

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

**In the matter of: A RESOLUTION CERTIFYING  
THE FINAL ENVIRONMENTAL IMPACT REPORT,  
ADOPTING A STATEMENT OF FINDINGS, A STATEMENT  
OF OVERRIDING CONSIDERATIONS AND A  
MITIGATION MONITORING PLAN REGARDING  
THE RIOLO VINEYARD SPECIFIC PLAN,  
RELATED ENTITLEMENTS AND DEVELOPMENT AGREEMENT**

**Resolution No. 2009-**

**The following resolution was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held February 10, 2009,  
by the following vote:**

**Ayes:**

**Noes:**

**Absent:**

**Signed by me after its passage.**

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**F. C. Rockholm, Chairman**

**Attest:**

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**Ann Holman  
Clerk of said Board**

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This Statement of Findings and Statement of Overriding Considerations is made with respect to the "Project Approvals" (as defined below) for the Riolo Vineyard Specific Plan (the "Plan") and states the findings of the Board of Supervisors (the "Board") of the County of Placer (the "County") relating to the environmental impacts of the Plan to be developed in accordance with the Project Approvals.

**WHEREAS**, PFE Investors, LLC, own its own behalf and on behalf of Bryte Gardens Associates, Ltd., (referred to hereinafter collectively as the "Applicant") have requested the County Board take the following requested actions related to the Plan, which are referred to collectively as the "Project Approvals":

1. Certification of a Final Environmental Impact Report and adoption of a Mitigation Monitoring and Reporting Plan;
2. Adoption of amendments to the Placer County General Plan;
3. Adoption of amendments to the Dry Creek/West Placer Community Plan;
4. Approval of a Specific Plan;
5. Approval of Development Standards and Design Guidelines for the Specific Plan;
6. Approval of rezonings;
7. Approval of a Development Agreement,
8. Approvals of a Large Lot Tentative Subdivision Map and a Small Lot Tentative Subdivision Map, and

**WHEREAS**, the Project Approvals constitute the "Project" for purposes of the California Environmental Quality Act ("CEQA"--Public Resources Code sections 21000 et seq.) and CEQA Guidelines Sec. 15378 and these determinations of the Board, and

**WHEREAS**, a notice of preparation for an environmental impact report for the Project was prepared by the County and sent to the State Clearinghouse on or about September 2, 2005, and a revised notice of preparation was sent on or about July 28, 2006, (SCI1 No. 2005092041), and

**WHEREAS**, on January 25, 2008, the County released a draft environmental impact report ("DEIR") that was prepared for the Project under the direction of the County, and

**WHEREAS**, the DEIR was made available for public comment in accordance with CEQA from January 25, 2008, through March 10, 2008,

**WHEREAS**, the County received written comments on the DEIR, in response to which the County prepared and released a Final Environmental Impact Report on October 20, 2008, (the "FEIR") and

**WHEREAS**, the Board gave full and legal notice of a public hearing to consider and act upon the Project Approvals and the FEIR, which was held on February 10, 2009, and

**WHEREAS**, the Board has duly considered the FEIR for the Project, which consists of the DEIR and the Final EIR, the addendices thereto, the comments of the public, both oral and written, and all written materials in the record connected therewith, and is fully informed thereon,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER:**

(1) The FEIR has been prepared in accordance with all requirements of CEQA and the Guidelines.

(2) The FEIR was presented to and reviewed by the Board. The FEIR was prepared under supervision by the County and reflects the independent judgment of the County. The Board has reviewed the FEIR, and bases its findings on such review and other substantial evidence in the record.

(3) The Board hereby certifies the FEIR as complete, adequate and in full compliance with CEQA as a basis for considering and acting upon the Project Approvals and, exercising its independent judgment, makes the specific findings with respect thereto as set forth in Exhibit A, attached hereto and incorporated herein by reference.

(4) All mitigation measures proposed in the FEIR shall be implemented, and the Mitigation Monitoring and Reporting Plan ("MMRP") is adopted, and will implement all mitigation measures adopted with respect to the Plan pursuant to all of the Project Approvals. The MMRP is hereby incorporated into the Plan and thereby becomes part of and limitations upon the entitlements conferred by the Project Approvals.

**BE IT FURTHER RESOLVED:** That notwithstanding the imposition of the mitigation measures in the MMRP as set forth above, significant impacts of the Plan have not been reduced to a level of insignificance or eliminated by changes in the proposed Plan. The Board of Supervisors finds that the project will bring substantial benefits to the County and that the Plan's benefits outweigh the Plan's significant unmitigated adverse impacts and pursuant to CEQA Guidelines section 15093 adopts and makes the Statement of Overriding Considerations as set forth in Section XIII of Exhibit A, attached hereto and incorporated herein by reference, to explain why the Development's benefits override its unavoidable impacts. Having carefully considered the Plan, its impacts and the foregoing benefits, the Board of Supervisors finds, in light of the important social, economic and other benefits that the Plan will bring, the adverse environmental impacts of the Plan that are not fully mitigated are acceptable.

**BE IT FURTHER RESOLVED:** That the Planning Department is directed to file a Notice of Determination with the County Clerk within five (5) working days in accordance with Public Resources Code section 21152(a) and CEQA Guidelines section 15094.

**EXHIBIT A**

**CEQA FINDINGS OF FACT**

**and**

**STATEMENT OF OVERRIDING CONSIDERATIONS**

**for the**

**RIOLO VINEYARD SPECIFIC PLAN**

**ENVIRONMENTAL IMPACT REPORT**

## I. INTRODUCTION

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

## II. PROJECT DESCRIPTION

### A. Project Location

The Riolo Vineyard Specific Plan area is located in southern Placer County and is situated 2 1/2 miles southwest of the City of Roseville and 15 miles northeast of the Sacramento metropolitan area, just north of Placer County's border with Sacramento County. The site is bounded by Dry Creek to the north, Walerga Road to the east, PFE Road to the south, and Watt Avenue to the west. Existing vehicular access to the proposed Plan Area is from PFE Road, Watt Avenue, and Walerga Road. Interstate 80 is approximately 4 1/4 miles east of the site.

### B. Project Background

Placer County proposes approval and development of a specific plan known as the Riolo Vineyard Specific Plan in the unincorporated area of western Placer County. The proposed site is located within the area governed by the *Dry Creek/West Placer Community Plan (Community Plan)*, which was adopted in 1990 and amended in 1994. This Community Plan covers about 9,200 acres in the southwestern corner of Placer County. Its boundaries are Baseline Road in the north, Sutter County to the west, Sacramento County to the south, and the City of Roseville to the east. While it is a separate document, the Community Plan was developed to be a component of Placer County's General Plan. It envisions low-density, single-family, residential development in the non-floodplain portion of the proposed Plan Area, with commercial uses at the corners of PFE Road/Watt Avenue and PFE Road/Walerga Road. The Plan Area includes a total of 15 parcels, comprising 525.8 gross acres. Eight of these parcels, which comprise approximately 323 acres, are controlled by the project applicant, PFE Investors, LLC ("Applicant"); the remaining seven parcels are held by other owners.

Riolo Vineyard is conceived to be a residential community consisting of a variety of housing options, park and open-space opportunities, and commercial services. The Specific Plan would be developed in accordance with the goals of the *Dry Creek/West Placer Community Plan*, including its land use goals to preserve rural-residential areas and protect natural features such as Dry Creek. The Specific Plan proposes specific land uses for parcels under the control of the Applicant, which are analyzed at a project-specific level in the Draft EIR. The initial phase of residential development by the Applicant would occur on the western portion of the Specific Plan area, governed by the tentative subdivision map being processed by the Applicant concurrently with the Specific Plan. This initial phase of development would include 128 low-density residential units, 157 medium-density residential units, up to 60 high-density residential units and two Agricultural-10 parcels, for a total of approximately 347 units. This initial phase would also provide land for the cemetery expansion, a recycled water tank, and sewer pump station facilities. The remaining development proposed by the Applicant on the eastern portion of the Specific Plan area (approximately 244 low density residential units, four Agricultural-10 parcels and two rural residential units) would occur in subsequent years when additional small lot subdivisions maps are applied for by the Applicant and approved by the County.

There will be additional development within the Specific Plan area, which is analyzed at a program-level in the EIR. Assumptions regarding land uses for these areas of the Specific Plan were made for the purpose of analyzing impacts of the proposed project. The Draft EIR assumes that the Frisvold parcel (APN 023-200-057) would be developed with up to 120 units of medium-density residential development, consistent with the intent of the owner

of that parcel to cancel the existing Williamson Act contract and pursue development entitlements. The EIR further assumes that the 10.0-acre parcel at the corner of PFE Road and Walerga Road (APN 023-221-007) would be developed in the near term with commercial uses, consistent with the existing Community Plan. Although no development plans for the Lund parcel (APN 023-221-004) or Elliott parcel (APN 023-221-005) have been proposed, the EIR assumes development of these parcels with up to 210 low-density residential units (up to 170 units on Elliott and 40 units on Lund), as permitted by the Community Plan, could occur under near-term conditions. Due to the location of the Riar/Singh parcel (APN 023-200-109) within the 100-year floodplain of Dry Creek, the EIR assumes that this parcel would be maintained in its current agricultural use under both near-term and long-term conditions.

The remaining 242.6 acres (about 46 percent of the site) would be set aside for agricultural, Agricultural-10, open space, and public or quasi-public uses. The agricultural and open spaces would also serve as buffers between the residential and commercial uses and the Dry Creek habitat area and are located primarily in the central and northern portions of the proposed site. The Agriculture-10 parcels would allow for a one-acre building pad for residential structures. Three parcels within the Plan Area are planned for public and quasi-public uses, including expansion of the existing cemetery, a recycled water tank, pump station, and an electrical substation. Circulation through the specific plan area for motor vehicles would be on internal residential streets with rights-of-way ranging from 40 to 130 feet, depending on location. The medium-density residential community proposed by the Applicant would create private alleys 24 feet in width. Travel for pedestrians, bicyclists, and equestrians would be along a network of pedestrian paths, bicycle lanes, and trails as well as a network of sidewalks.

The Specific Plan provides a Land Use Diagram for the Plan area, which shows specific land uses, the location and density/intensity of future residential, commercial, parks, open space and other necessary public facilities. Included as corollary documents to the Specific Plan are Development Standards and Design Guidelines that will govern all future development within the Riolo Vineyard Specific Plan. In addition, the Specific Plan identifies the major infrastructure (roads, water, sewer, drainage systems) and public services needed to accommodate the new development.

The project proponents have also sought a number of general plan amendments, and amendments to the Dry Creek/West Placer Community Plan, and additional legislative and other approvals in order to facilitate the Specific Plan, as described and analyzed in the Final EIR.

### C. Project Objectives

The Specific Plan's goals are to:

1. Implement the County's General Plan and Dry Creek/West Placer Community Plan, which designate the proposed project area for urban development;
2. Preserve the scenic Dry Creek riparian corridor and enhance trail connectivity to complement a regional recreation corridor for bicycle, pedestrian, and equestrian users;
3. Provide a well-designed community with neighborhood identity in close proximity to jobs and services in Placer and Sacramento Counties;
4. Create a high-quality environment containing a mix of residential, open-space, and recreational land uses in an overall design that advances "smart growth" principles;
5. Provide for increased residential densities in areas presently planned for urban growth and development with accessible infrastructure, consistent with area-wide infrastructure plans and growth policies identified in the Sacramento Area Council of Government's *Blueprint for Regional Growth*;
6. Design a project that minimizes encroachment into the existing 100-year floodplain in the plan area while

balancing the housing needs and densities of the SACOG Blueprint process and the character of the local community.

7. Reduce growth pressures on outlying areas of Placer County by efficiently utilizing the project area to accommodate residential growth and development;
8. Incorporate an appropriate level of medium- and high-density residential development to take advantage of the proximity of the proposed project area to region-serving arterials, and support opportunities for transit to serve the proposed development;
9. Provide for a cohesive plan of development that maximizes internal connectivity within the project area for pedestrian, bicycle, and vehicular travel;
10. Provide for a full range of housing densities and product choices affordable to all income levels;
11. Provide a comprehensively planned project that offers maximum feasible protection of sensitive environmental habitat and resources;
12. Create a community that recognizes, respects, and preserves historic agricultural uses of the project area through active management within Agriculture-10 parcels;
13. Provide a planned infrastructure system with all public facilities and services necessary to meet the needs of development with the proposed project area;
14. Provide a sufficient number of residential units within the project area to support necessary improvements to local and regional public facilities;
15. Provide for dedication of land within the project area for the expansion of the Union Cemetery.

### III. ENVIRONMENTAL REVIEW PROCESS

In accordance with section 15082 of the CEQA Guidelines, a Notice of Preparation (NOP) for the Riolo Vineyards Specific Plan EIR was prepared by the County on September 2, 2005. Pursuant to CEQA Guidelines sections 15023, subdivision (c), and 15087, subdivision (f), the State Clearinghouse in the Office of Planning and Research is responsible for distributing environmental documents to State agencies, departments, boards, and commissions for review and comment. The County followed required procedures with regard to distribution of the appropriate notices and environmental documents to the State Clearinghouse. The State Clearinghouse was obligated to make that information available to interested agencies for review and comment. The NOP was received by the State Clearinghouse (SCH #2005092041) on or about September 2, 2005, and was made available for a 30 day public review period ending on October 10, 2005. The initial NOP and response letters are included as Appendix B of the Draft EIR.

A revised NOP was circulated on July 28, 2006 that addressed the proposed cancellation of the Williamson Act contract on the Frisvold parcel, within the Specific Plan area. The revised NOP was received by the State Clearinghouse on July 28, 2006, and was made available for a 30 day public review period ending on August 29, 2006. The revised NOP and response letters are included as Appendix C of the Draft EIR.

Preparation of an EIR is a CEQA requirement for all discretionary projects in California that have a potential to result in significant environmental impacts. EIRs must disclose, analyze, and provide mitigation measures for all potentially significant environmental effects associated with adoption and implementation of proposed projects. Consistent with these requirements, the County on January published the Draft EIR for the proposed Riolo Vineyard Specific Plan and circulated the document for review and comment by responsible and trustee agencies as well as interested members of the public. The NOA of the Draft EIR was received by the State Clearinghouse on

248

January 25, 2008, and was made available for a public review period ending on March 10, 2008. The Planning Commission held a public hearing on February 28, 2008 to provide an opportunity for the public to comment on the Draft EIR.

The County received comments on the Draft EIR from 9 persons/agencies before the close of the comment period. The County released the Final EIR in October 2008. All comments received on the Draft EIR during the review period, and two additional comment letters received thereafter, are responded to in the Final EIR.

On December 18, 2008, the County presented the project at the Planning Commission hearing to make a final recommendation on the project. The Planning Commission by a 4-2 vote recommended approval of the Riolo Vineyard Specific Plan.

