

RESOLUTION NO. PC-2023-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF ROCKLIN RECOMMENDING APPROVAL OF A MITIGATED NEGATIVE
DECLARATION OF ENVIRONMENTAL IMPACTS AND A MITIGATION MONITORING PROGRAM
West Oaks Apartments
(DR2022-0010, DL2023-0001, and ENV2022-0002)

WHEREAS, the City of Rocklin's Environmental Coordinator prepared an Initial Study on the West Oaks Apartments project (the "Project") which identified potentially significant effects of the Project; and

WHEREAS, revisions to and/or conditions placed on the Project, were made or agreed to by the applicant before the mitigated negative declaration was released for public review, were determined by the environmental coordinator to avoid or reduce the potentially significant effects to a level that is clearly less than significant and that there was, therefore, no substantial evidence that the Project, as revised and conditioned, would have a significant effect on the environment; and

WHEREAS, the Initial Study and mitigated negative declaration of environmental impacts were then prepared, properly noticed, and circulated for public review.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rocklin as follows:

Section 1. Based on the Initial Study, the revisions and conditions incorporated into the Project, the required mitigation measures, and information received during the public review process, the Planning Commission of the City of Rocklin finds that there is no substantial evidence that the Project, as revised and conditioned, may have a significant effect on the environment.

Section 2. The mitigated negative declaration reflects the independent judgment of the Planning Commission.

Section 3. All feasible mitigation measures identified in the City of Rocklin General Plan Environmental Impact Reports which are applicable to this Project have been adopted and undertaken by the City of Rocklin and all other public agencies with authority to mitigate the project impacts or will be undertaken as required by this project.

Section 4. The statements of overriding considerations adopted by the City Council when approving the City of Rocklin General Plan Update are hereby readopted for the purposes of this mitigated negative declaration and the significant identified impacts of this project related to aesthetics, air quality, traffic circulation, noise, cultural and paleontological resources, biological resources, and climate change and greenhouse gases.

Section 5. A Mitigated Negative Declaration of environmental impacts and Mitigation Monitoring Program prepared in connection with the Project, attached hereto and incorporated by this reference, are recommended for approval for the Project.

Section 6. The Project Initial Study is attached as Attachment 1 and is incorporated by reference. All other documents, studies, and other materials that constitute the record of proceedings upon which the Planning Commission has based its decision are located in the office of the Rocklin Community Development Director, 3970 Rocklin Road, Rocklin, California 95677. The custodian of these documents and other materials is the City of Rocklin Community Development Director.

Section 7. Upon approval of the Project by the City Council, the City of Rocklin's environmental coordinator shall file a Notice of Determination with the County Clerk of Placer County and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

PASSED AND ADOPTED this 7th day of November, 2023, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

Roberto Cortez, Chairperson

ATTEST:

Terry Stemple, Secretary



**COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF ROCKLIN**

**3970 Rocklin Road
Rocklin, California 95677
(916) 625-5160**

ATTACHMENT 1

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST

**West Oaks Apartments
DR2022-0010, DL2023-0001, ENV2022-0002**

The site consists of six (6) incorporated parcels, designated with Assessor Parcel Numbers (APNs) 365-020-067, -068, -069, -070, -071, and -072, as well as an approximately 3.4-acre portion of former Caltrans right-of-way located north and adjacent to the other parcels.

October 13, 2023

PREPARED BY:

Nathan Anderson, Senior Planner, (916) 625-5114

CONTACT INFORMATION:

This Initial Study has been prepared by the City of Rocklin, as Lead Agency, under the California Environmental Quality Act (CEQA). Any questions regarding this document should be addressed to David Mohlenbrok at the City of Rocklin Community Development Department, Planning Division, 3970 Rocklin Road, Rocklin, California 95677 (916) 625-5160.

APPLICANT/OWNER:

The property owner is Black Iris Properties. The project applicant is HRGA Young Kim.

SECTION 1. INTRODUCTION

A. Purpose of an Initial Study

The California Environmental Quality Act (CEQA) was enacted in 1970 for the purpose of providing decision-makers and the public with information regarding environmental effects of proposed projects; identifying means of avoiding environmental damage; and disclosing to the public the reasons behind a project's approval even if it leads to environmental damage. The City of Rocklin has determined the proposed project is subject to CEQA and no exemptions apply. Therefore, preparation of an initial study is required.

