80). Further, the site has approximately 495 feet of frontage along Penryn Road and 60 feet of frontage along Taylor Road.

### **Project History**

In 2007, Penryn Development LLC filed an application for the Orchard at Penryn project, which would develop 150 multi-family residential dwelling units. Placer County prepared a Draft and Final EIR, and certified the Final EIR and posted the Notice of Determination on December 11th, 2012. Placer County has not issued any grading or building permits for the project and the land owner has not commenced any site preparation activities at the project site.

Penryn Development LLC has submitted an application to Placer County seeking discretionary planning approvals to allow 54 single-family residential lots on approximately 15 acres in the unincorporated community of Penryn. The submitted application would modify the planning approvals previously granted by Placer County allowing for development of 150 multi-family residential units at the project site. As Lead Agency under CEQA, Placer County has evaluated whether the currently proposed single-family residential development would result in new or more severe environmental effects than those evaluated in the prior EIR.

## **Current Request**

Penryn Development LLC is seeking discretionary planning approvals to allow 54 single-family residential lots on approximately 15 acres in the unincorporated community of Penryn. The submitted application would modify the planning approvals previously granted by Placer County allowing for development of 150 multi-family residential units at the project site.

## **CEQA Guidelines Section 15162 Determination**

Consistent with the requirements of CEQA Guidelines Section 15162, the County must determine whether the proposed changes to the proposed project trigger the need for a subsequent EIR. Under Section 15162, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If any of the triggers set forth above occurs, the County would be required to prepare a subsequent EIR, unless “only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation,” in which case a “supplement to an EIR” would suffice (see CEQA Guidelines, § 15163). If there are no grounds

for either a subsequent EIR or a supplement to an EIR, then the County would be required to prepare an addendum pursuant to CEQA Guidelines Section 15164, explaining why “some changes or additions” to the 2008 certified EIR “are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

Based on the conclusions provided in the Supplemental Checklist for the Orchard at Penryn project, Placer County has concluded that an addendum to the previously certified EIR for the Orchard at Penryn project is the appropriate document under CEQA for the request to modify the project for the following reasons:

- a. The proposed revisions to the Orchard at Penryn project would not alter any of the conclusions of the certified EIR regarding the significance of environmental impacts. Because the proposed revisions would not alter the site boundaries, and would likely reduce the impact of the development by reducing the number of proposed dwelling units, these modifications would not result in an increased impact on the physical environment.
- b. The inclusion of Additional Mitigation Measure 1 will adequately address impacts to forestry resources; this measure restates the requirements expressed in Mitigation Measure 5.1c, which was included in the certified EIR.
- c. The inclusion of Additional Mitigation Measure 2 will adequately address impacts related to noise levels; this measure identifies parameters necessary for provision of sound barriers for residential lots adjacent to the onsite landscape easement along Penryn Road.

**Exhibit A: Supplemental Checklist**

# EXHIBIT B

## AMENDED MITIGATION MONITORING AND REPORTING PROGRAM

On December 11, 2012, the Placer County Board of Supervisors certified the Final EIR for the Original Orchard at Penryn project ("Original Project") and adopted the Mitigation Monitoring and Reporting Program ("Original MMRP").

The Original Project has been modified and the modifications of the same were analyzed pursuant to the California Environmental Quality Act ("CEQA"). The conclusion of that analysis indicated that an Addendum to the certified FEIR was the appropriate document to be prepared under CEQA. That addendum was prepared pursuant to CEQA Guidelines Section 15164(a) and Placer County Code Section 18.20.110.

The following amended Mitigation Monitoring and Reporting Program (all subsequent references to this amended Mitigation Monitoring and Reporting Program shall be referred to as "MMRP" ) was prepared in compliance with the requirements of Section (§) 21081.6 of the CEQA. This MMRP identifies specific funding, timing, and monitoring requirements for implementation of all mitigation measures identified in the certified Final EIR, as well as updates to specific mitigation measures and the inclusion of additional mitigation identified in the Addendum prepared for the Proposed Orchard at Penryn Project (all subsequent references to the "Orchard at Penryn project" shall mean the Proposed Orchard at Penryn Project as analyzed in the Addendum dated March 2015). The MMRP identifies the necessary timing of implementation, the party(ies) responsible for funding implementation, and the mechanisms for monitoring compliance with each mitigation measure.