On February 10, 2009, the Board of Supervisors ("Board") held a public hearing on the project, at the end of which the Board certified the Final EIR and adopted the Specific Plan and an accompanying Development Agreement and various related planning documents. As part of the project approval, the Board approved these Findings of Fact, a Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations included in Section XIII of this document.

#### **IV. SIGNIFICANT NEW INFORMATION**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification. New information includes: (i) changes to the project; (ii) changes in the environmental setting; or (iii) additional data or other information. Section 15088.5 further provides that "[n]ew information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."

Having reviewed the information contained in the Draft and Final EIR and in the administrative record as well as the requirements under CEQA Guidelines §15088.5 and interpretive judicial authority regarding recirculation of draft EIRs, the Board of Supervisors hereby finds that no new significant information was added to the EIR following public review and thus, recirculation of the EIR is not required by CEQA.

#### **V. RECORD OF PROCEEDINGS**

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

- The Notice of Preparation and all other public notices issued by the County in conjunction with the Project;
- The Final EIR for the Riolo Vineyard Specific Plan;
- All comments submitted by agencies or members of the public during the 45 day public comment period on the Draft EIR;
- All comments and correspondence submitted to the County with respect to the Project, in addition to timely comments on the Revised Draft EIR;
- The Mitigation Monitoring and Reporting Plan for the Project;
- Copies of the Riolo Vineyard Specific Plan and related documents prepared by staff after Board approval

to conform to the Board's final decisions (e.g., in terms of including final the language of adopted policies, the final numbering of policies, changes to reflect errata identified in various documents);

- All findings and resolutions adopted by County decisionmakers in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the County, consultants to the County, and responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's actions on the Project;
- All documents submitted to the County by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;
- Minutes and/or verbatim transcripts of all public meetings and public hearings held by the County in connection with the Project;
- Any documentary or other evidence submitted to the County at such public meetings and public hearings;
- Matters of common knowledge to the County, including, but not limited to federal, State, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

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

The Board of Supervisors has relied on all of the documents listed above in reaching its decision on the Riolo Vineyard Specific Plan, even if not every document was formally presented to the Board or County Staff as part of the County files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions with which the Board was aware in approving the Riolo Vineyard Specific Plan. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381,391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729,738, fn. 6.) Other documents influenced the expert advice provided to County Staff or consultants, who then provided advice to the Board. For that reason, such documents form part of the underlying factual basis for the Board's decisions relating to the adoption of the Riolo Vineyard Specific Plan. (See Pub. Resources Code, § 21167.6, subd. (c)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

## VI. FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of Projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (Emphasis added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." The mandate and principles announced in Public

Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (“*Goleta I*”) (1990) 52 Cal.3d 553, 565.)

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

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The County must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects.” (Pub. Resources Code, § 21002, emphasis added.)

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

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant. Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the Final EIR.

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

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

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

## **VII. LEGAL EFFECTS OF FINDINGS**

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

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

## **VIII. MITIGATION MONITORING AND REPORTING PROGRAM**

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

## **IX. SIGNIFICANT EFFECTS AND MITIGATION MEASURES**

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

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

specifically and expressly modified by these findings.

#### A. LAND USE

**Impact 4-1** Conversion of existing land use designated Open Space to Urban Land Uses. This Impact is considered *Less than Significant*.

**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:**

Implementation of the Specific Plan would convert approximately 19.4 acres of land designated as “open space” under the *Dry Creek/West Placer Community Plan* to urban and other uses. Under the Specific Plan, approximately 265.6 acres (50.5 percent of the Specific Plan Area) would be converted to residential uses and 61 acres (11.7 percent of the Specific Plan Area) to Agricultural-10 (AG-10) use. The remaining 123.9 acres (23.6 percent of the Specific Plan Area) would be given land use designations of open space. By the same token, 55.6 acres of land currently designated as Low Density Residential under the Community Plan will be designated for open space use under the Specific Plan, either as dedicated public open space or as open space within AG-10 parcels, to be restricted as Swainson’s hawk foraging habitat.

The change to a more developed land use is provided for in the General Plan as well as the Community Plan, both of which anticipated that growth would occur in this area, and that agricultural and open space uses would be converted to urban uses. However, given the increase in land area dedicated to open space uses under the Specific Plan when compared to the land use designation under the Community Plan, this impact is regarded as less than significant.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 4-2** Compatibility with surrounding land uses. This Impact is considered *Less than Significant*.

**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:**

The proposed project’s residential, agricultural, park, open space, and commercial uses are compatible, if not similar, with surrounding land uses. Existing land uses surrounding the Plan Area consist of agricultural lands, open space, residences, and institutional uses. Rural residences with agricultural plots lie to the west, north, and east of the Plan Area. Open space and parklands can be found to the northeast and southwest of the Plan Area, with land to the northeast consisting of open space. Two institutional uses are located south of the Plan Area: Antelope Springs Church, at the intersection of PFE Road and Walerga Road, and Wilson C. Riles Middle School, west of the church. South of the church and school is Antelope Ridge, a low-density residential subdivision located in Sacramento

County. Doyle Ranch is another low-density residential community that is north of the Plan Area. McClellan High School is southwest of the Plan Area. The uses in the Plan Area would be compatible with these surrounding land uses.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 4-3 Inconsistency with plans and policies. This Impact is considered *Potentially Significant***

**Finding:**

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

**Explanation:**

The proposed project was reviewed to determine whether it would be generally consistent with applicable General Plan policies. The *Dry Creek/West Placer Community Plan* will need to be amended prior to approval of the proposed project. Generally, the policy amendments identified in the EIR would not result in physical impacts on the environment; however, to the extent that physical affects could occur, those effects are addressed in the appropriate technical sections of this Draft EIR.

Because the policy language found in a County's General Plan is often susceptible to varying interpretations, it is often quite difficult to determine in a Draft EIR whether a proposed project is consistent or inconsistent with such policies. Case law interpreting the Planning and Zoning Law (Gov. Code, §65000 et seq.) makes it clear that (i) the meaning of such policies is to be determined by the Board of Supervisors, as opposed to County Staff, EIR consultants, or members of the public, and (ii) the Board of Supervisors' interpretations of such policies will prevail if they are "reasonable," even though other reasonable interpretations are also possible (see *No Oil, Inc. v. City of Los Angeles* [1987] 196 Cal.App.3d 223, 245-246, 249 [*No Oil*]). Courts have also recognized that, because General Plans often contain numerous policies emphasizing differing legislative goals, a development project may be "consistent" with a General Plan, taken as a whole, even though the project appears to be inconsistent or arguably inconsistent with some such policies (*Sequoyah Hills Homeowners Association v. City of Oakland* [1993] 23 Cal.App.4th 704, 719). Furthermore, courts strive to "reconcile" or "harmonize" seemingly disparate General Plan policies (*No Oil, supra*, 196 Cal.App.3d at p. 244).

Under state law, a development project cannot be approved if inconsistent with the General Plan or Community Plan, and thus the proposed project could not proceed if determined by the Board of Supervisors to be inconsistent with either plan document. The Draft EIR (Table 4-7 and Appendix D) identify the amendments to the General Plan and Community Plan that would be required in order for the County to approve and implement the Riolo Vineyard Specific Plan as proposed. In the event that the Board of Supervisors determines to approve the requested Plan amendments, potential inconsistencies with the existing Plan documents would be eliminated.

**Mitigation Measures:**

Less than Significant with Adoption of Proposed Plan Amendments

**Significance after Mitigation:**

**Impact 4-4 Permanent loss of farmland. This Impact is considered *Significant***

**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 agricultural land to non-agricultural uses. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

**Explanation:**

Development within the Specific Plan would result in the permanent loss of an estimated 387 acres of farmland, either as a result of development of land with urban uses or the dedication of land as natural open space where agricultural operations (including grazing) would be prohibited. This loss includes approximately 14.4 acres currently under active agricultural production.

In 1990, the County Board of Supervisors adopted the *Dry Creek/West Placer Community Plan*, which designated the non-floodplain portions of the Specific Plan site for Low Density Residential and Commercial Use. The areas of the site within the 100-year floodplain are designated under the Community Plan for Open Space uses. The land in question is not designated as Agricultural under the Community Plan. Notwithstanding the existing agricultural activities ongoing on portions of the project site, the proposed Specific Plan represents the implementation of the land use decisions made by the County Board of Supervisors in 1990. The Community Plan recognizes that areas to the south of Dry Creek, including the Specific Plan area, were designated for urban use in the near term, as a means of reducing development pressure on agricultural lands to the north and west of Dry Creek (see pp. 46-48 of the Community Plan). The loss and conversion of agricultural lands, including lands within the RVSP site, was identified as a significant and unavoidable impact of development in the Final EIR for the adopted *Dry Creek/West Placer Community Plan*. This conclusion was included in the Board of Supervisors' Statement of Overriding Considerations that it adopted in 1990, in conjunction with the certification of the Final EIR and adoption of the Community Plan.

However, it still remains the case that development of land with farmland use potential with urban uses would result in the permanent loss of that resource. While the Specific Plan includes the preservation of agricultural uses within portions of the project site, there is no feasible mitigation available to reduce the overall impact to below a level of significance, as was recognized previously by the County in the Statement of Overriding Considerations adopted for the Community Plan.

**Mitigation Measures:**

No mitigation measures are available.

**Significance after Mitigation:**

Significant and Unavoidable

**Impact 4-5 Compatibility with adjacent Agricultural uses on project-level parcels. This Impact is considered *Potentially Significant*.**

**Finding:**

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

## Explanation:

The juxtaposition of agricultural lands and natural habitat/forage next to residential and commercial uses can be a land-use compatibility issue. In general, the proposed project does not conflict with existing adjacent surrounding agricultural land uses. The project design includes 70- and 100-foot buffers from the existing agricultural uses as shown in Figure 3-6 of the Draft EIR. These physical buffers are in the form of open space, parks, landscape corridors, and roadways. The project proposes to allot 61.3 acres for Agricultural-10 (AG-10) properties. These properties would be situated such that most of the AG-10 parcel would be surrounded by Open Space; however, portions of these parcels would be adjacent to low-density residential homes. The proposed project design would provide for a 70-foot roadway between the residential units and AG-10 parcels. In addition, the AG-10 parcels provide building pads adjacent to the roadway. The 150-foot building envelope for these building pads combined with the roadway's 70-foot width would provide an adequate buffer between potential agricultural activities and proposed residential units. However, other parts of the proposed AG-10 parcels would be buffered only by the 70-foot roadway, which may be insufficient. This includes the proposed agricultural parcels' southern boundaries where there are no agricultural building pads.

The Specific Plan includes policy restrictions on agricultural practices, to reduce potential land use incompatibility impacts. Mitigation measures to provide a suitable buffer distance from agricultural lands are proposed. A General Plan amendment is being requested as part of this project that would enable the Specific Plan to designate its own buffers with distances that will accomplish the goal of the General Plan policies of providing sufficient buffers to reduce potential land use incompatibility issues. The combination of the restrictions on agricultural practices, buffers coupled with the right-to farm ordinance disclosure would reduce impacts to agricultural land uses to a less-than-significant level.

## Mitigation Measures:

### Mitigation Measure 4-5a: Design project elements to buffer the project from adjacent agricultural uses

Project design shall maintain adequate physical separation between proposed residential development and agricultural operations in the Specific Plan area, as shown on Figure 4-3. Where residential development would abut agricultural uses on an adjacent program-level parcel, a minimum 50-foot separation from habitable structures would be maintained unless the developer obtains a letter agreement from the owner of the adjacent program-level parcel providing for the cessation of existing or future agricultural operations. In all cases, the requirement for physical separation described above shall terminate at the time an application for urban development of the adjacent program-level parcel is approved by the County. Physical separation may be maintained by roadways, landscape corridors, structural setbacks on developed parcels, or temporary restrictions on development of residential parcels, as appropriate.

### Mitigation Measure 4-5b: Notify residential property owners of County's Right-to-Farm Ordinance

The Applicant and/or homeowners' association will inform prospective buyers of property, future owners, and occupants of the County's Right-to-Farm ordinance. This notification requirement will be included in the conditions, covenants, and restrictions for the proposed project.

## Significance after Mitigation:

Less than Significant

**Impact 4-6** Land use conflicts due to the project's proposed electrical substation. This Impact is considered *Potentially Significant*.

### **Finding:**

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

### **Explanation:**

As discussed under Impact 4-5 above, the proposed project's design uses open space, recreational parks, and landscape corridors as physical buffers to separate potentially incompatible land uses. This is also applied to the area surrounding the proposed electrical substation. This substation would be located on a half-acre site in the eastern portion of the site, just north of the designated commercial area. It would be surrounded by residences on the west and north, a landscaped corridor on the east, and commercial use on the south. A community wall is proposed on the south and east sides. The Specific Plan's *Design Guidelines* proposes the split-face style of wall along the Plan Area and residential neighborhoods' perimeters. It is recommended that SMUD consider this style of fencing on the north and west sides of the substation parcel to shield the substation from public view, when SMUD undertakes environmental clearance for its substation. With installation of the community walls and appropriate mitigation by SMUD, this impact would be less than significant.

### **Mitigation Measures:**

**Mitigation Measure 4-6a: Install a community wall along the south and east sides of the lot where the electrical substation would be located.**

The proposed project would install community walls in various locations of the Plan Area to provide safety, property definition, and noise attenuation. The walls would be masonry walls that are 6 feet above the proposed pad elevation of residential properties. The project would place walls along the south and east sides of the substation lot to separate it from the commercial parcel. This wall would also serve to shield the electrical substation from public view on two sides.

**Mitigation Measure 4-6b: Install a split-face style wall along the north and west sides of the lot where the electrical substation would be located.**

The project generally proposes the split-face style wall along the project and the residential neighborhoods' perimeters. This type of wall consists of concrete masonry with a split-face cap and stone column. Combined with the proposed community wall, placing this type of fence on the north and west sides of the substation's lot will hide the electrical substation from public view. This mitigation measure would be the responsibility of SMUD, who would construct and operate the substation. SMUD will be responsible for CEQA compliance and will determine the mitigation design.

### **Significance after Mitigation:**

Less than Significant.

**Impact 4-7 Compatibility with adjacent Agricultural uses on program-level parcels. This Impact is considered *Potentially Significant*.**

### **Finding:**

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

**Explanation:**

As discussed above under Impact 4-5, locating agricultural lands and natural habitat/forage next to residential and commercial uses can be a land-use compatibility issue. Analysis was conducted to examine the buffer distance between the proposed project's residential development with program-level parcels that have agricultural uses. As described in Impact 4-5 above, a General Plan amendment is being requested as part of this project which would enable the Specific Plan to designate its own buffers with distances that will accomplish the goal of the General Plan policies of providing sufficient buffers to reduce potential land use incompatibility issues. The combination of the restrictions on agricultural practices, buffers coupled with the Right-to-Farm ordinance disclosure would reduce impacts to agricultural land uses to a less-than-significant level.