An initial study is a preliminary analysis conducted by the lead agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the initial study concludes that the project, with mitigation, may have a significant effect on the environment, an environmental impact report should be prepared; otherwise, the lead agency may adopt a negative declaration or mitigated negative declaration.

This Initial Study (IS) has been prepared in accordance with CEQA (Public Resources Code §21000 et seq.), the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.), and the City of Rocklin CEQA Guidelines (1981, amended July 31, 2002).

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the proposed project. The document relies on a combination of a previous environmental document and site-specific studies to address in detail the effects or impacts associated with the proposed project. In particular, this Initial Study assesses the extent to which the impacts of the proposed project have already been addressed in the certified Final Environmental Impact Report for the Rocklin General Plan, as adopted by the Rocklin City Council on October 9, 2012 (the "General Plan EIR").

B. Document Format

This Initial Study is organized into five sections as follows:

Section 1, Introduction: provides an overview of the project and the CEQA environmental documentation process.

Section 2, Summary Information and Determination: Required summary information, listing of environmental factors potentially affected, and lead agency determination.

Section 3, Project Description: provides a description of the project location, project background, and project components.

Section 4, Evaluation of Environmental Impacts: provides a detailed discussion of the environmental factors that would be potentially affected by this project as indicated by the screening from the CEQA Guidelines Appendix G checklist.

Section 5, References: provides a list of reference materials used during the preparation of this Initial Study. The reference materials are available for review during normal business hours at the City of Rocklin Planning Division, 3970 Rocklin Road, Rocklin, CA, and can also be found on the City's website under Planning Division, Current Environmental Documents.

C. CEQA Process

To begin the CEQA process, the lead agency identifies a proposed project. The lead agency then prepares an initial study to identify the preliminary environmental impacts of the proposed project. This document has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) to analyze the possible environmental impacts of the project so that the public and the City of Rocklin decision-making bodies (Planning Commission, and/or City Council) can take these impacts into account when considering action on the required entitlements.

During the project approval process, persons and/or agencies may address either the Environmental Services staff or the City Council regarding the project. Public notification of agenda items for the City Council is posted 72 hours prior to the public meeting. The Council agenda can be obtained by contacting the Office of the City Clerk at City Hall, 3970 Rocklin Road, Rocklin, CA 95667 or via the internet at <http://www.rocklin.ca.us>.

Within five days of project approval, the City will file a Notice of Determination with the County Clerk. The Notice of Determination will be posted by the County Clerk within 24 hours of receipt. This begins a 30-day statute of limitations on legal challenges to the approval under CEQA. The ability to challenge the approval in court may be limited to those persons who objected to the approval of the project, and to issues that were presented to the lead agency by any person, either orally or in writing, during the public comment period.

SECTION 2. INITIAL STUDY SUMMARY AND DETERMINATION

A. Summary Information

Project Title:

West Oaks Apartments

Lead Agency Name and Address:

City of Rocklin, 3970 Rocklin Road, Rocklin, CA 95677

Contact Person and Phone Number:

David Mohlenbrok, Environmental Coordinator/Community Development Director, 916-625-5162

Project Location:

The project site is approximately 15.9 gross acres located west of the terminus of West Oaks Boulevard, east of Highway 65. The site consists of six (6) incorporated parcels, designated with Assessor Parcel Numbers (APNs) 365-020-067, -068, -069, -070, -071, and -072, as well as an approximately 3.4-acre portion of former Caltrans right-of-way located north and adjacent to the other parcels. That piece, which is currently unincorporated with no APN assigned, is part of an annexation which is being concurrently processed to bring the parcel into the City of Rocklin.

Project Sponsor's Name:

The property owner is Black Iris Properties. The project applicant is HRGA Young Kim.

Current General Plan Designation: High Density Residential (HDR)

Proposed General Plan Designation: No change requested

Current Zoning: Planned Development Residential 24 Units Per Acre Minimum (PD-24+)

Proposed Zoning: No change requested

Description of the Project:

The project is a request for approval of a Design Review to construct a multifamily development on approximately 15.9 gross acres. The development would be comprised of 371 units consisting of studio, one- and two-bedroom apartments and two- and three-bedroom townhomes for market-rate rental. The development would consist of 15 three-story walk-up buildings, two (2) four-story apartment buildings with rooftop patios, and a one-story clubhouse with an outdoor pool, as well as associated parking and landscaping.