### 1 STANDARD MITIGATION MONITORING PROGRAM

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

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

The issuance of any of the listed permits or County actions must be preceded by verification by County staff that certain conditions of approval/mitigation measures have been met. This

verification shall serve as the required monitoring for those conditions of approval/mitigation measures. All of the mitigation measures for the Orchard at Penryn project included in the Draft EIR would be monitored through the County's Standard Mitigation Monitoring Program. As indicated in the text of each mitigation measure, compliance with each would be verified by County staff prior to issuance of required approvals and permits. Sections 16.2 through 16.10 identify each mitigation measure that would be monitored through the County's Standard Mitigation Monitoring Program. In addition, some mitigation measures require ongoing implementation and would require monitoring after the point at which Certificates of Occupancy are issued. The monitoring and reporting mechanisms for these measures are addressed in Section 16.11.

## 2 MITIGATION MEASURES FOR BIOLOGICAL RESOURCES

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

**Mitigation Measure 5.1b:** The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement shall be submitted to the Placer County DRC prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.

**Mitigation Measure 5.1c:** The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact 6.41 acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the applicant shall:

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

**Mitigation Measure 5.2a:** The project applicant shall implement *Mitigation Measure 5.1c* which requires compensation for impacts to 6.41 acres of oak woodland habitat at a 2:1 ratio.

Compensation may be through payment of fees, purchase of offsite conservation easements, or recreation of oak woodland habitat.

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

**Mitigation Measure 5.3b:** The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game to authorize fill of onsite waters of the U.S. These impacts would require an Individual Permit from the Corps, a 401 Water Quality Certification from the Regional Water Quality Control Board, and Streambed Alteration Agreement from the California Department of Fish and Game. Once acquired, these permits shall be submitted to the Placer County DRC prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.

**Mitigation Measure 5.3c:** The project applicant shall carry out onsite replacement or offsite banking to mitigate for impacts to wetlands. Minimum replacement ratios shall be 1:1 for wetland habitat. The project applicant shall comply with the U.S. Army Corps of Engineers and County policies requiring "no net loss" of wetlands. The creation/restoration requirements shall be in compliance with the County's Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and the Programmatic Formal Endangered Species Act Consultation issued by the USFWS. If offsite mitigation is chosen, the project applicant shall provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County-qualified wetlands mitigation bank. The amount of money required to purchase these credits shall be equal to the amount necessary to replace wetland or habitat acreage and value, including compensation for temporal loss. Evidence of payment, which describes the amount and type of habitat purchased at the bank site, shall be provided to the County prior to the issuance of grading permits.

**Mitigation Measure 5.3d:** In the event that the Placer County Conservation Program is adopted prior to commencement of ground disturbing activities associated with the proposed project, the project shall be developed in compliance with the County's Natural Communities Conservation Plan/Habitat Conservation Plan and the Programmatic Endangered Species Act Consultation issued by the U.S. Fish and Wildlife Service.

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

- A. Implementation of **Mitigation Measure 10.2e**, which requires the Improvement Plans to show all grading, drainage improvements, vegetation and tree removal, and revegetation of disturbed areas and requires that all work conform to provisions of the Placer County Grading Ordinance.

- B. Implementation of *Mitigation Measure 10.5d*, which requires preparation and Air Pollution Control District approval of a dust and erosion control plan.
- C. Implementation of *Mitigation Measure 10.5e*, which requires Improvement Plans to show appropriate design of water quality treatment facilities/Best Management Practices (BMPs) for project construction.
- D. Implementation of *Mitigation Measure 11.2a*, which requires Improvement Plans to show appropriate design of water quality treatment facilities/Best Management Practices (BMPs) for project operation.
- E. Implementation of *Mitigation Measure 11.2c*, which requires storm drain inlets and catch basins within the project area to be marked with language prohibiting dumping .