**Mitigation Measures:**

**Mitigation Measure 4-7a: Implement Mitigation Measure 4-5a (Design project elements to buffer the project from adjacent agricultural uses)**

**Significance after Mitigation:**

Less than Significant

**Impact 4-8 Williamson Act Contract cancellation. This Impact is considered *Significant*.**

**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 agricultural land to non-agricultural uses. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

**Explanation:**

One parcel of land in the Plan Area is currently under a Williamson Act land contract. It is located near the southwestern quadrant of the area in a 15-acre parcel (APN 023-200-057). The property has one occupied residence. There have been no current agricultural uses of the property. The act to cancel a contract does not result in a direct impact to the environment. However, the cancellation does result in the acceleration of the permanent loss of agriculture land on this parcel. (Absent the cancellation, the contractual obligations would remain in effect until February 2016.) As discussed in Impact 4-4, the permanent loss of farmland is considered to be significant and unavoidable. The Board overrode this impact as significant and unavoidable in 1990 and no mitigation was identified at that time to reduce the impact to a less-than significant level. The land use designations were changed from agriculture to urban designations in 1990 and have remained the same to this date. As a result of this action, no mitigation is identified in recognition that the Specific Plan area is already designated, in large part, for urban uses. Nevertheless, the indirect impact of the cancellation of this Williamson Act is considered significant and unavoidable.

**Mitigation Measures:**

No mitigation measures are available

**Significance after Mitigation:**

Significant and Unavoidable

258

## B. POPULATION, EMPLOYMENT AND HOUSING

**Impact 5-1** Increase the population of unincorporated Placer County. This Impact is considered *Less than Significant*.

### **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:**

Placer County's General Plan anticipates growth within its jurisdiction, including the unincorporated area. The *Placer County Countywide General Plan Final EIR* (Placer County, 2004b) states that "the General Plan will accommodate a significant increase in the [unincorporated] population, especially in the South Placer regional analysis area." The *Dry Creek/West Placer Community Plan* does not specify a number of residential dwelling units within the Plan Area. An estimate of unit counts allowable under the *Dry Creek/West Placer Community Plan* was calculated based upon application of Community Plan lot size and density provisions (MacKay & Soms, 2006). This estimate assumes that 650 low- or medium-density residential dwelling units are allowable on the proposed Plan Area. Using the County's estimating factor of 2.7 persons for each dwelling unit, this Community Plan would result in a population increase of about 1,755 persons. This is 722 persons less than the project- and program-level calculation of 2,477 new residents. The population increase, compared to estimated 2005 population levels in Placer County, is less than one half of one percent more than planned for this area.

### **Mitigation Measures:**

No mitigation measures are required.

### **Significance after Mitigation:**

This impact is less than significant without mitigation.

**Impact 5-2** Exceed regional population projections. This Impact is considered *Less than Significant*.

### **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:**

SACOG produces regional population projections for the area in which the proposed project is located. Using numbers from the region's General Plans, including Placer County, SACOG estimates that there will be a population increase of 535,020 people in the greater Sacramento region by 2025. The estimated 2,477 residents of the proposed Riolo Vineyard Specific Plan constitute 0.5 percent of SACOG's anticipated increase of 535,020 new residents in the region. SACOG also forecasts that a mix of development would occur in the southwestern portion of Placer County, which would primarily consist of residential development. SACOG's growth projections are based upon the County's current General Plan buildout assumptions, which for the proposed Plan Area primarily consist of low-density residential and open space uses. As a result, a portion of the development within the proposed Specific Plan has already been accounted for in SACOG's projections.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This impact is less than significant without mitigation.

**Impact 5-3** Development of project level parcels would increase the demand/need for affordable housing. This Impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

CEQA case law has held that a project's tendency to increase the demand for affordable housing is not an environmental effect, but rather is an economic or social effect outside the purview of CEQA (see *San Franciscans for Reasonable Growth v. City and County of San Francisco* [1988] 209 Cal.App.3d 1502, 1521-1522, fn. 13). The Specific Plan provides that ten percent of residential units within the Plan area be designated and maintained as affordable housing, in accordance with County policies.

**Mitigation Measures:**

**Mitigation Measure 5-3a: Comply with Placer County's 10 percent requirement for affordable housing on project-level parcels**

The County shall ensure that the affordable housing units proposed by the Applicant are allocated to meet the overall requirement for affordable housing as identified in its guidance for all Specific Plans, which requires 10 percent of new developments to be reserved for affordable housing, or 4 percent of the units for very-low income households, 4 percent of the units for low-income households, and 2 percent of the units for moderate-income households.

**Significance after Mitigation:**

Less than Significant.

**Impact 5-4** Displacement of existing dwelling units on project-level parcels. This Impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Two existing dwelling units on parcels owned or controlled by the Applicant would be removed. These dwelling units are located on APNs 023-200-055 and 023-200-023. The Applicant has purchased these parcels, and the previous landowners have been compensated. The one remaining existing structure on land controlled by the

260

Applicant would be preserved because it is land that would be designated as Rural Residential. This would allow for the structure's continued existence. One residential home west of Watt Avenue could be displaced due to construction activities associated with Watt Avenue improvements. This would be a potentially significant impact. The proposed project would contribute to the cost of this regional improvement, including relocation costs.

**Mitigation Measures:**

**Mitigation Measure 5-4a: Contribute a fair share to compensation/relocation assistance associated with Watt Avenue improvements**

Compensation for property acquisition and relocation assistance shall be provided to the persons living in the residence that would be displaced west of Watt Avenue. The Watt Avenue improvements are regional improvements, for which the proposed project will contribute a fair share to the cost. The responsibility for relocation of the residents is a shared responsibility, which will likely be coordinated by the County through the acquisition process for this site, if required as a result of the alignment of Watt Avenue.

**Significance after Mitigation:**

Less than Significant

**Impact 5-5** Development of program-level parcels would increase the demand/need for affordable housing. This Impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

The 10 percent affordable housing requirement in the Specific Plan would be required with development of the parcels currently owned by Elliott, Frisvold, and Lund (APNs 023-221-005, 023-200-057, and 023-221-004, respectively).

**Mitigation Measures:**

**Mitigation Measure 5-5a: Comply with Placer County's 10 percent requirement for affordable housing on program-level parcels**

The County shall ensure that the affordable housing units proposed by future residential development on parcels currently owned by Elliott (APN 023-221-005), Frisvold (APN 23-200-057) and Lund (APN 023-221-004) allocate 10 percent of the dwelling units to affordable housing. Affordable housing shall meet the Affordable Housing Compact goals of 4 percent of the units for very-low income households, 4 percent of the units for low-income households, and 2 percent of the units for moderate-income households.

**Significance after Mitigation:**

Less than Significant

**Impact 5-6** Displacement of existing dwelling units on program-level parcels. This Impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

There are residences on four of the program-level parcels (Elliott [APN 023-221-005], Frisvold [APN 023-200-057], Lund [APN 023-221-004], and Singh [APN 023-200-019]). If future development projects would impact existing residences on program-level parcels, the applicant for the proposed development would need to compensate the owner of the existing residences.

**Mitigation Measures:**

**Mitigation Measure 5-6a: Contribute a fair share to compensation/relocation assistance on program-level parcels, if required**

Compensation for property acquisition and relocation assistance shall be provided for displaced residents on program-level parcels. The relocation of the residents would be the responsibility of the developing entity and coordinated by the County.

**Significance after Mitigation:**

Less than Significant.

**C. BIOLOGY**

**Impact 6-1 Loss of jurisdictional and potentially non-jurisdictional wetlands and other waters of the U.S. on project-level parcels. This impact is considered *Potentially Significant***

**Finding:**

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

**Explanation:**

Construction of the proposed project would result in a significant loss of jurisdictional wetlands and other waters of the U.S. within parcels that are owned or controlled by the Applicant and within offsite parcels. Approximately 1.871 acres of wetlands and other waters of the U.S. would be permanently lost both on site and off site through direct impacts (1.167 acres on site, 0.704 acre off site). Direct impacts to wetlands would result from placement of fill for development, establishment of crossings for new roads and trails, development of utilities, and grading of slopes. Potentially non-jurisdictional features on project-level parcels in the study area include three offsite seasonal wetlands and the onsite non-jurisdictional pond. Construction of the proposed project would result in a permanent loss of 0.077 acre of these potentially non-jurisdictional wetland features and approximately 1.81 acres of non-jurisdictional pond through direct impacts, as described above. The Applicant proposes to create wetlands similar to the impacted wetlands at an onsite location, at a ratio of 2:1.

**Mitigation Measures:**

**Mitigation Measure 6-1a: Compensate for loss of jurisdictional and non-jurisdictional wetlands in accordance with Corps Section 404 Permit and RWQCB requirements**

The Applicant shall preserve onsite jurisdictional wetlands and create new onsite wetlands to mitigate for impacts to onsite jurisdictional wetlands. Onsite wetlands will be created at a minimum ratio of 1 acre for

every 1 acre of jurisdictional and non-jurisdictional wetlands that would be impacted. The Applicant has developed a preliminary plan to create wetlands on the Dry Creek floodplain in the central portion of the onsite study area. Soil would be excavated on the east and west sides of an existing drainage such that riparian wetlands, seasonal wetland seasonal marsh, and emergent marsh would be created as needed to compensate for wetland impacts associated with the proposed project. The banks of the drainage channel would be excavated to allow water from the drainage to flow into the created wetlands. Additionally, the existing banks of the drainage running through the preserved area would be laid back at a flatter slope where possible, and planted with trees to increase the area of the riparian habitat adjacent to the drainage. The proposed mitigation would reduce the potential direct and indirect impacts to wetlands to a level that is less than significant.

The final mitigation ratios, design, implementation, and performance monitoring shall comply with the terms and conditions of the Section 404 permit issued by the Corps and the Section 401 Water Quality Certification and Waste Discharge Requirements issued by the Central Valley RWQCB. The creation/restoration requirements shall be in compliance with the *Placer County General Plan* "no net loss" of wetlands policy (Policy 6.B.1).

A comprehensive wetland mitigation implementation and monitoring plan shall be developed for the jurisdictional wetland mitigation. The Applicant shall submit the mitigation plan to Placer County, the Corps, and the RWQCB for review. No impacts to jurisdictional wetlands would be allowed until the mitigation implementation and monitoring plan has been approved. The Applicant shall conduct regular monitoring until the wetland mitigation has met the performance criteria approved by Placer County, the Corps, and the RWQCB.

**Mitigation Measure 6-1b: Obtain written Corps approval of offsite wetland delineation, and comply with Section 404 permit requirements prior to offsite construction.**

The Applicant's delineation of offsite wetlands shall be submitted to the Corps for review and verification. A Clean Water Act Section 404 permit shall be acquired prior to any fill activities or discharges within jurisdictional wetlands.

**Mitigation Measure 6-1c: Implement Best Management Practices to avoid wetland impacts during Construction**

The following BMPs to avoid impacts to wetlands in the Plan Area shall be implemented for all construction related to the proposed project:

- Four-foot-tall, brightly colored (yellow or orange), synthetic mesh material or chainlink fencing shall be installed at the edge of all avoided wetlands and a minimum of 50 feet from the edge of tributaries to Dry Creek prior to any construction equipment being moved on site or any construction activities taking place. Fencing shall be continuously maintained and shall be the responsibility of an onsite compliance officer designated by the developer. Fencing is to remain intact until construction is complete and may not be removed without the written consent of the County.
- Ground disturbance associated with construction, including vehicle operation/parking and construction material storage, shall be prohibited within wetlands or within 50 feet of the edge of tributaries to Dry Creek.
- Where working areas encroach on live or dry streams, lakes, or wetlands, RWQCB-approved physical barriers adequate to prevent the flow or discharge of sediment into these systems shall be constructed and maintained between working areas and streams, lakes and wetlands. Discharge of sediment into streams shall be held to a minimum during construction of the barriers. Discharge will be contained through the use RWQCB-approved measures that will keep sediment from entering

jurisdictional waters beyond the project limits.

- Oily or greasy substances originating from the Contractor's operations shall not be allowed to enter or be placed where they will later enter a live or dry stream, pond, or wetland.
- Asphalt concrete shall not be allowed to enter a live or dry stream, pond, or wetland.
- All off-road construction equipment shall be cleaned of potential noxious weed sources (mud, vegetation) before entry into the site and after entering a potentially infested area before moving on to another area, to help ensure noxious weeds from outside of the Plan Area are not introduced into the Plan Area. The contractor shall employ whatever cleaning methods (typically the use of a high pressure water hose) are necessary to ensure that equipment is free of noxious weeds.
- Equipment shall be considered free of soil, seeds, and other such debris when a visual inspection does not disclose such material. Disassembly of equipment components or specialized inspection tools is not required. Equipment washing stations shall be placed in areas that afford easy containment and monitoring and that do not drain into sensitive (riparian, wetland, etc.) areas.
- To further minimize the risk of introducing additional nonnative species into the area, only native plant species appropriate for the Plan Area will be used in any erosion control or revegetation seed mix or stock. No dry-farmed straw will be used, and certified weed-free straw shall be required where erosion control straw is to be used. In addition, any hydroseed mulch used for revegetation activities must also be certified weed-free.
- The Applicant will restore and revegetate all temporary construction disturbance areas. Temporary disturbance areas will be restored to the original topography and hydrology, disked to relieve compaction, and planted with an erosion control mix composed only of native species. The proposed restoration and revegetation measures shall be summarized in the storm water pollution prevention plan for the project and submitted to Placer County for approval prior to initiation of construction activities.

**Mitigation Measure 6-1d: Design final drainage master plan facilities to ensure that drainage features will avoid impacts to wetlands and other jurisdictional waters.**

The final drainage master plan will be developed to ensure that the stormwater drainage facilities will avoid the excavation or placement of fill within jurisdictional Waters of the U.S.

**Significance after Mitigation:**

Less than Significant

**Impact 6-2** Temporary loss of jurisdictional wetlands and other waters of the U.S. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Construction of the proposed project would temporarily impact jurisdictional wetlands. Temporary impacts would be associated with construction access, ground disturbance, and vegetation removal that would be limited to the

duration of construction (approximately 1 to 2 years). Temporary wetland impacts would not include the placement of permanent fill or subsurface modifications (e.g., deep ripping).