The project also includes a Tentative Parcel Map (DL2023-0001) to subdivide the site into three (3) individual parcels for phasing and financing purposes, and to abandon historic private

reciprocal access, public utility, and emergency access easements which were established as part of the previously-approved Atherton Center, a nonresidential project approved in 2006 on the property.

Surrounding Land Uses and Setting:

The project site is located in the northwest portion of Rocklin at the terminus of West Oaks Boulevard, east of State Route 65. To the north of the project site is existing businesses within the Atherton Tech Center Business Park. Recreation Conservation property associated with an unnamed tributary to Pleasant Grove Creek is located to the east, with the James Apartments located beyond. To the northeast is the Lonetree Apartments project (Phases 1 and 2), which was recently approved by the Rocklin City Council. To the west is State Route 65, with unincorporated Placer County uses located beyond.

Other Public Agencies Whose Approval May Be Required (e.g., Permits, Financing Approval, or Participation Agreement):

- Rocklin Engineering Division approval of Improvement Plans
- Rocklin Building Inspections Division issuance of Building Permits
- Placer County Water Agency approval of construction of water facilities
- South Placer Municipal Utility District approval of construction of sewer facilities
- Placer County Air Pollution Control District approval of dust control plan

B. Environmental Factors Potentially Affected:

Those factors checked below involve impacts that are “Potentially Significant”:

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture/Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance
<input type="checkbox"/> None	<input checked="" type="checkbox"/> None with Mitigation Incorporated	

C. Determination:

On the basis of this Initial Study:

- ☐ I find that the proposed project WILL NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that as originally submitted, the proposed project could have a significant effect on the environment; however, revisions in the project have been made by or agreed to by the project proponent which will avoid these effects or mitigate these effects to a point where clearly no significant effect will occur. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached Environmental Checklist. An ENVIRONMENTAL IMPACT REPORT is required, to analyze the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



David Mohlenbrok
Community Development Department Director

October 13, 2023

Date

SECTION 3. PROJECT DESCRIPTION

A. Project Location

The project site is approximately 15.9 gross acres located west of the terminus of West Oaks Boulevard, east of Highway 65. The site consists of six (6) incorporated parcels, designated with Assessor Parcel Numbers (APNs) 365-020-067, -068, -069, -070, -071, and -072, as well as an approximately 3.4-acre portion of former Caltrans right-of-way located north and adjacent to the other parcels. That piece, which is currently unincorporated with no APN assigned, is part of an annexation which is being concurrently processed to bring the parcel into the City of Rocklin.

The City of Rocklin is located approximately 25 miles northeast of Sacramento, and is within the County of Placer. Surrounding jurisdictions include: unincorporated Placer County to the north and northeast, the City of Lincoln to the northwest, the Town of Loomis to the east and southeast, and the City of Roseville to the south and southwest.

B. Description

The project is a request for approval of a Design Review to construct a multifamily development on approximately 15.9 gross acres. The development would be comprised of 371 units consisting of studio, one- and two-bedroom apartments and two- and three-bedroom townhomes for market-rate rental. The development would consist of 15 three-story walk-up buildings, two (2) four-story apartment buildings with rooftop patios, and a one-story clubhouse with an outdoor pool, as well as associated parking and landscaping.

The project proposes 776 parking spaces onsite. 530 spaces are proposed as surface parking, with a portion of those to be covered to meet the zoning code requirement. There are also 246 parking spaces within the buildings. These are proposed as private one and two-car garages to the residents.

On-site amenities for the project include a 6,500 square foot clubhouse and an outdoor pool as well as an ample outdoor open space adjacent to the clubhouse. The site's overall design will have emphasis at pedestrian circulation through the design of the landscape, pathways, and architecture. The exterior design will be contemporary style utilizing materials of the cement plaster and cementitious siding to comply with the neighboring context as well as a city's design guideline.

The project also includes a Tentative Parcel Map (DL2023-0001) to subdivide the site into three (3) individual parcels for phasing and financing purposes, and to abandon historic private reciprocal access, public utility, and emergency access easements which were established as part of the previously-approved Atherton Center, a nonresidential project approved in 2006 on the property, which has since expired.