*Mitigation Measure 5.4a:* If site remediation, grading, or construction is to commence during the raptor nesting period (generally March 1 through August 31), the project applicant shall retain a qualified biologist to conduct pre-construction nesting raptor surveys within 30 days prior to the commencement of site preparation activities. The surveys shall confirm the presence or absence of nesting raptors. If an active nest(s) is located, a qualified biologist in consultation with the California Department of Fish and Game shall recommend a buffer area around the nest(s). The buffer area shall be delineated with orange construction fencing and no site remediation, grading, or construction shall take place within the buffer zone until the biologist has determined that all young have fledged and are capable of foraging independently.

*Mitigation Measure 5.5a:* The project applicant shall submit a tree removal exhibit to the Placer County Planning Services Division for review and approval prior to issuance of a grading permit, approval of the Improvement Plans, and/or any development activity onsite, including preliminary clearing or grading (in accordance with Section 36.400(B) of the County's mitigation program).

*Mitigation Measure 5.5b:* The project applicant shall implement *Mitigation Measure 5.1c*, which requires that impacts to oak woodland habitat be mitigated at a 2:1 ratio.

*Mitigation Measure 5.5c:* The project applicant shall mitigate impacts to large oak trees on an inch-per-inch basis. The project applicant shall plant replacement trees onsite or in an offsite location providing restoration of an approved former oak woodland, and/or shall contribute \$100 for each diameter inch at breast height removed or impacted to the Placer County Tree Preservation Fund. The project must mitigate for a total of 124.2 tree diameter inches. Tree replacement and conservation mitigation fees shall be paid prior to the issuance of grading permits by Placer County. Any onsite replacement tree planting shall be included on the Improvement Plans for the proposed project. County approval of any offsite replacement tree planting shall also be obtained prior to issuance of grading permits by Placer County.

*Mitigation Measure 5.5d:* The project applicant shall implement *Mitigation Measure 5.3a*, which requires the applicant to obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game prior to issuance of grading permits, approval of Improvement Plans, and/or any clearing, grading, or excavation work on the project site.

**Mitigation Measure 5.5e:** The project applicant shall implement *Mitigation Measure 5.3b*, which requires the applicant to carry out onsite replacement or offsite banking to mitigate impacts to wetlands with a minimum replacement ratio of 1:1. This mitigation measure shall be implemented prior to issuance of grading permits.

**Mitigation Measure 5.5f:** The project applicant shall implement *Mitigation Measure 5.4a*, which requires pre-construction nesting raptor surveys within 30 days prior to the commencement of site preparation activities to confirm the presence or absence of nesting raptors if construction is to occur during the raptor nesting period (generally March 1 through August 31).

### 3 MITIGATION MEASURES FOR VISUAL RESOURCES

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

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

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

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

#### 4 MITIGATION MEASURES FOR TRANSPORTATION AND CIRCULATION

*Mitigation Measure 7.1a:* This project will be subject to the payment of traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County Department of Public Works prior to issuance of Building Permits for the project:

- A) *County Wide Traffic Limitation Zone:* Article 15.28.010, Placer County Code
- B) *South Placer Regional Transportation Authority (SPRTA)*
- C) *Placer County/City of Roseville JPA (PC/CR)*

The current total combined estimated fee is \$702,790.20. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time payment occurs.

*Mitigation Measure 7.2a:* The project applicant shall implement *Mitigation Measure 7.1a*, which requires payment of traffic impact fees.

#### 5 MITIGATION MEASURES FOR AIR QUALITY

*Mitigation Measure 8.1a:* The project applicant shall use low-VOC or no-VOC paints, finishes, and adhesives in all building construction.