**Mitigation Measures:**

**Mitigation Measure 6-2a: Implement Mitigation Measure 6-1c (Implement Best Management Practices to avoid wetland impacts during construction)**

**Significance after Mitigation:**

Less than Significant

**Impact 6-3 Potential loss of special-status species. This impact is considered *Potentially Significant*.**

**Finding:**

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

**Explanation:**

Focused special-status plant surveys were conducted by H.T. Harvey in 2005 on parcels owned or controlled by the Applicant. No special-status plant species were documented during these surveys. Construction within the study area outside of those parcels where focused surveys have been conducted could result in a significant direct loss, indirect loss, or habitat modification of plant species identified as candidate, sensitive, or special-status species. Focused surveys for special-status plants should be conducted in all areas of the study area not covered by the 2005 focused plant surveys. If special-status plants are found in these areas and could be impacted by construction of the project, potential impacts will be identified and avoidance and minimization measures would be implemented. If impacts are unavoidable, mitigation measures will be developed in coordination with the appropriate agencies to ensure that the proposed project would not have a substantial, adverse effect on the species. A detailed mitigation/conservation plan that includes long-term strategies to preserve and enhance the remaining populations of the affected special-status plant species would be developed, as necessary.

**Mitigation Measures:**

**Mitigation Measure 6-3a: Conduct focused surveys for special-status plant species in suitable habitat in portions of the study area that have not been surveyed. If present, comply with USFWS or CDFG mitigation requirements, and prepare a detailed mitigation/conservation plan, as appropriate**

Focused plant surveys were completed for all onsite portions of the Plan Area owned or controlled by the Applicant. No special-status plants were found in these areas during focused surveys (Harvey, 2005) or on program-level parcels. Offsite portions of the study area have not been surveyed for special-status plant species. Gibson & Skordal conducted field surveys on the Frivold property (APN 023-200-057) for special-status plant species on July 14, 2006 (Gibson & Skordal, 2006b). This report would be peer reviewed at such time as a tentative map is submitted for this property. Focused surveys for special-status plants shall be conducted within portions of the study area not yet surveyed by the Applicant. Surveys for special-status plant species shall be timed to coincide with the appropriate period for identification of special-status plant species with potential to occur. If any state or federally listed species are observed and impacts cannot be avoided, the Applicant shall consult with the USFWS and/or the CDFG to determine appropriate mitigation, and shall comply with the identified requirements. A detailed mitigation/conservation plan shall be developed, as necessary. The plan shall provide for preservation and restoration at ratios that would ensure no net loss of the affected plant habitat. If special-status plant species are not found during surveys, no further studies or mitigation will be necessary.

215

## Significance after Mitigation:

Less than Significant

**Impact 6-4** Potential loss of habitats used by special status vernal pool branchiopods. This impact is considered *Potentially Significant*.

### Finding:

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

### Explanation:

The Applicant conducted protocol-level wet and dry season surveys in 2005 and 2006 for special-status branchiopods in suitable habitat on parcels owned or controlled by the Applicant. No listed branchiopod species was found during the surveys. No surveys for special-status branchiopods were conducted for parcels within the Plan Area not owned or controlled by the Applicant or within offsite areas, and potential habitat for vernal pool branchiopods is present in all portions of the study area. Project-level activities in offsite areas owned or controlled by the Applicant could result in a significant direct or indirect loss of habitat that could be occupied by special-status vernal pool branchiopod species including the Conservancy fairy shrimp. Implementation of mitigation is proposed for any impact to seasonal wetlands that could be used by special-status branchiopods in offsite areas and onsite areas that have not been previously surveyed. This mitigation would include avoidance, minimization, and compensation for direct or indirect impacts that are unavoidable. Compensation would include a minimum of 1:1 habitat creation and 2:1 habitat preservation, as described in the USFWS programmatic biological opinion issued to the Corps for small impacts to listed branchiopods (USFWS, 1996).

### Mitigation Measures:

#### Mitigation Measure 6-4a: Avoid and compensate for potential impacts to special-status branchiopods

Protocol-level wet and dry season branchiopod surveys were completed in 2004-2005 for all parcels owned or controlled by the Applicant. Neither program-level parcels nor offsite portions of the Plan Area have been surveyed for special-status branchiopod species. No special-status branchiopods were observed in parcels owned or controlled by the Applicant (Helm, 2006).

The presence of listed vernal pool branchiopods shall be assumed on all parcels containing appropriate habitat where protocol-level surveys have not been conducted. Compensation described in this mitigation measure shall be implemented or USFWS-protocol surveys for special-status branchiopods shall be conducted to determine presence or absence. If vernal pool branchiopods are present, or if special-status vernal pool branchiopods are assumed to be present, the habitat shall be avoided to the extent feasible. If avoidance is not feasible, compensation shall be provided at a ratio of 3 acres for every 1 acre affected (3:1). This ratio will include creation of 1 acre of vernal pool habitat for every 1 acre impacted (1:1) and preservation of 2 acres of vernal pools for every 1 acre impacted (2:1), as described in the USFWS programmatic biological opinion issued to the Corps for small impacts to listed branchiopods (USFWS, 1996). Mitigation for impacts to listed branchiopods would be implemented according to one of the following three options, to be determined and completed prior to impact: (1) participation in a USFWS approved mitigation bank; (2) off-site mitigation at a non-bank location approved by the USFWS; or (3) contribution to the USFWS Species Fund. In the event that protocol level surveys demonstrate the absence of listed vernal pool branchiopods in these off-site features, mitigation would not be required.

**Significance after Mitigation:**

Less than Significant

**Impact 6-5** Potential degradation of aquatic habitats used by special-status fish. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Implementation of the proposed project could result in a potentially significant impact to habitat for special status fish species. Impacts may result from release of treated wastewater into Dry Creek or through stream degradation through trail building and use. The Dry Creek WWTP's NPDES permit stipulates effluent and receiving water limitations that must be met, thereby assuring compliance with receiving water quality criteria/objectives and protection of beneficial uses, including fisheries.

**Mitigation Measures:**

**Mitigation Measure 6-5a: Provide 100-foot buffer around Dry Creek during construction**

A minimum 100-foot-wide buffer shall be provided from the centerline of Dry Creek, within which construction and vegetation removal will be excluded, to minimize degradation of water quality and fish habitat in Dry Creek (General Plan Policy 6.A.1). The following allowable exceptions A-D listed under General Plan Policy 6.A.1 apply as appropriate to the construction of the proposed sewer force main and trail features:

- A. Reasonable use of the property would otherwise be denied;
- B. The location is necessary to avoid or mitigate hazards to the public;
- C. The location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or
- D. The location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the County determines there is no feasible alternative and the project has minimized environmental impacts through project design and infrastructure placement.

**Mitigation Measure 6-5b: Implement Mitigation Measure 14-4a (Design onsite and offsite pipelines to have watertight joints in accordance with Placer County Standards)**

**Mitigation Measure 6-5c: Implement Mitigation Measure 6-1c (Implement Best Management Practices to avoid wetland impacts during construction)**

**Significance after Mitigation:**

Less than Significant

**Impact 6-6** Loss of degradation of aquatic habitats potentially used by the western pond turtle. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Aquatic habitats that are potentially used by the western pond turtle (including both subspecies races) occur in the study area, including on parcels owned or controlled by the Applicant. The constructed pond, marsh areas, and permanent to intermittent waterways, including Dry Creek and manmade drainages, comprise the onsite habitat for this species. Loss or degradation of habitats that are potentially occupied by pond turtles could reduce the size and sustainability of a local population, which would be considered a potentially significant impact.

**Mitigation Measures:**

**Mitigation Measure 6-6a: Avoid potential impacts to western pond turtle**

The following measures to avoid impacts to the western pond turtle shall be implemented:

- Construction shall be designed to avoid impacts to perennial streams and ponds that may be occupied by the western pond turtle, if feasible.
- If construction is required in perennial streams and ponds, a focused survey for the western pond turtle shall be conducted prior to approval of engineering plans. The survey is required to determine the presence or absence of this species on the properties surveyed.
- If pond turtles are observed on the properties surveyed, the location of these occurrences shall be mapped. A detailed mitigation and monitoring plan that provides for no net loss of western pond turtle or its habitat shall be developed and submitted to the CDFG. The proposed project will not be authorized to proceed until the Applicant has submitted a mitigation and monitoring plan to Placer County that has been approved by the CDFG.

If this species is not found on the surveyed property, no further studies or mitigation is required.

**Significance after Mitigation:**

Less than Significant

**Impact 6-7** Loss of wetlands and grasslands that may be occupied by the western spadefoot. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Seasonal wetland habitats and uplands suitable for western spadefoot toad breeding and aestivation are found

throughout the study area. Extensive surveys were conducted for this species in Placer County, with negative results. The project would implement measures to reduce impacts to wetlands, which provides potential breeding habitat for the western spadefoot.

**Mitigation Measures:**

**Mitigation Measure 6-7a: Implement Mitigation Measure 6-1a: Compensate for loss of jurisdictional wetlands in accordance with Corps Section 404 Permit and RWQCB requirements**

**Mitigation Measure 6-7b: Implement Mitigation Measure 6-1c: Implement Best Management Practices to avoid wetland impacts during construction**

**Significance after Mitigation:**

Less than Significant

**Impact 6-8** Removal of suitable roosting and nesting habitats for special status bat species. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Implementation of the proposed project could result in the in removal of suitable roosting and nesting for special-status bat species, including trees, barns, and buildings. Removal of suitable roosting and nesting sites would have a potentially significant effect on bats.

**Mitigation Measures:**

**Mitigation Measure 6-8a: Avoid potential impacts to special-status bat species**

Prior to construction, a qualified biologist shall survey any affected structures and trees for evidences of bat roosts (e.g., bat guano). If roosts are found, they shall be removed in April, September, or October in order to avoid the hibernation and maternity seasons. Appropriate exclusion methods will be used, as needed, during habitat removal. If bats must be excluded, the Applicant shall work with a qualified biologist to determine appropriate exclusion methods. If bats are found onsite and cannot be avoided, each Applicant/developer for construction projects within the Plan Area shall work with a qualified biologist to determine if additional mitigation, such as the construction of bat boxes, is appropriate. Determination of these additional measures will depend on the species present and their specific ecological preferences/requirements. Other steps could include improving other avoided bat habitat or designing new project elements such as bat-friendly road crossings. If no active bat roosts are found during focused surveys, no further mitigation will be required.

**Significance after Mitigation:**

Less than Significant

**Impact 6-9 Potential loss of habitats suitable for the American badger. This impact is considered *Potentially Significant*.**

**Finding:**

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

**Explanation:**

Implementation of the proposed project could result in the loss of suitable habitat for the American badger. Impacts to habitats associated with this species could result in the loss of individuals and therefore is considered a potentially significant impact. In order to minimize impacts to these species, a qualified biologist would conduct preconstruction surveys for the presence of burrows or dens. If the American badger is found in the Plan Area, the CDFG would be consulted. Construction monitoring and installation of an exclusion zone around active dens would be established in coordination with the CDFG.

**Mitigation Measures:**

**Mitigation Measure 6-9a: Avoid potential impacts to the American badger**

For construction projects within the Plan Area, preconstruction surveys shall be implemented no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any project or program activity likely to impact potential American badger dens. If an active badger den is found, the CDFG shall be consulted to determine appropriate avoidance measures. Avoidance measures may include designation of an exclusion zone around potential badger dens during the breeding period and hand excavation of dens during the nonbreeding period. A qualified biologist will be present at the construction site to monitor any activities within 100 feet of an occupied den.

**Significance after Mitigation:**

Less than Significant

**Impact 6-10 Potential loss of habitats used by foraging Swainson's hawks. This impact is considered *Potentially Significant*.**

**Finding:**

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

**Explanation:**

Implementation of project-level activities (including offsite infrastructure projects) and future program-level activities would result in a significant loss of grasslands and other upland habitats that could be used by foraging Swainson's hawks. Approximately 320 acres of onsite grassland and other upland habitats in the specific plan area (243 acres in the project-level parcels) are potentially used by foraging Swainson's hawks because these habitats are located approximately 2.5 to 4 miles from a previously documented Swainson's hawk nest. Construction on project-level parcels would result in the removal of approximately 67 acres of potential foraging area. Offsite loss of foraging habitat will be calculated when offsite construction design is complete. The Applicant shall submit amended impact and mitigation information as approved by CDFG to the County for these additional areas. Impacts to nesting Swainson's hawk would be minimized by conducting pre-construction surveys and monitoring nests

within 0.5 mile of the site during construction activities. Unavoidable loss of Swainson's hawk foraging habitat would be mitigated to a less-than significant level through preservation of onsite foraging habitat. These onsite areas would be managed under easement restrictions designed specifically to preserve their suitability as Swainson's hawk foraging habitat.

**Mitigation Measures:**

**Mitigation Measure 6-10a: Compensate for loss of Swainson's hawk foraging habitat**

The CDFG shall be consulted to determine appropriate mitigation for loss of Swainson's hawk foraging habitat. The Applicant shall submit to the County documentation of the mitigation plan for Swainson's hawks as approved by CDFG. Mitigation shall include any offsite impacts as determined by the Applicant and CDFG based upon the final design of the offsite project components. CDFG considers loss of foraging habitat within a 10-mile radius of any active nest as an impact to this species. Implementation of the following measures would reduce the impact on foraging habitat of this species to a less-than-significant level.

(i) Projects or related activities within 1 mile of an active nest tree shall provide mitigation as follows:

A. Preserve 1 acre of habitat management lands for each acre of development authorized (1:1 ratio). At least 10 percent of the habitat management land requirements shall be met by fee title acquisition or a conservation easement allowing for the active management of the habitat, with the remaining 90 percent of the habitat management lands protected by a conservation easement on agricultural lands or other suitable habitats, which provide foraging habitat.

or,

B. Preserve 0.5 acre of habitat management land for each acre of development authorized (0.5:1 ratio) with the entire habitat management land requirement being met by fee title acquisition or with a conservation easement, which allows for the active management of the habitat for prey production.

or,

C. Acquire Swainson's hawk foraging habitat credits from a CDFG-approved mitigation bank at the ratios

(ii) Projects within 5 miles of an active nest tree but greater than 1 mile from the nest tree shall provide 0.75 acre of habitat management land for each acre of urban development authorized or purchase the equivalent area from a CDFG-approved habitat conservation bank.

(iii) Projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acre of habitat management land for each acre of urban development authorized (0.5:1 ratio) or purchase the equivalent area from a CDFG-approved habitat conservation bank.

**Significance after Mitigation:**

Less than Significant

**Impact 6-11** Potential loss on disturbance of burrows used by nesting burrowing owls. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

Implementation of the proposed project could result in impacts to burrowing owls and their habitats. Loss of individuals and habitats of this species is considered a potentially significant impact. In coordination with the CDFG, the proposed project would avoid impacts to this species by conducting preconstruction surveys, identifying nesting birds and associated buffers, or if necessary, installing burrow exclusion devices during the nonbreeding season (CDFG, 1995).

