

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

Finding:

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

Explanation:

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

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

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

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

None available.

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

Mitigation Measure:

None available.

Significance After Mitigation:

Significant and unavoidable.

D. AIR QUALITY

Standards of Significance

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

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

(DEIR, p. 6.3-16.)

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

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

(DEIR, p. 6.3-16.)

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

Impact 6.3-1: **The proposed project could generate PM₁₀ through land-clearing and other earth-moving activities during construction. This impact is *potentially significant*.** (DEIR, p. 6.3-17; FEIR, p. 2-8.)

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the generation of PM₁₀ through land-clearing and other earth-moving activities during construction. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

Construction activity such as grading, trenching, and heavy equipment and vehicles traveling on exposed soils at the project site would produce PM₁₀, especially on windy days when the fine soil on the graded site is blown up from the ground. The burning of fuel by construction equipment would also add to overall PM₁₀ emissions. Final EIR Table 6.3-5 shows the amount of PM₁₀ that would be generated for project construction. The values for PM₁₀ shown in Final EIR Table 6.3-5 are mitigated emissions that are achieved by standard dust control methods, which are described on page 2-9 of the Final EIR. (FEIR, pp. 2-13-2-14)

Many mitigation measures are available that can reduce the impact from land clearing activities. Some of these mitigation measures would provide a substantial reduction in PM₁₀ emissions, while other measures would provide only slight PM₁₀ reductions. Not all of the recommended measures can be quantified. Measures 6.3-1(a), (b), and (d) can be quantified in the URBEMIS 2007 program. Watering exposed surfaces can result in an approximately 55 percent reduction in emissions. The application of soil stabilizers reduces emissions by approximately 84 percent. Replacing ground cover helps reduce emissions by approximately 5 percent. Additionally, dust control methods used during equipment loading and unloading can reduce PM₁₀ emissions by approximately 69 percent.

With the implementation of Mitigation Measure 6.3-1, the maximum daily PM₁₀ emissions impact from grading activities would be reduced to approximately 230 pounds per day. This remains above PCAPCD threshold of significance; therefore, this impact, though substantially lessened by the mitigation measure set forth below, would remain a *short-term significant and unavoidable impact*.

(FEIR, p. 2-14.)

Mitigation Measure:

- 6.3-1 a) *Water exposed surfaces, as required, to control fugitive dust, including areas where soils are being loaded and/or unloaded;*
- b) *Apply soil stabilizers to inactive areas;*
- c) *Suspend grading operations when wind is sufficient to generate visible dust emissions crossing the boundary line of a project site, despite the application of dust mitigation measures;*
- d) *Pave, use gravel cover, apply water three times daily, or spray a dust control agent on all unpaved haul roads;*
- e) *In compliance with Rule 228, Fugitive Dust, all visible roadway dust tracked-out upon public paved roadways as a result of active operations shall be removed at the conclusion of each work day when active operations cease, or every twenty-four (24) hours for continuous operations. Wet sweeping or a HEPA filter equipped vacuum device shall be used for roadway dust removal;*
- f) *Cover all trucks hauling soil, sand and other loose materials or ensure that all trucks hauling such materials maintain at least two feet of freeboard space;*
- g) *Install sandbags or other erosion control measures to prevent silt runoff onto public roadways;*
- h) *Unpaved areas subject to vehicle traffic must be stabilized by being kept wet, treated with a chemical dust suppressant, or covered;*
- i) *Prior to groundbreaking, the applicant shall submit a Construction Emission/Dust Control Plan to PCAPCD for its review and approval. This plan must address the minimum Administrative Requirements found in section 400 of District Rule 228, Fugitive Dust. The applicant shall keep a hard or electronic copy of Rule 228, Fugitive Dust, on-site for reference.*

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

- j) The applicant shall suspend all grading operations when fugitive dust exceeds District Rule 228, Fugitive Dust limitations. An applicant representative who is CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate compliance with Rule 228, Fugitive Dust. This requirement for a VEE applies to all projects grading 20 or more acres in size, regardless of how many acres are to be disturbed daily. Fugitive dust shall not exceed 40 percent opacity and shall not go beyond the Specific Plan boundary line at any time. If lime or other drying agents are utilized to dry out wet grading areas, they shall be controlled so as not to exceed District Rule 228, Fugitive Dust limitations; and*
- k) The speed of any vehicle or equipment traveling on unpaved areas must be no more than 15 miles per hour unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust exceeding Ringlemann 2 or visible emissions from crossing the project boundary line.*
- l) The County shall include as a condition of approval for any grading permit that no more than 50 acres of the proposed project site is to be disturbed on any day.*