*Mitigation Measure 8.1b:* During implementation of the RAW, the project applicant shall implement the Erosion Prevention and Sediment Control Plan included as Appendix H of the RAW and any other measures included in the grading permit. Upon completion of site remediation, the applicant shall obtain a tentative "No Further Action" letter from DTSC, and shall begin site work and grading to support project construction in accordance with the approved Improvement Plans. If areas disturbed by RAW implementation are not subject to site work and grading to support project construction within 90 days of completion of site remediation activities, the project applicant shall revegetate those areas.

*Mitigation Measure 8.1c:* Prior to the approval of Improvement Plans, the project applicant shall submit a Construction Emission/Dust Control Plan to the Placer County APCD. This plan must address the minimum Administrative Requirements found in sections 300 and 400 of APCD Rule 228, Fugitive Dust, and shall include the following requirements:

1. Apply soil stabilizers to inactive areas;
2. Replace ground cover in disturbed areas quickly;
3. Water exposed surfaces three times daily;
4. Reduce speed on unpaved roads to less than 15 miles per hour; and
5. Manage haul road dust by watering twice daily.

**Mitigation Measure 8.1d:** Prior to the approval of Improvement Plans, the project applicant and/or prime contractor shall provide a plan to the Placer County APCD for approval by the APCD demonstrating that the heavy-duty (50 horsepower or greater) off-road vehicles to be used in site remediation and project construction, including owned, leased and subcontractor vehicles, will achieve a project-wide fleet average 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

**Mitigation Measure 8.1e:** Prior to the approval of Improvement Plans, the project applicant shall submit an enforcement plan to the APCD for review. The enforcement plan shall provide for weekly evaluation of project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 – 2194 and APCD Rule 202. An Environmental Coordinator who is CARB-certified to perform Visible Emissions Evaluations shall be hired by the prime contractor or property owner. The Environmental Coordinator shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD. Use of any such vehicle and/or equipment must cease immediately, and the equipment must be repaired within 72 hours.

**Mitigation Measure 8.1f:** The applicant shall include the following standard notes on the Improvement Plans and Grading Plan and shall comply with each note throughout site remediation and project construction:

1. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for site remediation and project construction. The inventory shall be updated, beginning 30 days after any initial work on site has begun, and shall be submitted on a monthly basis throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the property owner, project manager, and onsite foreman.
2. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD. Use of any such vehicle and/or equipment must cease immediately, and the vehicle and/or equipment must be repaired within 72 hours.
3. The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 Fugitive Dust limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations verify compliance with Rule 228 on a weekly basis. Fugitive dust must not exceed 40 percent opacity and must not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they

shall be controlled as to not to exceed Placer County APCD Rule 228 Fugitive Dust limitations.

4. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour and dust is impacting adjacent properties.
5. The contractor shall apply water to control dust a minimum of three times per day, as required by Rule 228 Fugitive Dust limitations, to prevent dust impacts offsite. Operational water truck(s) shall be onsite at all times to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked offsite.
6. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. Dry mechanical sweeping is prohibited.
7. During construction, no open burning of removed vegetation shall be allowed. All removed vegetative material shall be either chipped onsite or taken to an appropriate disposal site.
8. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
9. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
10. The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment.
11. The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators.
12. All onsite stationary equipment which is classified as 50 horsepower or greater shall either obtain a state-issued portable equipment permit or a Placer County APCD-issued portable equipment permit.

## **6 MITIGATION MEASURES FOR NOISE**

*Mitigation Measure 9.3a:* Construction noise emanating from any construction activities for which a grading or building permit is required is prohibited on Sundays and federal Holidays, and shall occur only as follows:

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

Placer County Department of Environmental Health shall verify that these restrictions are indicated on the grading plans and Improvement Plans prior to approval of the Improvement Plans or issuance of a grading permit.

*Mitigation Measure 9.3b:* All construction equipment shall be fitted with factory installed muffling devices and all construction equipment shall be maintained in good working condition

to lower the likelihood of any piece of equipment emitting noise beyond the standard dB level for that equipment.