**Mitigation Measures:**

**Mitigation Measure 6-11a: Avoid potential impacts to breeding burrowing owls**

If construction is proposed during the burrowing owl breeding season (February 1 through August 31), focused surveys for active burrows shall be conducted within 30 days prior to the beginning of the construction activities. Surveys shall be conducted by a qualified biologist. If active nests are found, no construction activities shall take place within 250 feet of the nest until the young have fledged. Burrows that cannot be avoided shall be removed during the nonbreeding season (September 1 to January 31) in accordance with CDFG protocols (CDFG, 1995). If no active nests are found during focused surveys, no further mitigation will be required.

If occupied burrows would be removed as a result of construction and there is suitable habitat in the Plan Area, onsite passive relocation shall be implemented. Owls will be excluded from the occupied burrows using one-way doors and allowed to occupy alternate natural or artificial burrows that are beyond 250 feet from the impact zone and that are within or contiguous to a minimum of 6.5 acres of potential foraging habitat for each pair of relocated owls. Relocation of owls should only be implemented during the nonbreeding season. Onsite preservation of foraging habitat adjacent to any relocated owls shall be protected in a conservation easement and managed to promote burrowing owl use of the site. CDFG approval would be required for the habitat conservation easement.

If there is not suitable habitat on site, burrowing owl habitat mitigation credits shall be purchased from a conservation bank approved by the CDFG. Offsite habitat must provide suitable burrowing owl habitat. Land shall be purchased and /or placed in a conservation easement in perpetuity and managed to main suitable habitat. Offsite mitigation shall use the following ratios:

- i. Replacement of occupied habitat with occupied habitat: 1.5 times 6.5 acres per pair or single bird (9.75 acres).
- ii. Replacement of occupied habitat with habitat contiguous to currently occupied habitat: 2 times 6.5 acres per pair or single bird (13.0 acres).
- iii. Replacement of occupied habitat with suitable unoccupied habitat: 3 times 6.5 acres per pair or single bird (19.5 acres).

**Significance after Mitigation:**

Less than Significant

**Impact 6-12 Mortality of nesting bird species that are protected under the Migratory Bird Treaty Act or the CDFG Code. This impact is considered *Potentially Significant*.**

**Finding:**

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

**Explanation:**

Implementation of the proposed project could disturb nesting migratory birds. Take of nesting migratory birds is prohibited under the Migratory Bird Treaty Act and the CDFG Code. Potentially affected species include the white-tailed kite, Swainson's hawk, red-tailed hawk, cliff swallows, killdeer, mourning doves, and other avian species. Habitats in the study area could be used by these species for nesting. In order to avoid disturbance or take of nests occupied by these species, a qualified biologist will conduct preconstruction surveys within areas potentially affected by the proposed project. If nesting raptors are found during preconstruction surveys, consultation with the CDFG shall take place regarding appropriate actions to comply with the Migratory Bird Treaty Act and the Fish and Game Code.

**Mitigation Measures:**

**Mitigation Measure 6-12a: Prevent disturbance of nesting raptors**

If project or program activities occur are proposed during the breeding period of the Swainson's hawk or other nesting raptors (March 1 to September 15), a qualified biologist shall conduct pre-construction surveys within a 0.5-mile radius of the project, not more than two weeks prior to construction. Surveys shall be conducted using the guideline established in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). If nesting Swainson's hawks or other raptors are found, project activities will be delayed within the following buffer distances until the young have fledged:

- Swainson's hawks – 1,300 feet (0.25 mile)
- Other raptor species – 500 feet (0.10 mile)

Swainson's hawk nest sites within 0.5 mile of active construction will be monitored by a qualified biologist to evaluate whether the construction activities are disturbing nesting hawks. If the nesting birds appear distressed, the monitor shall halt all construction activities within 0.5 mile of the nest site and CDFG will be contacted to identify appropriate contingency measures. These measures might include limitations on the activities that would be allowed within 0.5 mile of the nest site or termination of all work within 0.5 mile of the nest site. All CDFG recommendations shall be complied with. If construction activities occur over more than 1 year, surveys will be conducted during each year of construction. If no active nests are identified during the preconstruction survey or if construction activities are proposed to occur during the nonbreeding season (September 16 through February 28), no preconstruction surveys or other mitigation measures for Swainson's hawk or other nesting raptors will be required.

**Significance after Mitigation:**

Less than Significant

**Impact 6-13** Loss of native trees that are protected under the Placer County Tree Ordinance. This impact is considered *Significant*.

**Finding:**

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

**Explanation:**

The study area falls within a predetermined Tree Preservation Zone per the Placer County Tree Ordinance and contains approximately 700 native trees, the majority of which have protected status (Chapter 12, Article 12.16 Placer County Code). Protected trees include native tree species greater than or equal to 6 inches DBH. As required under the Placer County Code, an inventory of the location, number, and health of these native trees prepared by a certified arborist has been completed for parcels owned or controlled by the Applicant within the onsite portion of the study area and within sections of the offsite study area. Implementation of the proposed project would result in the significant loss of native tree species regulated under the Placer County Code. Proposed mitigation measures include preservation of native trees, and replanting in accordance with the Placer County Tree Ordinance.

**Mitigation Measures:**

**Mitigation Measure 6-13a: Comply with Placer County Tree Preservation Ordinance**

Mitigation for the loss of native trees in the Plan Area shall follow the policies and mitigation guidelines set forth in The Placer County Tree Preservation Ordinance found in Chapter 12, Article 12.16 of the Placer County Code. See Article 12.16 for details on protection, replanting and mitigation for removed trees.

The replacement or replanting of trees for mitigation may occur within the open space areas of the Specific Plan area, with approval of the County. If a suitable area for replacement planting is not available, Placer County's Tree Preservation Ordinance allows mitigation in the form of a contribution to the Tree Preservation Fund. This contribution shall be in an amount sufficient to offset the costs of purchase, planting, and maintenance of all trees planted for mitigation as result of the project.

**Mitigation Measure 6-13b: Protect existing native trees not proposed for removal**

Native trees that are not planned for removal shall be preserved and protected per the Placer County Tree Preservation Ordinance, particularly Section 12.16.070, Item "D".

**Significance after Mitigation:**

Less than Significant

**Impact 6-14** Loss of trees within Doyle Ranch mitigation site. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

The Doyle Ranch tree mitigation site is located in the northeastern portion of the Plan Area, adjacent to Dry Creek. This site was owned by Pulte Homes and was transferred to the County in September 2006. It is designated as open space and is the location of a tree mitigation site for the Doyle Ranch Planned Community located north of the Plan Area, across Dry Creek. Approximately 3,846 oak trees were planted at the mitigation site in 2004 as mitigation for the expansion of Walerga Road in conjunction with the Doyle Ranch development. Proposed development of the Plan Area within the mitigation site includes development of a recreational trail and construction of water lines and a wastewater collection and transmission line. Construction of both trails and the pipelines through this area would result in significant impacts to mitigation trees. A mitigation measure is proposed for loss of mitigation trees, smaller than 6 inches DBH.

**Mitigation Measures:**

**Mitigation Measure 6-14a: Compensation for the removal of trees within the Doyle Ranch mitigation site**

The Applicant shall retain the services of a certified arborist to conduct a survey to determine the number and species of all trees that would be removed by the proposed project within the Doyle Ranch tree mitigation site. All impacted including trees measuring under 6 inches DBH, that were planted as mitigation for the Doyle Ranch project that are removed will be replaced at a ratio of 1.5 trees for every one mitigation tree removed (1.5:1), with the location subject to County approval. Removal of trees 6 inches or greater DBH shall be mitigated as required under the Placer County Tree Preservation Ordinance (Measure 6-13a) and are not subject to this mitigation measure.

A certified arborist shall prepare a monitoring and management plan for replacement of the affected trees within the mitigation site or within the proposed open space within the Plan Area. The plan shall address planting techniques, proposed mitigation sites, monitoring requirements, management recommendations, and minimization and avoidance measures. All tree plantings shall be monitored annually for seven years post-planting to ensure that an 80 percent survival rate for the replanted trees is achieved over a seven year period. During monitoring, the following information shall be evaluated: average tree height, percent canopy cover, and percent survival. A native tree mitigation and monitoring plan shall be submitted that includes a description of irrigation methods that will be used to ensure that saplings survive the first several years of growth. During the revegetation process, tree survival shall be maximized by using gopher cages, deer screens, regular maintenance, and replanting as needed. Monitoring reports shall be submitted to Placer County on an annual basis.

**Mitigation Measure 6-14b: Implement Mitigation Measure 6-1c (Implement Best Management Practices to avoid wetland impacts during construction)**

**Significance after Mitigation:**

Less than Significant

**Impact 6-15 Disturbance to wildlife migration corridors during construction. This impact is considered *Potentially Significant.***

**Finding:**

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

**Explanation:**

Wildlife movement corridors are established migration routes frequently used by wildlife. These corridors provide shelter and sufficient food supplies to support wildlife species during migration. The study area is partly surrounded by arterial roads and some residential development, and as such, development is not expected to significantly impede or alter wildlife movement. The portion of the study area that does provide a significant movement corridor for wildlife occurs along Dry Creek, where the only proposed development includes a multiuse trail and buried water and sewer pipelines. Implementation of BMPs identified for wetlands during construction would reduce impacts to wildlife movement corridors.

**Mitigation Measures:**

**Mitigation Measure 6-15a: Implement Mitigation Measure 6-1c (Implement Best Management Practices to avoid wetland impacts during construction)**

**Significance after Mitigation:**

Less than Significant

**Impact 6-16 Degradation of designated Open Space. This impact is considered *Potentially Significant*.**

**Finding:**

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

**Explanation:**

Due to the implementation of the floodplain and wetland mitigation measures, the proposed project would require excavation within areas designated as open space. Excavation would occur within or immediate adjacent to floodplain areas and would potentially result in areas that are subject to erosion, deposition, and introduction of invasive plant species. Erosion within these areas could potentially reduce soil suitability for agriculture or other vegetation. Deposition of the eroded materials could occur in Dry Creek during flood events, thereby resulting in suspension of particles, and could result in a significant effect on biological resources. Impacts to open space resulting from floodplain excavation would result in significant impacts. The proposed project would implement erosion control, reseeded with native plants, and BMPs, among other measures.

**Mitigation Measures:**

**Mitigation Measure 6-16a: Avoid degradation of sensitive aquatic resources due to floodplain excavation**

The following measures are proposed to reduce potential impacts to sensitive biological resources associated with excavation of floodplain basins within the Open Space areas to a less-than-significant level. Based on the potential for erosion of sediment into adjacent wetlands and aquatic habitats on the Dry Creek floodplain, excavation within the floodplain will be restricted to the dry season (June 1 to October 15). After establishment of finished grades, a native seed mix or native plants shall be installed throughout the area to establish native plant cover and reduce the potential for the establishment of invasive and exotic species. Installation of native seed mix or plants will protect the finished grade from erosion. The establishment of native plants will provide soil stability and would prevent erosion and therefore, deposition of sediments.

The Applicant will monitor the performance of this mitigation measure by reviewing the revegetation within the disturbed floodplain areas every quarter for 1 year after installation of the plant material in order to document and identify any problem areas. If areas with unsuitable native plant coverage are observed, the

Applicant will be responsible for the removal and or installation of additional plant material until such coverage is determined to be suitable to prevent erosion of sediment into adjacent wetland and aquatic habitats. No areas should contain more than 50 percent bare ground following 1 year of plant growth. Monitoring will be extended until all excavation areas determined to be stable. The Applicant will take all necessary measures to ensure that these areas would not adversely affect water quality in Dry Creek or its tributaries within the Plan Area.

**Mitigation Measure 6-16b: Implement Mitigation Measure 6-1c (Implement Best Management Practices to avoid wetland impacts during construction)**

**Significance after Mitigation:**

Less than Significant

**Impact 6-17** Potential loss or disturbance of elderberry shrubs that may be occupied by the valley elderberry longhorn beetle. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

The study area has limited habitat for the valley elderberry longhorn beetle. Focused surveys for the host plant of the valley elderberry longhorn beetle, the elderberry (*Sambucus mexicanus*), were conducted in 2005 in the Plan Area, with the exception of the Dry Creek riparian corridor and offsite portions of the study area. One host plant for the beetle was found during these focused surveys in the northeast corner of the Frisvold property. However, during a formal wetland delineation of the Frisvold property, Gibson & Skordal did not identify any habitat for the valley elderberry longhorn beetle. Additional plants are likely to occur along Dry Creek in the northern portion of the study area. Implementation of program-level activities could result in a potentially significant impact on the valley elderberry longhorn beetle due to construction activities occurring within 100 feet of the known occurrence of the host plant. Formal consultation or acquisition of a take permit from the USFWS or compensation according to the USFWS mitigation guidelines would be required (USFWS, 1999). Additional mitigation includes a preconstruction survey to map the locations of the host shrub in the Dry Creek riparian corridor and all offsite areas of the study area.

**Mitigation Measures:**

**Mitigation Measure 6-17a: Protect existing elderberry shrubs**

Elderberry shrubs (the host plant for the valley elderberry longhorn beetle) were not found on parcels owned or controlled by the Applicant. One elderberry shrub was found outside of the parcels owned or controlled by the Applicant but within the study area. A focused survey for the host plant of the valley elderberry longhorn beetle shall be completed on all parcels not previously surveyed. The survey shall be completed prior to construction by a qualified biologist. If elderberry shrubs are found when surveys area completed, locations of these occurrences shall be mapped.

If elderberry shrubs are identified the shrubs shall be avoided to the extent feasible. To avoid impacts to the host plant 4-foot tall, brightly colored (yellow or orange), synthetic mesh material or chain link fencing shall be installed a minimum of 100 feet from the dripline of avoided shrubs. Fencing shall be continuously maintained and shall be the responsibility of an onsite compliance officer designated by the developer. Fencing is to remain intact until construction is complete and may not be removed without the written

consent of the County.

#### **Mitigation Measure 6-17b: Compensation for impacts to elderberry shrubs**

In instances where impacts to elderberry shrubs cannot be avoided, the following measure will be implemented:

- All elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level that cannot be avoided will be transplanted to a conservation area. A detailed mitigation/conservation plan that includes long-term strategies to ensure no net loss of valley elderberry longhorn beetle habitat shall be developed in consultation with USFWS.

If elderberry shrubs are transplanted or if transplantation is not feasible, one of the following measures will be implemented:

- Each elderberry stem measuring 1.0 inch or greater in diameter at ground level that is adversely affected (i.e., transplanted or destroyed) must be replaced, in the conservation area approved by the USFWS according to the ratios described in the USFWS conservation guidance on valley elderberry longhorn beetle (USFWS, 1999). Additional native plants shall be planted at a minimum ratio of one plant for every stem 1.0 inch in diameter or greater that would be affected. Stock of either seedlings or cuttings shall be obtained from local sources. Cuttings may be obtained from the plants to be transplanted if the source sites are in the vicinity of the USFWS-approved conservation area. Transplanted shrubs shall be monitored for 10 to 15 years as required by the USFWS 1999 guidance. A qualified biologist shall supervise all work involving encroachment, restoration or transplanting of elderberry shrubs.
- Elderberry mitigation credits from a USFWS-approved mitigation bank equivalent to the ratio shall be specified by the USFWS 1999 conservation guidelines.