Access to the project would be from an extension of West Oaks Boulevard across a bridge which is being constructed as a separate project. When the project site was previously partially developed as part of a project approved by the City of Rocklin, that project included a bridge over the unnamed tributary to Pleasant Grove Creek. The approved bridge design and plans are now being processed as its own separate project through the City of Rocklin Engineering Division's Improvement Plan process. A 20-foot-wide Emergency Vehicle Access (EVA) would be installed on the northwestern portion of the site, which connects to an office complex to the north.

SECTION 4. EVALUATION OF ENVIRONMENTAL IMPACTS

A. Explanation of CEQA Streamlining and Tiering Utilized in this Initial Study

This Initial Study will evaluate this project in light of the previously approved General Plan EIR, and the Northwest Rocklin Annexation Area EIR, which are hereby incorporated by reference. This document is available for review during normal business hours at the City of Rocklin Planning Division, 3970 Rocklin Road, Rocklin, CA, and can also be found on the City's website under Planning Division, Publications and Maps.

CEQA Guidelines Section 15183 provides a means of streamlining analysis for qualifying projects. Under Section 15183, effects are not considered "peculiar to the project or the parcel" if they are addressed and mitigated by uniformly applied development policies and standards adopted by the City to substantially mitigate that effect (unless new information shows that the policy or standard will not mitigate the effect). Policies and standards have been adopted by the City to address and mitigate certain impacts of development that lend themselves to uniform mitigation measures. These policies and standards include those found in the Oak Tree Ordinance (Rocklin Municipal Code, Chapter 17.77), the Flood Ordinance (Rocklin Municipal Code, Chapter 15.16), the Grading and Erosion and Sedimentation Control Ordinance (Rocklin Municipal Code, Chapter 15.28), the Stormwater Runoff Pollution Control Ordinance (Rocklin Municipal Code, Chapter 8.30), and the Goals and Policies of the Rocklin General Plan. Where applicable, the Initial Study will state how these policies and standards apply to the project. Where the policies and standards will substantially mitigate the effects of the proposed project, the Initial Study concludes that these effects are "not peculiar to the project or the parcel" and thus need not be revisited in the text of the environmental document for the proposed project.

This Initial Study has also been prepared pursuant to CEQA Guidelines sections 15063 and 15168. Section 15063 sets forth the general rules for preparing Initial Studies. One of the identified functions of an Initial Study is for a lead agency to "[d]etermine, pursuant to a program EIR, tiering, or another appropriate process, which of a project's effects were adequately examined by an earlier EIR or negative declaration... The lead agency shall then ascertain which effects, if any, should be analyzed in a later EIR or negative declaration." (CEQA Guidelines, section 15063, subd. (b)(1)(C).). Here, the City has used this initial study to determine the extent to which the General Plan EIR has "adequately examined" the effects of the proposed project.

Section 15168 sets forth the legal requirements for preparing a “program EIR” and for reliance upon program EIRs in connection with “[l]ater activities” within the approved program. (See *Citizens for Responsible Equitable Environmental Development v. City of San Diego Redevelopment Agency* (2005) 134 Cal.App.4th 598, 614-617.) The General Plan EIR was a program EIR with respect to its analysis of impacts associated with eventual buildout of future anticipated development identified by the General Plan. Subdivision (c) of section 15168 provides as follows:

- (c) Use with Later Activities. Later activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared.
 - (1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.
 - (2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.
 - (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into later activities in the program.
 - (4) Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.
 - (5) A program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

Consistent with these principles, this Initial Study serves the function of a “written checklist or similar device” documenting the extent to which the environmental effects of the proposed project “were within the scope of the program EIR” for the General Plan. As stated below, the City has concluded that the impacts of the proposed project are “within the scope” of the analysis in the General Plan EIR. Stated another way, these “environmental effects of the [site-specific project] were within the scope of the program EIR.” Where particular impacts were not thoroughly analyzed in prior documents, site-specific studies were prepared for the project with respect to impacts that were not “within the scope” of the prior General Plan EIR analysis. These studies are hereby incorporated by reference and are available for review during normal business hours at the Rocklin Community Development Department, 3970 Rocklin Road, Rocklin, CA 95677 and can also be found on the City’s website under Planning Division, Current Environmental Documents. The specific studies are listed in Section 5, References.