**Mitigation Measure 9.3c:** Any blasting associated with the project shall be conducted in accordance with *Placer County General Plan Policy 9.A.4*.

**Mitigation Measure 9.3d:** Construction contracts, grading plans, and Improvement Plans shall stipulate that all site remediation and construction truck and equipment traffic (including soil hauling trucks) must access the project site from Interstate 80 and Penryn Road and shall not use Taylor Road or other local roadways.

**Additional Mitigation Measure 2:** The project applicant shall construct a noise barrier along the eastern property boundary to reduce exterior noise levels for all rear yards of proposed residential lots to a maximum of 60 dB under existing and future conditions, as determined by an acoustical analysis. The acoustical analysis must identify existing and future noise levels along Penryn Road and provide specifications for construction of the noise barrier to ensure the barrier is effective at providing the necessary noise attenuation. A noise barrier can consist of an earthen berm, wood, masonry, or other solid material and can be located at the rear lot line of lots adjacent to the landscape easement or can be located within the landscape easement. The noise barrier must be included on project Improvement Plans and reviewed during the project's Design Review process for consistency with the County's design guidelines for the Penryn Parkway planning area. If an earthen berm noise barrier is placed within the landscape easement, it must be located a minimum of 20 feet from the edge of the Penryn Road right-of-way. If a constructed (e.g., wood or masonry) noise barrier is placed within the landscape easement, it must be located a minimum of 24 feet from the edge of the Penryn Road right-of-way.

## 7 MITIGATION MEASURES FOR GEOLOGY AND SOILS

**Mitigation Measure 10.2a:** The project applicant shall implement *Mitigation Measure 8.1b*, which requires implementation of the Erosion Prevention and Sediment Control Plan included as Appendix H of the Removal Action Workplan and any other measures included in the grading permit during site remediation and grading.

**Mitigation Measure 10.2b:** The Improvement Plan submittal shall include a final geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

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

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

*Mitigation Measure 10.2c:* Prior to Improvement Plan approval and/or issuance of a grading permit, Placer County shall verify that the applicant has obtained Department of Toxic Substances Control approval of the final Removal Action Workplan (RAW). The applicant shall submit the final RAW to Placer County.

*Mitigation Measure 10.2d:* The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual (LDM) that are in effect at the time of submittal) to the Engineering and Surveying Department for review and approval. All existing and proposed utilities and easements, onsite and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees and Placer County Fire Department Improvement Plan review and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. Design Review shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the Engineering and Surveying Department prior to acceptance by the County of site improvements.

*Mitigation Measure 10.2e:* All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the Placer County Grading Ordinance (Ref. Article 15.48, formerly Chapter 29, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and Engineering and Surveying Department (ESD) concurs with said recommendation.

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

applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

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

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

*Mitigation Measure 10.5a:* The project applicant shall implement *Mitigation Measure 8.1b*, which requires implementation of the RAW Erosion Prevention and Sediment Control Plan and any other measures included in the grading permit during site remediation.

*Mitigation Measure 10.5b:* The project applicant shall implement *Mitigation Measure 10.2d*, which requires that Improvement Plans be submitted to and approved by the County prior to commencement of site preparation and construction activities.

*Mitigation Measure 10.5c:* The project applicant shall implement *Mitigation Measure 10.2e*, which requires all site work to meet the *Placer County Grading Ordinance* requirements and identifies requirements for erosion control measures to be included in the project Improvement Plans.

*Mitigation Measure 10.5d:* A dust and erosion control plan shall be prepared and submitted to the Placer County Air Pollution Control District (APCD) for review and approval prior to approval of Improvement Plans and commencement of construction activities (including grading to support project construction but excluding implementation of the Removal Action Workplan). The dust control plan shall be submitted to the APCD no later than 45 days prior to groundbreaking. The applicant shall not break ground prior to receiving APCD approval of the dust control plan. The plan shall comply with Placer County's Erosion Control standards and the Placer County Grading Ordinance. The plan shall incorporate Best Management Practices (BMPs) for dust and erosion control during construction of site roadways and driveways, and during building pad grading. BMPs to minimize wind and water erosion shall include:

- ❖ Timing grading activities to minimize the amount of exposed areas during the wet season, to the extent feasible.