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

Significance After Mitigation:

Short-term significant and unavoidable impact.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

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

- a) *Construction equipment operators shall shut off equipment when not in use to avoid unnecessary idling. Generally, vehicle idling should be kept below 5 minutes.*
- b) *Contractor's construction equipment shall be properly maintained and in good working condition.*
- c) *Construction equipment exhaust shall not exceed PCAPCD Rule 202 Visible Emissions limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified and the equipment must be repaired within 72 hours. An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy-duty on-road equipment emissions for compliance with this requirement for projects grading more than 20 acres in size regardless of how many acres are to be disturbed daily.*
- d) *The prime contractor shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all heavy-duty off-*

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

- e) Construction contractors shall be required to use low-VOC architectural coatings and asphalt in compliance with District Rules and Regulations. Contractors shall also be required to fuel stationary construction equipment with low-sulfur fuels, and use existing power sources (e.g., power poles) or clean fuel generators in place of temporary diesel power generators whenever feasible.
- f) Use add-on retrofit controls, where applicable, for construction equipment to reduce NOx and DPM.
- g) Use CARB-certified lower-emitting, alternatively fueled equipment when possible.
- h) Use existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators. If project construction requires diesel powered generators greater than 50 horsepower, a Permit to Operate shall be obtained from the PCAPCD.

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

Significance After Mitigation:

Short-term significant and unavoidable impact.

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

Finding:

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

Explanation:

PM₁₀ is mostly generated by earthmoving activity and disturbed soils, but PM_{2.5} is primarily a product of combustion. Use of heavy-duty equipment during the construction of the proposed project would generate emissions of PM_{2.5}. As diesel construction equipment operates, the burning of diesel fuel would contribute PM_{2.5} as a byproduct. Table 6.3-5 shows the amount of PM_{2.5} estimated to be generated on a daily basis by the proposed project. With implementation of Mitigation Measure 6.3-1, PM_{2.5} emissions would be reduced by more than approximately 75 percent. (FEIR, pp. 2-17 to 2-18.)

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

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

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

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

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

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

Mitigation Measure:

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

Significance After Mitigation:

Short-term significant and unavoidable impact.

Impact 6.3-4 **The proposed project's long-term operational emissions could exceed PCAPCD thresholds of significance for PM₁₀, ROG, NO_x, and CO. This impact is *potentially significant*. (FEIR, p. 2-19.)**

Finding:

Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with the proposed project's long-term operational emissions exceeding PCAPCD thresholds of significance for PM₁₀, ROG, NO_x, and CO. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

Explanation:

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

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

Table 6.3-6 lists the estimated emissions of PM₁₀, ROG, NO_x, and CO at project buildout (i.e., community and university, combined) in 2020. Emissions for 2010 are presented for comparative purposes. Using the same land use development assumptions as 2020, the data indicate that future operational emissions from motor vehicles are predicted to be lower than would occur if the entire project were built out in 2010. (FEIR, p. 2-19.)

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

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

Mitigation Measure:

- 6.3-4 a) *The following guidelines shall be used by the County during review of future project specific submittals for development within the Specific Plan area in order to reduce generation of air pollutants with the intent that specified measures be required where feasible and appropriate. PCAPCD may replace or supplement air pollution measures for individual projects as new technology and feasible measures become available over the course of Plan Area buildout.*
- *Include in all new parking lots tree plantings designed to result in 50 percent shading of parking lot surface areas within 15 years. Incorporated by reference are the City of Sacramento Parking Lot Tree Shading Design and Maintenance Guidelines dated June 17, 2003.*
 - *Prohibit wood-burning fireplaces, woodstoves, or similar wood-burning devices for the entire Specific Plan area. Only natural gas/propane-fired fireplace appliances are allowed.*
 - *Install two 110/208 volt power outlets for every two loading docks.*