#### **Significance after Mitigation:**

Less than Significant

**Impact 6-18** Potential loss of wetlands on program-level parcels. This impact is considered *Potentially Significant*.

#### **Finding:**

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

#### **Explanation:**

Corps-verified wetland delineations are lacking for program-level parcels in the Plan Area (excluding the Frisvold parcel and the Elliott parcel, which the Corps verified contained no jurisdictional wetlands or other waters of the U.S. Impacts to wetlands in program level parcels resulting from implementation of program-level activities would result in significant impacts. The loss of jurisdictional wetlands would be mitigated to a less-than-significant level through mitigation measures.

#### **Mitigation Measures:**

**Mitigation Measure 6-18a: Complete formal wetland delineation, obtain Corps approval, and comply with Section 404 permit requirements prior to development of Plan Area parcels not owned or controlled by the**

## Applicant

A formal wetland delineation shall be conducted prior to development of any areas within the Plan Area where a wetland delineation has not been completed. This includes the following parcels: APN Nos. 023-200-019 (Riar/Singh), 023-200-027 (Roseville Public Cemetery), 023-221-054 (Puite), 023-221-004 (Lund), and 023-221-007 (Park Arya). (A formal wetland delineation was conducted on parcel 023-220-053 (Elliott in 2005 (Gibson & Skordal, 2005). The owners of parcel 023-200-057 (Frisvold) submitted a jurisdictional wetland delineation report for this parcel in June 2006. A Clean Water Act Section 404 permit shall be acquired prior to any fill activities or discharges within jurisdictional wetlands.

**Mitigation Measure 6-18b: Implement Mitigation Measure 6-1a (Compensate for loss of jurisdictional wetlands in accordance with Corps Section 404 permit)**

**Mitigation Measure 6-18c: Implement Mitigation Measure 6-1c (Implement Best Management Practices to avoid wetland impacts during construction)**

### Significance after Mitigation:

Less than Significant

**Impact 6-19 Loss on non-jurisdictional seasonal wetland. This impact is considered *Less than Significant*.**

### 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:

The proposed project would permanently fill a 0.01 acre seasonal wetland within the Frisvold parcel and a 0.02-acre seasonal wetland on the Elliott property, neither of which are regulated by the Corps. Both wetlands appear to have been created by previous disturbance activities. In both cases the lack of connectivity with other wetland features reduces the potential that these wetland provides important habitat for wildlife species. Therefore, the total loss of 0.03 acre of seasonal wetland habitat is considered a less-than-significant impact. No mitigation is proposed for the loss of these non-jurisdictional wetland features.

### Mitigation Measures:

No mitigation measures are required.

### Significance after Mitigation:

This Impact is less than significant without mitigation.

## D. CULTURAL RESOURCES

**Impact 7-1 Damage to potentially important known archaeological resources during construction. This impact is considered *Potentially Significant*.**

### Finding:

Changes or alterations have been required in, or incorporated into, the project that avoid the significant

environmental effect as identified in the Final EIR.

**Explanation:**

Although few cultural materials were reported in site visits, and the exact locations of several previously it is possible that some may lie buried beneath flood-related deposits. Construction in the vicinity of their purported locations, including the excavation of the compensatory storage basins (CA-PLA-76 and -81), the widening of Watt Avenue (CA-PLA-69), or trenching for the reclaimed water connection (CA-PLA-77), may result in the exposure of these potentially significant archaeological resources. As such, ground-disturbing activities associated with proposed project construction occurring within or immediately adjacent to previously recorded but unevaluated archaeological sites CA-PLA-69, -76, -77, and/or -81 would potentially damage these resources.

**Mitigation Measures:**

**Mitigation Measure 7-1a: Cap resource area with layer of soil prior to construction**

Potentially unique archaeological resources will be capped with soil prior to construction in the area except in locations in which such capping would be infeasible due to project design. An acceptable process of "capping" archaeological resources with soil must include the following elements:

- The soils to be covered must not suffer serious compaction;
- The covering materials must not be chemically active;
- The site must be one in which the natural process of deterioration have been arrested; and
- The site must have been recorded, including the areal extent of subsurface deposits.

**Mitigation Measure 7-1b: Conduct subsurface testing**

A qualified professional archaeologist shall be retained to conduct subsurface testing at potentially important known archaeological sites. As it has not been determined if the known sites within the Specific Plan Area are eligible for inclusion to either the NRHP or CRHR, subsurface testing (i.e., resource evaluation) should be initiated for sites when construction is to occur within 100 feet of the resource and where Mitigation Measure 7-1a proves infeasible. Subsurface testing should also be implemented if culturally significant materials (i.e., unique archaeological resources or historical resources) are inadvertently exposed during construction.

Subsurface testing procedures could involve shovel testing, augering, or other such techniques designed to identify and/or characterize subsurface archaeological deposits. If a resource is determined to be important under CEQA (i.e., because it is a unique archaeological resource or an historical resource), then Mitigation Measure 7-1c must also be implemented.

**Mitigation Measure 7-1c: Conduct data recovery excavation**

A qualified professional archaeologist shall be retained to conduct data recovery excavation. This mitigation measure will be implemented as an alternative to Mitigation Measures 7-1a at cultural resource sites determined to be eligible for inclusion in either the NRHP or CRHR.

In compliance with CEQA, implementation of this mitigation measure would entail preparation and adoption of a data recovery plan that makes provisions for adequately recovering the scientifically consequential information from and about the resource. The data recovery plan must be prepared and adopted prior to commencing any excavation activities.

280

**Significance after Mitigation:**

Less than Significant

**Impact 7-2** Damage to cultural resources if inadvertently exposed during construction. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

During construction of the proposed project, previously undiscovered cultural resources could be inadvertently exposed during grading or excavation activities. This would be a potentially significant impact of the proposed project. This potential impact would be mitigated to a less than significant level by halting ground-disturbing activities temporarily until a qualified professional archaeologist, the Placer County Planning Department, and Department of Museums are consulted. If the discovery includes human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department.

**Mitigation Measures:**

**Mitigation Measure 7-2a: Comply with the recommendations of a qualified professional archaeologist if cultural resources are inadvertently exposed during construction**

In the event of the discovery of buried archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone, it is recommended that project activities in the vicinity of the find be immediately stopped and a qualified professional archaeologist consulted to assess the resource and provide proper management recommendations. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment to allow for implementation of avoidance measures or appropriate mitigation shall be made available, as provided in Section 15064.5 of the CEQA Guidelines. In addition, the Placer County Planning Department and Department of Museums must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. All construction and improvement plans for subsequent development within the Plan Area involving ground disturbance shall include these provisions. The archaeologist shall evaluate any potential effects on any historical resource or unique archaeological resource, and where such effects would be significant, shall recommend potential mitigation to the County for its consideration. The County will assess the feasibility of any proposed mitigation (e.g., avoidance of the historical resource) and impose the mitigation where feasible in light of factors such as the nature of the find, project design, costs, Specific Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

**Mitigation Measure 7-2b: Implement Mitigation Measure 7-1b (Conduct subsurface testing)**

**Mitigation Measure 7-2c: Implement Mitigation Measure 7-1c (Conduct data recovery excavation)**

**Significance after Mitigation:**

Less than Significant

**Impact 7-3** Damage to paleontological resources inadvertently exposed during construction. This impact is considered *Potentially Significant*.

**Finding:**

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

**Explanation:**

During construction of the proposed project, previously undiscovered paleontological resources could be exposed through grading or excavation activities. This would be a potentially significant impact of the proposed project. This potential impact would be mitigated to a less than significant level by having a qualified professional paleontologist conduct periodic construction monitoring to identify, evaluate, and properly manage potentially exposed resources during grading activities. The Applicant shall provide written evidence to the Placer County Planning Department that a qualified paleontologist has been retained to provide the required services.

**Mitigation Measures:**

**Mitigation Measure 7-3a: Retain a qualified professional paleontologist to conduct periodic construction monitoring during grading activities and salvage fossils as necessary**

A professional paleontologist shall be retained to develop and implement a plan for managing paleontological resources and periodic monitoring of grading activities. The plan shall also include provisions for salvaging fossils, as necessary. The plan shall also include the timing and extent of monitoring needed. A copy of the plan shall be provided to the Placer County Planning Department prior to any grading occurring on site.

**Mitigation Measure 7-3b: If paleontological resources are identified at a particular site, the project manager shall cease operation until a qualified professional can provide an evaluation**

1. Identify and evaluate paleontological resource by intense field survey where impacts are considered high;
2. Assess effects on identified sites;
3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted;
4. Obtain comments from the researchers; and
5. Comply with researchers' recommendations to address any significant adverse effects where determined by the County to be feasible.

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

**Significance after Mitigation:**

Less than Significant

282

## E. VISUAL RESOURCES

### **Impact 8-1 Temporary and long-term visual impacts due to construction. This impact is considered *Potentially Significant*.**

#### **Findings:**

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

#### **Explanation:**

Various temporary visual impacts could occur as a result of construction activities, such as grading, equipment and material storage, and staging. Because impacts would be temporary and viewer sensitivity in the majority of cases would be moderate, significant impacts are not anticipated in general. However, because viewers at the Roseville Cemetery could have high sensitivity, even relatively short-term construction impacts could potentially be significant. As proposed, all construction activities in the vicinity of the cemetery shall be restricted to the shortest feasible period of time, and that equipment and material storage and staging shall take place outside of the visual foreground of the cemetery (greater than 1/4 mile distance). If construction staging is unavoidable in the vicinity of the cemetery, temporary visual screening shall be installed. In addition, secondary impacts could occur as a result of project roadway construction-related grubbing and grading activity. One or more of the potentially affected residences could be relocated as a result of County widening projects. However, at residences south of PFE Road and west of Watt Avenue that are not relocated, secondary visual and glare impacts could occur due to removal of existing landscape screening along the roadway as a result of project-related roadway construction. Existing landscape screening could require removal, thus exposing homes to new views of an expanded roadway, and to increased glare from automobile headlights. Because residents are typically considered to have high sensitivity to visual impacts, this potentially strong impact could be significant. Screening removed due to construction activities be replaced in kind.

A fencerow of 17 mature valley oaks to the south of PFE Road could be removed due to project roadway-related construction activities. Tree planting within the roadway corridors adjoining the Plan Area consist of a combination of fast-growing ornamental 'orchard' species (flowering fruit trees) to provide short-term mitigation, and native oaks to provide long-term restoration of community character. Native oaks would be preserved wherever feasible. Where preservation is not feasible, they would be replaced within the roadway right-of-way, subject to fair share reimbursement related to the overall widening of these roadways. This measure would address overall project impacts to community character due to loss of oak trees and enable compliance with policies of the Natural Resource Element of the County General Plan, and of the Community Design Element of the *Dry Creek/West Placer Community Plan*.

#### **Mitigation Measures:**

##### **Mitigation Measure 8-1a: Limit construction activities in the vicinity of the Roseville Cemetery**

In order to minimize potential visual quality construction impacts to the Roseville Cemetery, construction activities in the vicinity of the cemetery shall be restricted to the shortest feasible period of time. If staging in vicinity of the cemetery is unavoidable, temporary visual screening will be installed between the cemetery and staging area.

**Mitigation Measure 8-1b: Replace visual and glare screening of adjacent residences affected by project road-related construction**

To mitigate the loss of existing screening from road-related construction on adjacent residences, such screening shall be replaced in kind with replacement shrub and tree planting and other screening measures sufficient to provide screening of headlight glare and increased visual exposure in the shortest feasible time (no more than 3 to 5 years).

**Mitigation Measure 8-1c: Replace/plant native oaks within roadway rights-of-way and at gateway features**

Replacement planting with nonnative tree species would compensate for project-related loss of vegetation in general, but would result in a change of character from the strong community visual image of existing native oaks. In order to provide both short-term mitigation for tree loss and long-term restoration of the existing native-oak image, landscaping in the landscape corridors along the site boundaries and at gateways/entrances shall consist of a combination of fast-growing ornamental orchard species (flowering fruit trees) to provide short-term mitigation and native oaks to provide long-term restoration of community character. Native oaks shall be preserved wherever feasible.

**Significance after Mitigation:**

Potentially Significant and Unavoidable

**Impact 8-2** View obstruction and change to landscape character for motorists on adjacent roadways. This impact is considered *Significant*.

**Findings:**

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

**Explanation:**

Overall, the combination of these visual effects of the proposed project to motorists on the three adjoining roadways would represent a strong change to the existing landscape character and a potential decline in visual quality. Viewer sensitivity of motorists on PFE and Walerga Roads are considered to be moderate: activities of the majority of viewers on PFE Road are not primarily recreational or scenery-oriented, but likely to be part of day-to-day activities including commuting and work. The *Riolo Vineyards Specific Plan* contains various provisions to address adverse visual impacts of the proposed project. Under the proposed project, 123.9 acres of the site would be preserved as open space. The project frontage bordering PFE Road from the new entrance to roughly 1/4 mile to the west, including the area now occupied by the entry road and hedgerows, would be left as open space. A 35-foot (Watt Avenue) to 50-foot (PFE Road and Walerga Road) setback landscaped corridor would line adjoining public roadways on those frontages where new residential development is proposed. Roadside trees in the public roadways would be replaced under the Specific Plan, restoring an important scenic element over the long term. In the long term, landscaping in the landscaped setback areas along PFE Road would restore a moderately high degree of visual quality, providing screening of the new development and introducing tree canopies at the roadside. With the inclusion of native oaks in these plantings, a strong element of the local landscape character could be restored and, in the long term, enhanced. However, these effects would take a considerable period (up to 20 years) to have full effect. The Class I bicycle/pedestrian trail (Dry Creek Trail) along the south side of the Dry Creek corridor would provide new views of open space within the Plan Area. This would represent a beneficial impact and provide access to the creek corridor for the first time.

## Mitigation Measures:

### Mitigation Measure 8-2a: Implement open space preservation, tree replacement, site landscaping, and project design measures

Under the proposed specific plan, 123.9 acres of the site would be preserved as open space, including a roughly 1/4-mile frontage along PFE Road. Fifty-foot landscape setback corridors, including landscaped berms and screen walls, and replacement tree planting, would be introduced along PFE and Walerga Roads on all frontages where new residences are proposed.