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

*Mitigation Measure 10.5e:* The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development/Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department). The Stormwater Quality Design Manual for the Sacramento and South Placer Regions is an additional guidance document that may be used as a reference for post construction BMPs.

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Place C-4), Straw Bale Barriers (SE-9), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), revegetation techniques, dust control measures, and concrete washout areas.

*Mitigation Measure 10.5f:* Prior to Improvement Plan approval, the applicant shall obtain a State Regional Water Quality Control Board National Pollutant Discharge Elimination System construction stormwater quality permit and shall provide to the Engineering and Surveying Department evidence of a state-issued Waste Discharge Identification number or filing a Notice of Intent and fees.

*Mitigation Measure 10.5g:* The project applicant shall implement *Mitigation Measure 6.1d*, which requires that stockpiling areas be identified on the Improvement Plans and be located as far as practical from existing dwellings and protected resources.

*Mitigation Measure 10.6a:* The project applicant shall implement *Mitigation Measures 10.2d and e* which require that all grading and construction shall be in accordance with the Placer County Grading Ordinance and shown on the Improvement Plans, which must be approved by the County prior to commencement of construction activities (including grading to support project construction but excluding implementation of the RAW).

## 8 MITIGATION MEASURES FOR HYDROLOGY AND WATER QUALITY

*Mitigation Measure 11.1a:* The project applicant shall implement *Mitigation Measures 10.2d* and *10.e* which require that all proposed drainage improvements and vegetation removal be shown on Improvement Plans; that the applicant revegetate all disturbed areas and provide financial assurance for implementation of the erosion control plan; and that all site grading and construction activities conform to the approved Improvement Plans.

*Mitigation Measure 11.1b:* The Improvement Plan submittal shall include the submittal of a final drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to Placer County Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. Best Management Practices measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable.

*Mitigation Measure 11.1c:* The project applicant shall implement *Mitigation Measure 10.5f*, which requires the applicant to obtain a State Regional Water Quality Control Board National Pollutant Discharge Elimination System construction stormwater quality permit and provide appropriate documentation to the Placer County Engineering and Surveying Department.

*Mitigation Measure 11.2a:* The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for New Development/Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD)). The Stormwater Quality Design Manual for the Sacramento and South Placer Regions is an additional guidance document that may be used as a reference for post construction BMPs.

Storm drainage from on-site impervious surfaces shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Vegetated Swales (TC-30), Detention Basins (TC-22), and Water Quality Inlets (TC-50). No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-

going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance.

**Mitigation Measure 11.2b:** This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. Best Management Practices shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

**Mitigation Measure 11.2c:** All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by Placer County Engineering and Surveying Department (ESD) and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. Placer County ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The property owner and/or Homeowners' Association shall be responsible for maintaining the legibility of stamped messages and signs.

**Mitigation Measure 11.2d:** All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use.

**Mitigation Measure 11.4a:** Storm water run-off (including offsite pass through flow) shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of Placer County Engineering and Surveying Department. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. No detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

**Mitigation Measure 11.4b:** The project applicant shall implement *Mitigation Measure 11.1b*, which requires preparation and submittal of a final drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual.

**Mitigation Measure 11.5a:** The project applicant shall design and construct the onsite drainage facilities (proposed underground stormdrain pipes) that are conveying the offsite, pass through, stormwater flows to accommodate the future, fully developed, unmitigated 100 year

stormwater peak flows per the Placer County Stormwater Management Manual and to the satisfaction of the Engineering and Surveying Department and Placer County Flood Control District.

*Mitigation Measure 11.5b:* The project applicant shall prepare a final drainage report, which shall demonstrate that the proposed project will not increase the limits or water surface elevation of both offsite 100-year floodplains upstream and downstream of the project site to the satisfaction of the Engineering and Surveying Department and Placer County Flood Control District.