The Initial Study is a public document to be used by the City decision-makers to determine whether a project may have a significant effect on the environment. If the City as lead agency, finds substantial evidence that any effects of the project were not “within the scope” of the analysis in the General Plan EIR document AND that these effects may have a significant effect on the environment if not mitigated, the City would be required to prepare an EIR with respect to such potentially significant effects. On the other hand, if the City finds that these unaddressed project impacts are not significant, a negative declaration would be appropriate. If in the course of analysis, the City identified potentially significant impacts that could be reduced to less than significant levels through mitigation measures to which the applicant agrees, the impact would be considered to be reduced to a less than significant level, and adoption of a mitigated negative declaration would be appropriate.

B. Significant Cumulative Impacts; Statement of Overriding Considerations

The Rocklin City Council has previously identified the following cumulative significant impacts as unavoidable consequences of urbanization contemplated in the Rocklin General Plan, despite the implementation of all available and feasible mitigation measures, and on that basis has adopted a statement of overriding considerations for each cumulative impact:

1. Air Quality:

Development in the City and the Sacramento Valley Air Basin as a whole will result in the following: violations of air quality standards as a result of short-term emissions from construction projects, increases in criteria air pollutants from operational air pollutants and exposure to toxic air contaminants, the generation of odors and a cumulative contribution to regional air quality impacts.

2. Aesthetics/Light and Glare:

Development in the City and the South Placer region as a whole will result in substantial degradation of the existing visual character, the creation of new sources of substantial light and

glare and cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare.

3. Traffic and Circulation:

Development in the City and the South Placer region as a whole will result in impacts to segments and intersections of the state/interstate highway system.

4. Noise

Development in the City and the South Placer region as a whole will result in impacts associated with exposure to surface transportation and stationary noise sources, and cumulative transportation noise impacts within the Planning area.

5. Cultural and Paleontological Resources

Development in the City and the South Placer region as a whole will result in cumulative impacts to historic character.

6. Biological Resources

Development in the City and the South Placer region as a whole will result in the loss of native oak and heritage trees, the loss of oak woodland habitat, and cumulative impacts to biological resources.

7. Climate Change and Greenhouse Gases

Development in the City and the South Placer region as a whole will result in the generation of greenhouse gas emissions.

C. Mitigation Measures Required and Considered

It is the policy and a requirement of the City of Rocklin that all public agencies with authority to mitigate significant effects shall undertake or require the undertaking of all feasible mitigation measures specified in the prior environmental impact reports relevant to a significant effect which the project will have on the environment. Project review is limited to effects upon the environment which are peculiar to the parcel or to the project which were not addressed as significant effects in the General Plan EIR or which substantial new information shows will be more significant than described in the General Plan EIR. This Initial Study anticipates that feasible mitigation measures previously identified in the General Plan and Northwest Rocklin Annexation Area EIR have been, or will be, implemented as set forth in that document, and evaluates this Project accordingly.

D. Evaluation of Environmental Checklist:

- 1) A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers take account of the whole action involved, including off-site as well as on-site elements, cumulative as well as project-level impacts, indirect as well as direct impacts, and construction as well as operational impacts.
- 3) If a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant.
- 4) Answers of “Less than Significant with Mitigation Incorporated” describe the mitigation measures agreed to by the applicant and briefly explain how they reduce the effect to a less than significant level. Mitigation measures and supporting explanation from earlier EIRs or Negative Declaration may be cross-referenced and incorporated by reference.
- 5) Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or negative declaration, and the City intends to use tiering. All prior EIRs and Negative Declarations and certifying resolutions are available for review at the Rocklin Community Development Department. In this case, a brief discussion will identify the following:
 - a) Which effects are within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and whether such effects are addressed by mitigation measures based on the earlier analysis; and
 - b) For effects that are “Less than Significant with Mitigation Measures Incorporated,” the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