### Mitigation Measure 8-2b: Implement construction of Dry Creek Trail, other trails, and vineyards

The Applicant has proposed construction of an approximately 10,950-foot-long Class I bicycle/pedestrian trail along the south side of the Dry Creek corridor within open space areas of the Specific Plan Area. This would consist of a 12-foot-wide bicycle/pedestrian trail, a 4-foot-wide equestrian trail separated from the bicycle/pedestrian trail by a 10-foot-wide minimum buffer, and a 2-foot-wide bench strip on each side, all within a 30-foot-wide trail easement. Also proposed are approximately 5,540 feet of a 5-foot wide pedestrian path, approximately 11,290 feet of an 8-foot-wide paved bicycle/pedestrian trail, and about 31,590 feet of Class II bicycle lanes, which would provide additional public access to views of open space and the creek corridor. These trails would be dedicated to Placer County and maintained by the County. In addition, about 124 acres of the Plan Area are designated as open space and would provide a scenic resource and buffer between trail users and the proposed residential development.

### Mitigation Measure 8-2c: Implement Mitigation Measure 8-1c (Replace/plant native oaks within roadway rights-of-way and at gateway feature)

#### Significance after Mitigation:

Less than Significant in the short term; Beneficial in the long term.

### **Impact 8-3** Visual intrusion and adverse change in visual character due to new residences in views from Roseville Cemetery. This impact is considered *Potentially Significant*.

#### Findings:

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

#### Explanation:

The proposed project would create adjacencies between the existing Roseville Cemetery and new residences. The proposed Specific Plan would also add approximately 2.8 acres of expansion area to the east of the existing cemetery. In addition, a landscape corridor would be maintained north of the cemetery to serve as a visual buffer to the proposed eastern entry road off of Watt Avenue. While this would create a buffer between the two uses to the east in the short term, visually dominant views of nearby homes would remain to both the east and south of the cemetery without sufficient additional visual screening by large trees and other vegetation. Viewers at the cemetery are assumed to have high sensitivity to visual changes. These moderately strong visual changes would thus be potentially significant.

An additional visual buffer is recommended at the eastern edge of the proposed cemetery expansion area and along the southern boundary of the existing cemetery. Under this measure, oak trees and other large-scale vegetation compatible with the existing cemetery landscape would be required in sufficient quantity to completely screen views of residences from the cemetery in the long term. In order to provide adequate mitigation in the short term,

large-scale, fast-growing shrubs in combination with walls or fences would also be placed in the buffer area to provide screening within a short period of time; this buffer would then be enhanced over the long term with the maturation of oaks and other trees.

#### **Mitigation Measures:**

#### **Mitigation Measure 8-3a: Provide a visual buffer between cemetery and adjacent homes**

Under Mitigation Measure 8-3a, oak trees and other large-scale vegetation compatible with the existing cemetery landscape shall be planted to form a visual buffer between the cemetery and proposed residences to the east and south, sufficient to completely screen views of residences from the cemetery in the long term. In order to provide adequate mitigation in the short term, large-scale, fast-growing shrubs shall also be planted in the buffer area to provide screening within a short period of time; this buffer would then be enhanced over the long term with maturation of oaks and other trees. Newly planted trees in the buffer area shall be monitored for 5 years. All new plantings will be irrigated for the first 2 years of growth to ensure successful establishment. Alternative visual buffer designs would be considered as part of the design review process for individual projects. Any alternative would need to achieve the above objectives, which include completely screening views of surrounding residences, and compatibility with the existing cemetery landscape. An alternative design may include a masonry wall with landscaping to soften the effect of the wall.

#### **Significance after Mitigation:**

Less than Significant in the short term; Beneficial in the long term.

#### **Impact 8-4 Increase in night light and glare. This impact is considered *Potentially Significant*.**

#### **Findings:**

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

#### **Explanation:**

New night lighting introduced by the proposed project could have site-specific glare impacts due to offsite light trespass and could contribute incrementally to community-wide nighttime light pollution due to ambient light and upwardly-directed light. Project-related light trespass impacts could be potentially significant if unmitigated. Cumulative light-pollution impacts are discussed under Cumulative Impacts in Chapter 16 of this Draft EIR. The proposed *Riolo Vineyard Specific Plan* includes various lighting guidelines to mitigate potential light and glare impacts. These measures are broad, however, and could potentially allow significant impacts to occur in some instances without further specification

#### **Mitigation Measures:**

#### **Mitigation Measure 8-4a: Implement proposed light and glare mitigation measures**

The Applicant proposes the following lighting guidelines as mitigation measures that would apply to lighting placed within public right-of-ways and within open space areas.

- i. Lights on arterials will use American Electric Lighting, Roadway Series catalog number 325\_S MR DT1 R2 FG Caltrans 4B or equivalent
- ii. Primary Residential and Secondary Residential Street lights will use Holophane outdoor lighting

Hscape series, catalog number GE 100HP\_2 B S 72 N II; CVC 27" 1 CA BK or equivalent. These ornamental lighting styles shall be installed throughout the specific plan area with the exception of the following street corridors:

- PFE Road
- Walerga Road
- Watt Avenue

Standard "cobra head" street lighting may be provided along the street corridors listed above.

- iii. Bollards for trails will use Holophane outdoor lighting Hscapes series catalog number BOL/C 45/13/L.W CA BK or equivalent. The source, wattage, and voltage will be determined by Placer County's Department of Public Works
- iv. Street lighting standards shall be spaced dependent upon County requirements.
- v. Lighting shall be provided to ensure a safe environment but shall not cause areas of intense light or glare.
- vi. Lighting shall be sensitive to adjacent land uses and viewsheds. Architectural features or lighting fixtures that provide down-lighting and lighting that is shielded from adjacent uses shall be implemented.

**Mitigation Measure 8-4b: Implement light and glare measures to eliminate all direct uplighting and direct offsite light trespass**

To minimize project contributions to cumulative, areawide night light pollution, no upward lighting shall be permitted, and all light standards shall include shielding to direct illumination downward. All lighting shall be of minimum brightness consistent with safety.

No direct offsite light trespass shall be permitted; all lighting shall use shielded and directed light standards such that no direct offsite illumination will occur.

**Significance after Mitigation:**

Less than Significant

**Impact 8-5** Visual intrusion due to the project's proposed electrical substation. This impact is considered *Potentially Significant*.

**Findings:**

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

**Explanation:**

An electrical substation would be located on 0.5 acre in the eastern portion of the site, just north of the designated commercial area. It would be surrounded by residential units on the west and north and a landscaped corridor and Walerga Road. A community wall is proposed on the south and east sides of this lot. The Specific Plan's Design Guidelines (September 2006) proposes the split-face style of wall along the Plan Area and residential neighborhoods' perimeters. It is recommended that SMUD consider this style of fencing on the north and west sides of the substation parcel to shield the substation from public view, when the agency seeks environmental clearance

for its substation. Additionally, to minimize adverse impacts of the proposed substation to viewers on Walerga Road and from adjacent residences, landscaped buffer areas shall be established between the substation parcel, the roadway, and adjacent residences.

**Mitigation Measures:**

**Mitigation Measure 8-5a: Install a community wall along the south and east sides of the lot where the electrical substation would be located**

Implement Mitigation Measure 4-6a (Install a community wall along the south and east sides of the lot where the electrical substation would be located).

**Mitigation Measure 8-5b: Provide landscaped buffer plantings around substation**

To minimize adverse impacts of the proposed substation to viewers on Walerga Road and from adjacent residences, landscaped buffer areas shall be established between the substation parcel, the roadway, and to adjacent residences. Buffer areas shall be of sufficient area to allow planting of screening trees. Trees be planted shall be of sufficient height and density to provide substantial visual screening of the taller substation components over the long term, as seen from both Walerga Road and adjacent residences.

**Significance after Mitigation:**

Less than Significant

**F. TRANSPORTATION AND CIRCULATION**

**Impact 9-1** Short Term traffic impacts related to construction. This impact is considered *Potentially Significant*.

**Findings:**

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

**Explanation:**

The project will temporarily add trips to the local roadway network during periods of construction. Preparation and implementation of construction traffic management plans for onsite and offsite construction activities to minimize adverse LOS or neighborhood traffic impacts during the various phases of construction would reduce this impact to a less-than-significant level.

**Mitigation Measures:**

**Mitigation Measure 9-1a: Prepare and implement a Construction Traffic Management Plan**

Prior to improvement plan approval, including roadway improvements and the offsite water and sewer line improvements, a Construction Traffic Management Plan shall be prepared to the satisfaction of the Placer County Public Works Department. The purpose of the plan is to provide for vehicular, pedestrian, equestrian, and bicycle safety, and to minimize adverse LOS, including neighborhood traffic impacts during project construction. This plan shall include the following components:

1. A striping and signing plan including offsite traffic control devices, shall be prepared by the Applicant and shall be reviewed and approved by the County Traffic Engineer;

2. An analysis of traffic volumes on roadways where one-way traffic control would be required, if any, to determine whether the hours of such control should be limited;
3. Provision of flag persons as necessary to facilitate traffic flow through construction areas;
4. Arranging construction schedules to begin and end during off-peak hours, as necessary and feasible as approved by Placer County; and
5. A community relations program to be implemented prior to and during the construction period.

The Applicant shall implement the Construction Traffic Management Plan.

#### **Significance after Mitigation:**

Less than Significant

**Impact 9-2** Under Existing Plus Project conditions with PFE Road open, the proposed project would cause Walerga Road south of the Dry Creek Bridge to experience a volume to capacity ratio increase at a substandard LOS condition, Walerga Road south of the Dry Creek Bridge to experience a volume to capacity ratio increase at a substandard LOS condition, and Walerga Road south of PFE Road to operate at LOS F conditions. This impact is considered *Significant*.

#### **Findings:**

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 this impact in the short term. 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 described in the EIR, development of the Specific Plan under existing plus project conditions would cause the LOS on the segment of Walerga Road from PFE Road to the Placer County line to degrade from LOS E to LOS F, the segment of Walerga Road from the Baseline Road to the Dry Creek Bridge to degrade by volume to capacity ratio of 2 percent and the segment of Walerga Road from the Dry Creek Bridge to PFE Road to degrade by volume to capacity ratio of 5 percent. The widening of this section of Walerga Road to four lanes is included in Placer County's CIP and traffic mitigation fees. Widening of Walerga Road to four lanes from the Baseline Road to the Placer County line would provide LOS A and would reduce this impact to a less-than-significant level.

The Applicant is obliged to pay traffic mitigation fees and to construct certain improvements that are included in the fee program, as outlined in the Development Agreement. However, until the County's Walerga Road Bridge project is completed, Walerga Road will operate below LOS standard at the approaches to the bridge. This would be a significant impact until the Walerga Road improvements are constructed.

#### **Mitigation Measures:**

**Mitigation Measure 9-2a: Pay an in lieu fee and construct Walerga Road frontage improvements from the Dry Creek Bridge to the Placer County line.**

The bridge at Dry Creek will remain a two-lane structure until the County's Walerga Road Bridge project is complete. The proposed project shall pay a fee to Placer County for frontage improvements within the construction influence of the Walerga Road Bridge project in lieu of construction with the project. Frontage

improvements along the Specific Plan frontage, outside the bridge influence area, shall be constructed with the project. The project shall contribute a fair share or widen Walerga Road to four lanes from the southern limit of the County's Dry Creek Road bridge project to the Placer County line.

**Mitigation Measure 9-2b: Contribute a fair share to widen Walerga Road from the Dry Creek Bridge to Baseline Road**

The project shall pay a fair share of widening Walerga Road from the Dry Creek Bridge to Baseline Road via traffic mitigation fees. Construction of this improvement would provide LOS A. There would be a significant and unavoidable impact in the short-term until this improvement is constructed. In the long term, with the construction of the Walerga Road improvements, the impact would be reduced to a less than-significant level.

**Significance after Mitigation:**

Significant and Unavoidable in the short term; Less than Significant in the long term

**Impact 9-3** Under Existing Plus Project conditions with PFE Road open, the proposed project would cause the following intersections to operate at LOS F: Locust Road at Baseline Road and Watt Avenue at PFE Road, and would cause the volume to capacity ratio to increase at Watt Avenue at Baseline Road, Walerga Road at Baseline Road, and Walerga Road at PFE Road, which already operate at substandard LOS conditions. This impact is considered *Significant*.

**Findings:**

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 this impact in the short term. 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 EIR indicates that development of the Specific Plan under existing conditions with PFE Road open would cause impacts at the following Placer County intersections (1) Locust Road and Baseline Road; (2) Watt Avenue and Baseline Road; (3) Walerga Road and Baseline Road; (4) Watt Avenue and PFE Road; and (5) Walerga Road and PFE Road. The widening of Watt Avenue and Walerga Road are included in Placer County's CIP. The widening of Baseline Road is included in the Joint City of Roseville/Placer County Fee Program. Intersection improvements are included in the City/County CIP and resulting impact fees. Developer participation in these fee programs through a fair share payment, together with similar fair share payments from other projects, will facilitate the following improvements. Certain improvements will be constructed by Specific Plan-area developers, for fee credit and/or reimbursement. There would be a significant and unavoidable impact in the short term until the following improvements are constructed. In the long term, with the construction of the following improvements, the impact would be reduced to a less-than-significant level.

**Mitigation Measures:**

**Mitigation Measure 9-3a: Contribute a fair share to widen the intersections of Locust Road and Baseline Road, Watt Avenue and Baseline Road, and Walerga Road and Baseline Road.**

The proposed project shall contribute a fair share payment toward the following improvements:

- i. Construct a second through lane on the eastbound and westbound approaches to improve the intersection of Locust Road and Baseline Road to LOS B (delay 13.0) in the a.m. peak hour and LOS B (delay 14.7)

290

- in the p.m. peak hour.
- ii. Construct a second through lane on the eastbound and westbound approaches to improve the intersection of Watt Avenue and Baseline Road to LOS A (V/C 0.60) in the p.m. peak hour.
  - iii. Construct a second through lane on the southbound approach, and a second left turn lane on the eastbound and westbound approaches, to improve the intersection of Fiddymont Road/Walerga Road and Baseline Road to LOS B (V/C 0.70) in the p.m. peak hour.

**Mitigation Measure 9-3b: Contribute a fair share or widen the intersections of Watt Avenue and PFE Road, and Walerga Road and PFE Road.**

The proposed project shall contribute a fair share or construct the following improvements:

- i. Construct a traffic signal, a northbound and southbound left turn lane and a northbound right turn lane to improve the intersection of Watt Avenue and PFE Road to LOS B (V/C 0.58) in the a.m. peak hour and LOS A (V/C 0.49) in the p.m. peak hour.
- ii. Construct a second through lane on both the northbound and southbound approaches, to improve the intersection of Walerga Road and PFE Road to LOS B (V/C 0.69) in the a.m. peak hour and LOS D (V/C 0.83) in the p.m. peak hour.