*Mitigation Measure 11.5c:* The project applicant shall show the limits of the future, unmitigated, fully developed 100-year floodplains onsite (after grading and installation of drainage improvements) and any identified 100-year overland release area for both the central and eastern floodplain on the Improvement Plans and Informational Sheet(s) filed with the Final Map and designate same as a building setback line unless greater setbacks are required. No housing or other improvements shall be constructed within these limits except as otherwise authorized by project approvals.

*Mitigation Measure 11.6a:* The project applicant shall implement *Mitigation Measure 11.2a*, which requires the Improvement Plans to include water quality treatment facilities and BMPs.

*Mitigation Measure 11.6b:* The project applicant shall implement *Mitigation Measures 11.1a* through *11.1c*, which stipulate compliance with the County's requirements related to Improvement Plans, provision of a final drainage report, and obtaining coverage under the NPDES program for site remediation and project construction activities.

*Mitigation Measure 11.6c:* The project applicant shall implement *Mitigation Measures 11.2a* through *11.2d*, which identify requirements related to BMP design and maintenance, stormdrain inlet markings, and design of trash storage areas.

## **9 MITIGATION MEASURES FOR HAZARDS AND HAZARDOUS MATERIALS**

*Mitigation Measure 13.1a:* The project applicant shall obtain California Department of Toxic Substances Control (DTSC) approval of the final Removal Action Workplan (RAW) prior to Placer County's issuance of a grading permit authorizing commencement of site remediation activities. The project applicant shall implement the RAW and obtain certification from DTSC for unrestricted land use prior to Placer County's approval of Improvement Plans. The certification from DTSC may be in the form of a tentative No Further Action letter.

*Mitigation Measure 13.2a:* The project applicant shall obtain California Department of Toxic Substances Control approval of the final Removal Action Workplan (RAW) prior to issuance of a grading permit from Placer County. The project applicant shall implement the Transportation Plan included in Appendix G of the RAW.

*Mitigation Measure 13.2b:* Except during implementation of the Removal Action Workplan, the following Best Management Practices shall be implemented during all site preparation and construction activity within the project site to control pollutant sources associated with the

handling and storage of construction materials and equipment, as well as with waste management and disposal.

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

**Mitigation Measure 13.3a:** The project applicant shall implement *Mitigation Measure 13.1a*, which requires obtaining DTSC approval of the final RAW prior to issuance of a grading permit from Placer County, implementing the RAW, and obtaining certification from DTSC for unrestricted land use prior to issuance of a building permit from Placer County.

**Mitigation Measure 13.3b:**

In constructing the stormwater detention basin and installing stormwater conveyance infrastructure, the project applicant shall implement the following Best Management Practices or other similar and equally effective practices in accordance with the recommendations of the *Best Management Practices for Mosquito Control in California* handbook (California Department of Public Health and Mosquito and Vector Control Association of California 2010).

- A. Consider mosquito production during the design, construction, and maintenance of stormwater infrastructure.
- B. All underground drain pipes should be laid to grade to avoid low areas that may hold water for longer than 96 hours

- C. Provide proper grades along conveyance structures to ensure that water flows freely.
- D. Design and maintain systems to fully discharge captured water in 96 hours or less.
- E. Avoid the use of loose rock rip-rap that may hold standing water; use concrete or liners in shallow areas to discourage plant growth where vegetation is not necessary.
- F. Design containment basins with adequate slopes to drain fully. The design slope should take into consideration buildup of sediment between maintenance periods
- G. Design accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes.
- H. Whenever possible, design deep zones in excess of four feet to limit the spread of invasive emergent vegetation such as cattails. The edges below the water surface should be as steep as practicable and uniform to discourage dense plant growth that may provide immature mosquitoes with refuge from predators and increased nutrient availability.
- I. Whenever possible, provide a means for easy dewatering if needed.