E. Environmental Checklist

I. AESTHETICS					
Except as provided in Public Resources Code section 21099 (where aesthetic impacts shall not be considered significant for qualifying residential, mixed-use residential, and employment centers), would the project:					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Have a substantial adverse effect on a scenic vista?				X	
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 371-unit multifamily residential community on 15.87 gross acres would change the existing visual nature / character of the project site and area. The development of the project site would create new sources of light and glare typical of urban development. As discussed below, impacts to scenic vistas or viewsheds would not be anticipated.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur to the visual character of the Planning Area as a result of the future urban development that was contemplated by the General Plan. When previously undeveloped land becomes developed, aesthetic impacts include changes to scenic character and new sources of light and glare (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.3-1 through 4.3-18). Mitigation measures to address these impacts are incorporated into the General Plan in the Land Use and the Open Space, Conservation, and Recreation Elements, and include policies that encourage the use of design standards for unique areas and the protection of natural resources, including open space areas, natural resource areas, hilltops, waterways and oak trees, from the encroachment of incompatible land use.

The General Plan EIR concluded that, despite the goals and policies addressing visual character, views, and light and glare, significant aesthetic impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will change and degrade the existing visual character, will create new sources of light and glare and will contribute to cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare. Findings of fact and a statement of overriding consideration were adopted by the Rocklin City Council in regard to these cumulative impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for aesthetic/visual impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. Scenic Vista - No Impact. While vacant or mostly vacant areas have a natural aesthetic quality, there are no designated scenic vistas within the City of Rocklin or Planning Area. Alteration of the vacant and undeveloped project site through the construction of a 371-unit multifamily community would change the visual quality of the project site and surrounding area. However, since there are no designated scenic vistas, no impact would occur in this regard.

b. Scenic Highway – No Impact. The City of Rocklin does not contain an officially designated state scenic highway. State Route 65 (SR 65) borders the western portion of the City and is nearby the project site, but it is not considered a scenic highway. Likewise, Interstate 80 (I-80) traverses the eastern portion of the City but does not have a scenic designation. Therefore, the proposed project and the development of a 371-unit multi-family residential complex at this project site

would not substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway and no impacts are anticipated in association with damage to scenic resources within a state scenic highway.

c. Visual Character – *Less than Significant Impact.* The development of a 371-unit multi-family residential complex at this project site would result in the construction of structures which would alter the aesthetics of the project site and its surroundings.

Per Public Resources Code section 21071 (a) (2), the City of Rocklin is considered to be an urbanized area because although its population is less than 100,000 persons, the population of Rocklin and not more than two contiguous incorporated cities (the cities of Roseville and Lincoln) combined equals at least 100,000 persons. The 371-unit multi-family residential complex would be of consistent height and scale with surrounding existing and entitled development, including the recently approved Lonetree Apartments project (Phases 1 and 2) to the north, which is expected to commence construction soon, and including the nearby James Apartments and the Atherton Tech Center Business Park, as well as the anticipated future development of other surrounding vacant properties; there are no unusual development characteristics of this proposed project which would introduce incompatible elements or create aesthetic impacts not considered in the prior EIR. Existing buildings in the area include one-, two- and three-story office buildings, one-story light industrial warehouse buildings and three-story multi-family residential buildings. These buildings and the anticipated future development of buildings within the nearby and adjacent light industrial and high density residential and mixed use land use designations are collectively all of similar size and scale to the proposed project.

All development in the Rocklin Planning Area is subject to existing City development standards set forth in the City's Zoning Ordinance and the City's Design Review Guidelines which help to ensure that development form, character, height, and massing are consistent with the City's vision for the character of the community. The proposed project at this project site would not conflict with applicable zoning and other regulations governing scenic quality. Also applicable to this Project is the University District Architectural Guidelines, which are meant to inspire and provide designers with basic direction in developing projects that focus on high quality design and use of materials and require review by the City's Architectural Review Committee (ARC). This project was reviewed by the ARC on May 4, 2023 and was recommended for approval.

The change in the aesthetics of the visual nature or character of the site and the surroundings is consistent with the surrounding existing development and the future development that is anticipated by the City's General Plan. As noted above, the General Plan EIR concluded that development under the General Plan will result in significant unavoidable aesthetic impacts and Statements of Overriding Consideration were adopted by the Rocklin City Council in regard to these cumulative impacts. The proposed project at this site does not result in a change to the finding because the site would be developed with typical urban uses that are consistent and compatible with surrounding existing and anticipated future development.

d. Light and Glare – *Less than Significant Impact.* The development of a 371-unit multi-family residential complex at this project site would result in the construction of structures which would alter the aesthetics of the project site and its surroundings.