**Significance after Mitigation:**

Significant and Unavoidable in the short term; Less than Significant in the long term

**Impact 9-4** Under Existing Plus Project conditions with PFE Road open, the proposed project would increase traffic volumes on City of Roseville intersections. This impact is considered *Less than Significant*.

**Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the Specific Plan under existing conditions would not cause significant impacts on City of Roseville intersections.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-5** Under Existing Plus Project conditions with PFE Road open, the proposed project would increase traffic volumes on Sacramento County roadway segments. This impact is considered *Less than Significant*.

**Findings:**

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code,

291

**Explanation:**

The analysis and conclusions of the EIR indicate that development of the proposed Specific Plan under existing conditions with PFE Road open would not cause significant impacts on Sacramento County roadway segments.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-6** Under Existing Plus Project conditions with PFE Road open, the proposed project would increase traffic volumes at Sacramento County intersections. This impact is considered *Less than Significant*.

**Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the proposed Specific Plan under existing conditions with PFE Road open would not cause significant impacts at Sacramento County intersections.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-7** Under Existing Plus Project conditions with PFE Road open, the proposed project would increase traffic volumes on Sutter County roadway segments. This impact is considered *Less than Significant*.

**Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the proposed Specific Plan under existing conditions with PFE Road open would not cause significant impacts on the Sutter County roadway segment within the transportation analysis study area.

292

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-8** Under Existing Plus Project conditions with PFE Road open, the proposed project would increase volumes on SR 65 south of Blue Oaks Boulevard, and I-80, from Watt Avenue to SR 65, which currently operate at substandard LOS F conditions. This impact is considered *Significant*.

**Findings:**

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 this impact in the short term. 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 indicated by the EIR, development of the proposed Specific Plan under existing conditions with PFE Road open would cause significant impacts at the following State Highway segments: (1) SR 65 from Blue Oaks Boulevard to I-80; (2) I-80 from Watt Avenue to SR 65. Both these highway segments currently operates at a substandard LOS F. The Specific Plan developers would make a fair share payment through the SPRTA fees, together with similar fair share payments from other projects, toward widening State Route 65 by two lanes to six lanes from Blue Oaks Boulevard to I-80. There would be a significant and unavoidable impact in the short term until the State Route 65 improvement is constructed. In the long term, with the construction of the State Route 65 improvement, the impact would be reduced to a less than significant level. The widening of I-80, from Riverside Avenue to SR 65, by two lanes, for a total of eight lanes is partially funded by state funding sources. There would be a significant and unavoidable impact in the short term until the I-80 improvement is constructed. In the long term, with the construction of the I-80 improvement, the impact would be reduced to a less-than-significant level.

**Mitigation Measures:**

**Mitigation Measure 9-8a: Contribute a fair share to widen SR 65 from Blue Oaks Boulevard to SR 65**

The Applicant proposes to make a fair share payment through the SPRTA fees, together with similar fair share payments from other projects, toward widening State Route 65 by two lanes to six lanes from Blue Oaks Boulevard to I-80. There would be a significant and unavoidable impact in the short term until the State Route 65 improvement is constructed. In the long term, with the construction of the State Route 65 improvement, the impact would be reduced to a less-than-significant level.

**Significance after Mitigation:**

Significant and Unavoidable in the short term; Less than Significant in the Long Term

**Impact 9-9** Under Existing Plus Project conditions with PFE Road open, the proposed project would increase delay at the following state highway intersections that currently operate at a substandard LOS: SR 70/99 at Riego Road, and SR 70/99 at Elverta Road. This impact is considered *Significant*.

293

**Findings:**

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 this impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

**Explanation:**

Under Existing Plus Project conditions with PFE Road open, no improvements were assumed for state highway intersections in the transportation analysis study area beyond existing conditions. The analysis in the EIR indicates that development of the proposed Specific Plan under existing conditions with PFE Road open would cause a significant impact at the State Highway intersection of SR 70/99 and Riego Road which already operates at a substandard LOS F in the a.m. peak hour. Specific Plan developers would make a fair share payment, which together with similar fair share payments from other projects, would fund construction of the Riego Road interchange. There would be a significant and unavoidable impact in the short term until the Riego Road interchange is constructed. No fee program for the Riego Road interchange currently exists. Due to the fact that the Riego Road interchange is not fully funded, and because no timeframe for completion has been determined, the impact is significant and unavoidable.

**Mitigation Measures:**

**Mitigation Measure 9-9a: Contribute a fair share to construct an interchange to replace the SR 70/99 and Riego Road intersection**

The Applicant proposed to make a fair share payment, together with similar fair share payments from other projects, toward constructing an interchange to replace the SR 70/99 and Riego Road intersection. No fee program for the Riego Road interchange currently exists. Due to the fact that the Riego Road interchange is not fully funded, and no timeframe for completion has been determined, the impact remains significant and unavoidable.

**Significance after Mitigation:**

Significant and Unavoidable

**Impact 9-10** Under Existing Plus Project conditions with PFE Road closed, the proposed project would cause Walerga Road south of Baseline Road, Walerga Road south of the Dry Creek Bridge, and Walerga Road south of PFE Road to operate at LOS E conditions. This impact is considered *Significant*.

**Findings:**

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 this impact in the short term. 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 analysis in the EIR of Existing Plus Project conditions with PFE Road closed assumed that all the internal roadways to the proposed specific plan area would be fully implemented, including the frontage improvements on border roads; however, no offsite improvements were assumed. With the closure of PFE Road, existing traffic

294

would be redistributed. The analysis indicates that full development of the Specific Plan under existing conditions with PFE Road closed would cause LOS on the segment of Walerga Road from Baseline Road to PFE Road to degrade from LOS D to LOS E and Walerga Road from PFE Road to the Placer County line to degrade from LOS C to LOS E.

The Applicant is obliged to pay traffic mitigation fees and to construct certain improvements that are included in the fee program, as outlined in the Development Agreement. However, until the County's Walerga Road Bridge project is completed, Walerga Road will operate below LOS standard at the approaches to the bridge. This would be a significant impact until the Walerga Road improvements are constructed.

**Mitigation Measures:**

**Mitigation Measure 9-10a: Implement Mitigation Measure 9-2a: Pay an in lieu fee and construct Walerga Road frontage improvements from the Dry Creek Bridge to the Placer County line**

The proposed project shall implement Mitigation Measure 9-2a (Pay an in lieu fee and construct Walerga Road frontage improvements from the Dry Creek Bridge to the Placer County line), which is described above. With implementation of this mitigation measure, this roadway segment would operate at LOS A. There would be a significant and unavoidable impact in the short term until this improvement is constructed. In the long term, with the construction of the Walerga Road improvement, the impact would be reduced to a less-than-significant level.

**Mitigation Measure 9-10b: Implement Mitigation Measure 9-2b: Contribute a fair share to widen Walerga Road from the Dry Creek Bridge to Baseline Road**

The proposed project shall implement Mitigation Measure 9-2b (Contribute a fair share to widen Walerga Road from the Dry Creek Bridge to Baseline Road), which is described above. With implementation of this mitigation measure, this roadway segment would operate at LOS A. There would be a significant and unavoidable impact in the short term until this improvement is constructed. In the long term, with the construction of the Walerga Road improvement, the impact would be reduced to a less-than-significant level.

**Significance after Mitigation:**

Significant and Unavoidable in the short term; Less than Significant in the long term

**Impact 9-11** Under Existing Plus Project conditions with PFE Road closed, the proposed project would cause the following intersections to operate at LOS F: Locust Road at Baseline Road and Walerga Road at PFE Road; would cause the following intersections to operate at LOS E: Walerga Road at Baseline Road and Watt Avenue at PFE Road; and would cause the volume to capacity ratio to increase at Watt Avenue at Baseline Road, which already operates at a substandard LOS condition. This impact is considered *Significant*.

**Findings:**

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 this impact in the short term. 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 EIR indicates that development of the Specific Plan under existing plus-project conditions with PFE Road

closed would cause impacts at the following Placer County intersections (1) Locust Road and Baseline Road; (2) Watt Avenue and baseline Road; (3) Walerga Road and Baseline Road; (4) Watt Avenue and PFE Road; and (5) Walerga Road and PFE Road. The widening of Watt Avenue, and Walerga Road are included in Placer County's CIP. The widening of Baseline Road is included in the Joint City of Roseville/Placer County Fee Program. Intersection improvements are included in the City/County CIP and resulting impact fees. Developer participation in these fee programs through a fair share payment, together with similar fair share payments from other projects, will facilitate the following improvements. Certain improvements will be constructed by Specific Plan-area developers, for fee credit and/or reimbursement. There would be a significant and unavoidable impact in the short term until the following improvements are constructed. In the long term, with the construction of the following improvements, the impact would be reduced to a less-than-significant level.

#### **Mitigation Measures:**

#### **Mitigation Measure 9-11a: Contribute a fair share to widen the intersections of Locust Road and Baseline Road, and Walerga Road and Baseline Road**

The proposed project shall pay its fair share toward the construction of the following improvements:

- i. Construct Mitigation Measure 9-3a(i) to improve the intersection of Locust Road and Baseline Road to LOS B (delay 13.0) in the a.m. peak hour and LOS B (delay 14.8) in the p.m. peak hour.
- ii. Construct Mitigation Measure 9-3a(ii) to improve the intersection of Watt Avenue and Baseline Road to LOS B (V/C 0.63) in the p.m. peak hour.
- iii. Construct Mitigation Measure 9-3a(iii) to improve the intersection of Walerga Road and Baseline Road to LOS D (V/C 0.85) in the a.m. peak hour and LOS C (V/C 0.76) in the p.m. peak hour.

#### **Mitigation Measure 9-11b: Contribute a fair share or widen the intersections of Watt Avenue and PFE Road, and Walerga Road and PFE Road**

The proposed project shall contribute a fair share or construct the following improvements:

- i. Construct Mitigation Measure 9-3b(i) to improve the intersection of Watt Avenue and PFE Road to LOS B (V/C 0.54) in the a.m. peak hour and LOS B (V/C 0.50) in the p.m. peak hour.
- ii. Construct Mitigation Measure 9-3b(ii) to improve the intersection of Walerga Road and PFE Road to LOS A (V/C 0.48) in the a.m. peak hour and LOS B (V/C 0.68) in the p.m. peak hour.

#### **Significance after Mitigation:**

Significant and Unavoidable in the short term; Less than Significant in the long term.

**Impact 9-12** Under Existing Plus Project conditions with PFE Road closed, the proposed project would increase traffic volumes on City of Roseville intersections. This impact is considered *Less than Significant*.

#### **Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the Specific Plan under existing plus project conditions with PFE Road closed would not cause significant impacts on City of Roseville intersections.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-13** Under Existing Plus Project conditions with PFE Road closed, the proposed project would increase traffic volumes on Sacramento County roadways. This impact is considered *Less than Significant*.

**Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the Specific Plan under existing plus project conditions with PFE Road closed would not cause significant impacts on Sacramento County roadways.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-14** Under Existing Plus Project conditions with PFE Road closed, the proposed project would increase traffic volumes at Sacramento County intersections. This impact is considered *Less than Significant*.

**Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the Specific Plan under existing plus project conditions with PFE Road closed would not cause significant impacts on County of Sacramento intersections.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-15** Under Existing Plus Project conditions with PFE Road closed, the proposed project would increase traffic volumes on Sutter County roadway segments. This impact is considered *Less than Significant*.

**Findings:**

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:**

The analysis and conclusions of the EIR indicate that development of the Specific Plan under existing plus project conditions with PFE Road closed would not cause significant impacts on Sutter County roadways.

**Mitigation Measures:**

No mitigation measures are required.

**Significance after Mitigation:**

This Impact is less than significant without mitigation.

**Impact 9-16** Under Existing Plus Project conditions with PFE Road closed, the proposed project would increase volumes on SR 65, south of Blue Oaks Blvd, and I-80, from Watt Avenue to SR 65, which currently operate at substandard LOS F conditions. This impact is considered *Significant*.

**Findings:**

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 this impact. 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 indicated by the EIR, development of the proposed Specific Plan under existing plus project conditions with PFE Road closed would cause significant impacts at the following State Highway segments: (1) SR 65 from Blue Oaks Boulevard to I-80; (2) I-80 from Watt Avenue to SR 65. Both these highway segments currently operates at a substandard LOS F. The Specific Plan developers would make a fair share payment through the SPRTA fees, together with similar fair share payments from other projects, toward widening State Route 65 by two lanes to six lanes from Blue Oaks Boulevard to I-80. There would be a significant and unavoidable impact in the short term until the State Route 65 improvement is constructed. In the long term, with the construction of the State Route 65 improvement, the impact would be reduced to a less than significant level. The widening of I-80, from Riverside Avenue to SR 65, by two lanes, for a total of eight lanes is partially funded by state funding sources. There would be a significant and unavoidable impact in the short term until the I-80 improvement is constructed. In the long term, with the construction of the I-80 improvement, the impact would be reduced to a less-than-significant level.

**Mitigation Measures:**

**Mitigation Measure 9-16a: Contribute a fair share to widen SR 65 to six lanes from Blue Oaks Boulevard to I-80**

The proposed project shall contribute its fair share toward Mitigation Measure 9-8a. Even with implementation of this mitigation measure, this roadway segment would operate at LOS F.

**Significance after Mitigation:**

Significant and Unavoidable in the short term; less than significant in the long term.

**Impact 9-17** Under Existing Plus Project conditions with PFE Road closed, the proposed project would increase delay at the following state highway intersections that currently operate at a substandard LOS: SR 70/99 at Riego Road and SR 70/99 at Elverta Road. This impact is considered *Significant*.

**Findings:**

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 this impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable.

**Explanation:**

Under Existing Plus Project conditions with PFE Road closed, no improvements were assumed for state highway intersections in the transportation analysis study area beyond existing conditions. The analysis in the EIR indicates that development of the proposed Specific Plan under existing conditions with PFE Road closed would cause a significant impact at the State Highway intersection of SR 70/99 and Riego Road which already operates at a substandard LOS F in the a.m. peak hour. Specific Plan developers would make a fair share payment, which together with similar fair share payments from other projects, would fund construction of the Riego Road interchange. There would be a significant and unavoidable impact in the short term until the Riego Road interchange is constructed. No fee program for the Riego Road interchange currently exists. Due to the fact that the Riego Road interchange is not fully funded, and because no timeframe for completion has been determined, the impact is significant and unavoidable.

**Mitigation Measures:**

**Mitigation Measure 9-17a: Contribute a fair share to constructing an interchange at the intersection of SR 70/99 with Riego Road**

The Applicant proposes to contribute its fair share toward Mitigation Measure 9-9a. With implementation of this mitigation measure, this intersection would operate at LOS C or better.

**Significance after Mitigation:**

Significant and Unavoidable