**Mitigation Measure 13.3c:** The applicant shall prepare a Mosquito Control Plan for administration by the Homeowners Association and/or Property Manager/Owner. This plan will describe various methods of managing the stormwater detention basin, stormwater conveyance infrastructure, and landscape irrigation system to reduce mosquito breeding. The management plan shall be reviewed and approved by the Placer Mosquito and Vector Control District prior to Improvement Plan approval. The management plan shall include the following Best Management Practices or other similar and equally effective practices in accordance with the recommendations of the *Best Management Practices for Mosquito Control in California* handbook (California Department of Public Health and Mosquito and Vector Control Association of California 2010).

- A. Avoid over-irrigating to prevent excess pooling and runoff.
- B. Routinely inspect, maintain, and repair irrigation system components; check and repair leaky outdoor faucets.
- C. Manage sprinkler and irrigation systems to minimize runoff entering stormwater infrastructure.
- D. Avoid intentionally running water into stormwater systems by not washing sidewalks and driveways; prohibit washing cars on streets or driveways.
- E. Inspect facilities weekly during warm weather for the presence of standing water or immature mosquitoes.
- F. Remove emergent vegetation and debris from gutters and channels that accumulate water.
- G. Keep inlets free of accumulations of sediment, trash, and debris to prevent standing water from backing up on roadways and gutters.
- H. Maintain accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes.

Emergent plant density should be routinely managed so mosquito predators can move throughout the vegetated areas and are not excluded from pond edges.

- I. If applicable, maintain deep zones in excess of four feet to limit the spread of invasive emergent vegetation such as cattails.
- J. Manage the spread and density of floating and submerged vegetation that
- K. encourages mosquito production (i.e., water hyacinth, water primrose, parrot's
- L. feather, duckweed, and filamentous algal mats

*Mitigation Measure 13.3d:* If siltation devices are installed with catch basins and other road drainage features, the developer and/or Homeowners Association and/or Property Manager/Owner shall provide periodic treatment, inspection, and vegetation removal when proscribed by the Placer Mosquito and Vector Control District to prevent development of mosquito habitat. Evidence of treatment shall be provided to the Placer Mosquito and Vector Control District upon request.

## **10 MITIGATION MEASURES FOR CUMULATIVE IMPACTS**

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

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

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

*Mitigation Measure 14.2a:* Prior to Improvement Plan approval, the applicant shall pay Placer County the fair share cost for constructing modified intersection geometries and signal phasing at the intersection of Taylor Road/King Road and Taylor Road/Horseshoe Bar Road located within the Town of Loomis. The payment shall be made in accordance with the Memorandum of Understanding between Placer County and the Town of Loomis. The fair share percentages are identified as 0.18% and 0.19%, respectively and the total fair share cost for the Original Project is calculated at \$380.00.

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

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

## 11 MITIGATION MEASURES FOR AGRICULTURE AND FORESTRY

*Additional Mitigation Measure 1:* The project applicant shall implement *Mitigation Measure 5.1c* which requires compensation for impacts to 5.65 acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or recreation of oak woodland habitat.

## 12 MITIGATION MEASURES REQUIRING ONGOING IMPLEMENTATION AND MONITORING

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

### **Mitigation Measures 5.1c, 5.2a, 5.5b and Additional Mitigation Measure 1**

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

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

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

### **Mitigation Measure 11.4a**

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

**Mitigation Measure 13.3c**

This measure requires that the project applicant prepare a Mosquito Control Plan for administration by the Homeowners Association and/or Property Manager/Owner. This plan will describe various methods of managing the stormwater detention basin, stormwater conveyance infrastructure, and landscape irrigation system to reduce mosquito breeding. Placer County would ensure that the appropriate party submits evidence of implementing the management protocols for these mechanisms upon request.

**Mitigation Measure 13.3d**

This measure requires that the Homeowners Association and/or Property Manager/Owner provide periodic treatment, inspection, and vegetation removal of any siltation devices are installed with catch basins and other road drainage features. Placer County would ensure that the appropriate party submits evidence of implementing the management protocols for these mechanisms upon request.