There are no specific features within the proposed project that would create unusual light and glare. New and/or increased sources of light and glare would be introduced to the project area. However, implementation of existing City Design Review Guidelines and the General Plan policies addressing light and glare would also ensure that no unusual daytime glare or nighttime lighting is produced. These guidelines and policies would require the following: 1) all exterior lighting is to be designed and installed to avoid adverse glare on adjacent properties and to incorporate “dark sky” provisions; 2) Cut-off decorative light fixtures, or equivalent, shall be used for parking lot and building mounted lighting and mounted such that all light is projected directly toward the ground; 3) the lighting shall be reviewed and revised if needed to avoid “hot spots” under parking lot lights and to eliminate light spill over the property lines that exceeds 0.1 foot candles, and 4) light poles shall be a maximum of 20 feet in height as measured from grade to the top of the light fixture itself. However, the impacts associated with increased light and glare would not be eliminated entirely, and the overall level of light and glare in the Planning Area would increase in general as urban development occurs and that increase cannot be fully mitigated.

The General Plan EIR acknowledged that impacts associated with increased light and glare would not be eliminated entirely, and the overall level of light and glare in the Planning Area would increase in general as urban development occurs and that increase cannot be fully mitigated. As noted above, the General Plan EIR concluded that development under the General Plan will result in significant unavoidable aesthetic impacts and a Statement of Overriding Consideration was adopted by the Rocklin City Council in regard to these cumulative impacts. The project does not result in a change to the finding because the site would be developed with typical urban uses that are consistent and compatible with surrounding existing and anticipated future development.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?				X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	

DISCUSSION OF DETERMINATION:

Project Impacts:

There are no agricultural or forestry impacts for the project or project site due to a lack of these resources on the project site, as further discussed below.

Significance Conclusions:

a., b. and e. Conversion of Farmland, Conflict with Agricultural Zoning or Williamson Act - No Impact. The Farmland Mapping and Monitoring Program (FMMP) land classifications system monitors and documents land use changes that specifically affect California's agricultural land and is administered by the California Department of Conservation (CDC). The FMMP land classification system is cited by the State CEQA Guidelines as the preferred information source for determining the agricultural significance of a property (CEQA Guidelines, Appendix G). The CDC, Division of Land Resource Protection, Placer County Important Farmland Map of 2018 designates the project site as grazing land. This category is not considered Important Farmland under the definition in CEQA of "Agricultural Land" that is afforded consideration as to its potential significance (see CEQA Section 21060.1[a]), nor is it considered prime farmland, unique farmland, or farmland of statewide importance; therefore, the proposed project would not convert farmland to a non-agricultural use. Also, the project site contains no parcels that are under a Williamson Act contract. Therefore, because the project would not convert important farmland to non-agricultural uses, would not conflict with existing agricultural or forestry use zoning or Williamson Act contracts, or involve other changes that could result in the conversion of important farmlands to non-agricultural uses, there would be no agricultural use impacts.

c. and d. Rezone or Conversion of Timberland, Forest Land– No Impact. The project site contains no parcels that are considered forestry lands or timberland. Therefore, because the project would not conflict with existing forestry use zoning or involve other changes that could result in the conversion of forest lands to non-forest uses, there would be no forestry use impacts.

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determination. Would the project:					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Conflict with or obstruct implementation of applicable air quality plan?			X		
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X		
c) Expose sensitive receptors to substantial pollutant concentrations?			X		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

In the short-term, air quality impacts from the proposed project will result from construction related activities associated with grading and excavation to prepare the site for the installation of utilities and above ground structures and improvements. These air quality impacts will primarily be related to the generation of airborne dust (Particulate Matter of 10 microns in size or less (PM₁₀)).

In the long term, air quality impacts from the proposed project will result from vehicle trip generation to and from the project site and the resultant mobile source emissions of air pollutants (primarily carbon monoxide and ozone precursor emissions).