- *Implement the following, or equivalent measures, as determined by the County in consultation with the APCD:*
 - *Establish building guidelines that require the use of high-albedo (low-absorptive) coatings/Energy Star roofing products on all roofs and other building surfaces, if available and economically feasible at the time building permits are issued.*
 - *Establish paving guidelines that, if feasible, require businesses to pave all privately-owned parking areas with a substance with reflective attributes (albedo = 0.30 or better) similar to cement concrete. The use of a paving substance with reflective attributes similar to concrete is considered feasible if the additional cost is less than 20% of the cost of applying a standard asphalt product.*

- b) *In order to incorporate passive solar building design and landscaping conducive to passive solar energy use, the Regional University Specific Plan Design Guidelines shall include the following measures:*
 - *Encourage the orientation of buildings to be in a south to southwest direction where feasible.*
 - *Encourage the planting of deciduous trees on western and southern sides of structures.*
 - *In all residences, include high-efficiency heating and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units.*
 - *In all residential units, include energy-efficient window glazings, wall insulation, and efficient ventilation.*
 - *Landscaping plans shall prohibit the use of liquidambar and eucalyptus trees that produce smog-forming compounds (high emission factors for isoprenes).*

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

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

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

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

(FEIR, pp. 2-19—2-22.)

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

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

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

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

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

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

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

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

Impact 6.3-8:

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

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

the Plan Area, could add to cumulative levels of PM₁₀ during construction. This impact is *potentially significant*. (DEIR, p. 6.3-29.)

Finding:

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

Explanation:

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

The EPA recently lowered the significance threshold for the federal 24-hour standard from the current level of 65 micrograms per cubic meter to 35 micrograms per cubic meter, based on an assessment of a significantly expanded body of scientific information that strengthened the association between long-term PM_{2.5} exposure and serious health effects. Under this new standard, Placer County would be classified as a nonattainment area. Therefore ambient air concentrations of PM_{2.5} would exceed the new standard, resulting in a *significant* impact. As discussed in connection with Impact 6.3-3, the PM_{2.5} impact for construction of the proposed project would be potentially significant. Project operation would also generate PM_{2.5} emissions. Therefore, temporary and long-term project emissions of PM_{2.5}, would contribute to ambient air concentrations of PM_{2.5} that exceed standards. This would be a *significant impact*. (DEIR, p. 6.3-30.)

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

E. BIOLOGICAL RESOURCES

Standards of Significance

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

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

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or by other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with the provisions of an approved local, regional or State policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan.

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

Finding:

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

Explanation:

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

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

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

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

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

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

Mitigation Measure:

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

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

TABLE 6.4-2

COUNTY MITIGATION RATIOS FOR IMPACTS ON WETLANDS

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

Notes:

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

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

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

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

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

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

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

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

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

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

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

- f) Out-of-County Habitat Mitigation: Use of out-of-County lands for habitat mitigation shall only be allowed when such lands are of equal or of higher resource value than those in the Specific Plan area. Use of any such lands may be allowed by the County after an evaluation of the resource value of the lands proposed for such use.
- g) "Out-of-Kind" Habitat Mitigation: "Out-of-kind" habitat mitigation shall only be allowed as mitigation for loss of a particular habitat type after approval by the County. "Out-of-kind" mitigation may be appropriate where the mitigation lands include areas with a mosaic of riparian habitat, creek corridors, flood plains and upland areas, where an assemblage of vernal pool complexes in fallow or grazed lands is in close proximity to such riparian habitat, or where the County deems that the "out-of-kind" mitigation lands contain other unique or desirable characteristics that provide a comparable level of habitat mitigation.
- h) Funding for Mitigation Land Acquisition (Fee Title or Conservation Easement) and Monitoring and Maintenance: Funding for land acquisition, adaptive management and monitoring and maintenance may be financed, if acceptable to the County, through a Mello-Roos Community Facilities District (CFD) or other funding mechanism similar to the funding mechanism used to fund Specific Plan infrastructure construction. The specific funding plan, including a method for preserve acquisitions and for in-perpetuity preserve management must be approved by Placer County prior to the first preserve acquisition and prior to any ground disturbance associated with the project.
- i) Excess Habitat: Excess habitat within mitigation lands acquired for the mitigation of impacts associated with an approved development project within the Specific Plan area may be used to mitigate for subsequent approved development projects within the Specific Plan area. Transfer of excess habitat shall be accomplished through a private cost sharing agreement. The project applicant shall provide Placer County with copies of such agreements for review and for tracking purpose (e.g., debits and credits).
- j) Mitigation and Management Plans: Implementation of the "no-net-loss of wetlands" standard of this Mitigation Measure 6.4-1 shall occur through the implementation of Mitigation and Management Plans for mitigation sites. Such Plans shall accompany each proposed development project, or

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

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

- k) Dedication of Mitigation Lands for Regional University Specific Plan Projects: The mitigation lands necessary to mitigate for the impacts of developing a project within the Regional University Specific Plan area, as well as developing any off-site infrastructure project associated with the Regional University Specific Plan, shall be dedicated to the County (or other County approved entity) prior to recordation of a final small lot map, or as a condition of issuance of a project-level discretionary approval for non-residential land uses that do not require a tentative subdivision map.
- l) Placer County Conservation Plan: At the time of the release of the Draft EIR Placer County was preparing a Natural Community Conservation Plan, a Habitat Conservation Plan Programmatic Section 404/401 Compliance and a Master Streambed Alteration Agreement to comply with the State and Federal Endangered Species Acts and the Federal Clean Water Act. Collectively, this planning effort is known as the proposed Placer County Conservation Plan (PCCP). The mitigation measures for certain biological resources were therefore written without certainty as to whether or not the PCCP would be approved in advance of certification of the final RUSP EIR and approval of the RUSP. Because the RUSP EIR was certified and the RUSP was approved before the PCCP

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

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

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

Significance After Mitigation:

Significant and unavoidable.

Impact 6.4-2:

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

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

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

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

(DEIR, p. 6.4-34.)

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

Mitigation Measure:

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

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

(DEIR, p. 6.4-35.)

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

Mitigation Measure:

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

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

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

- b) The project applicant shall replace, re-create, or restore special-status plant habitat lost, at a ratio determined by the County. This may be accomplished through implementation of Mitigation Measure 6.4-1 as it pertains to vernal pool habitat. If any other special-status vernal pool plant species are located during the surveys, implementation of Mitigation Measure 6.4-1 for avoidance of vernal pool crustacean habitat will concurrently protect vernal pool plant species occurring in those pools.
- c) If any other special-status upland plant species are located during the surveys locations of these occurrences shall be mapped. A detailed mitigation/conservation plan that includes long-term strategies for the conservation of the species shall be developed confirming the presence of these species. The plan shall provide for preservation and restoration at ratios that would ensure "no-net-loss" of the affected plant habitat.

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

(DEIR, p. 6.4-36.)

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

None required.

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

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

Mitigation Measure:

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

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

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

Mitigation Measure:

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

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

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

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

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

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

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

2. *Replacement of occupied habitat with habitat contiguous to currently occupied habitat: 2 times 6.5 (for a total of 13 acres) acres per pair or single bird.*
3. *Replacement of occupied habitat with suitable unoccupied habitat: 3 times 6.5 (for a total of 19.5 acres) acres per pair or single bird.*

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

Other Ground Nesting Raptors

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

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

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

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

(DEIR, p. 6.4-41.)

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

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

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

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

Mitigation Measure:

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

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

(DEIR, p. 6.4-42.)

Significance After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

Mitigation Measure:

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

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

Significant After Mitigation:

Less than significant.

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

Finding:

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

Explanation:

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

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

Significance After Mitigation:

Significant and unavoidable.

F. CULTURAL RESOURCES

Standards of Significance

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

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

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

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

Finding:

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

Explanation:

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

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

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

Mitigation Measure:

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

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

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

- a) *Avoidance, preservation, and/or enhancement of all or a portion of the Native American Cultural Place as open space or habitat, with a conservation easement dedicated to the most interested and appropriate tribal organization (e.g., the United Auburn Indian Tribe), if such an organization is willing to accept and maintain such an easement, or alternatively, a cultural resource organization that holds conservation easements;*
- b) *An agreement with any such tribal or cultural resource organization to maintain the confidentiality of the location of the site so as to minimize the danger of vandalism to the site or other damage to its integrity; or*
- c) *Other measures, short of full or partial avoidance or preservation, intended to minimize impacts to the Native American Cultural Place consistent with land use assumptions and the proposed design and footprint of the development project for which the requested grading permit has been approved.*

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

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

(DEIR, pp. 6.5-11.)

Significance After Mitigation:

Significant and unavoidable.

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

Finding:

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

Explanation:

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

Mitigation Measure:

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