As discussed below, a 371-unit multifamily residential development of this type would not be expected to create objectionable odors.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur to regional air quality as a result of the future urban

development that was contemplated by the General Plan. These impacts included 8-hour ozone attainment, short-term construction emissions, operational air pollutants, increases in criteria pollutants, odors, and regional air quality impacts. (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.2-1 through 4.2-43). Mitigation measures to address these impacts are incorporated into the General Plan in the Land Use, the Open Space, Conservation, and Recreation, and the Circulation Elements, and include policies that encourage a mixture of land uses, provisions for non-automotive modes of transportation, consultation with the Placer County Air Pollution Control District (PCAPCD), and the incorporation of stationary and mobile source control measures.

The General Plan EIR concluded that, despite these goals and policies, significant air quality impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan and other development within the Sacramento Valley Air Basin (SVAB) as a whole will result in the following: violations of air quality standards as a result of short-term emissions from construction projects, increases in criteria air pollutants from operational air pollutants and exposure to toxic air contaminants, the generation of odors and a cumulative contribution to regional air quality impacts. Findings of fact and a statement of overriding consideration were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for air quality impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Project Level Environmental Analysis:

The firm of Raney Planning & Management, Inc., a Sacramento area consulting firm with recognized expertise in air quality, prepared an Air Quality and Greenhouse Gas Impact Analysis (AQGHG) report for the project area. The report, dated May 2023, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and are incorporated into this Negative Declaration by reference. City staff has reviewed the documentation and is also aware that Raney Planning & Management, Inc. has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Raney Planning & Management, Inc. report, which are summarized below.

The analysis was prepared to estimate the criteria pollutant emissions from project construction and operation, assuming development of 375 multi-family dwelling units, as well as a 15,000

square foot community clubhouse, and 942 parking spaces, consistent with the existing zoning standards in the Rocklin Municipal Code (RMC).

The report also analyzed the 3.38-acre unincorporated parcel located directly north of the incorporated project area. This portion of the project, which was previously Caltrans right-of-way, is currently going through an annexation process to bring the parcel into the City of Rocklin. For the purpose of the study, this parcel assumed development of 101 multi-family residential dwelling units on-site, as well as 218 residential parking spaces, consistent with the RMC. Therefore, the report analyzed a project total of 476 total units.

It should be noted that, subsequent to the preparation of the AQGHG report, the project was updated to include the currently proposed development of 371 multi-family dwelling units, which is a reduction of 109 units from the 476 units that were analyzed in the report, including the unincorporated area. Nonetheless, the assumptions and conclusions included in the report represent a conservative estimate, and actual project emissions for the current project would be lower than what is presented in the report.

The analysis was prepared to estimate the criteria pollutant emissions from project construction and operation. The short-term construction-related and long-term operational emissions of the development of a 476-unit multi-family residential complex project at this project site were estimated using the CalEEMod modeling program. CalEEMod estimates the emissions that result from various land uses, and includes considerations for trip generation rates, vehicle mix, average trip length by trip type, and average speed. Where project-specific data was assumed, that data was input into the CalEEMod model (i.e., construction phases and timing, inherent site or project design features, compliance with applicable regulations, etc.)

Construction Emissions

During construction of the project, various types of equipment and vehicles would temporarily operate on the project site. Construction exhaust emissions would be generated from construction equipment, vegetation clearing and earth movement activities, construction workers' commute, and construction material hauling for the entire construction period. The aforementioned activities would involve the use of diesel- and gasoline-powered equipment that would generate emissions of criteria air pollutants. Project construction activities also represent a source of fugitive dust, which includes particulate matter (PM) emissions. As construction of the proposed project would generate air pollutant emissions intermittently within the site and the vicinity of the site, until all construction has been completed, construction is a potential concern because the proposed project is in a non-attainment area for ozone and PM.

The project is required to comply with all PCAPCD rules and regulations for construction, including, but not limited to, the following, which would be noted with City-approved construction plans:

- Rule 202 related to visible emissions; Rule 217 related to asphalt paving materials; Rule 218 related to architectural coatings; Rule 228 related to fugitive dust, and Regulation 3 related to open burning.

The analysis found that the overall project's maximum daily emissions from construction operations would be as follows:

MAXIMUM UNMITIGATED CONSTRUCTION EMISSIONS (lbs/day)			
	Reactive Organic Gases (ROG)	Nitrous Oxides (NO_x)	Inhalable Particulate Matter (PM₁₀)
Maximum Daily Emissions	26.88	72.01	42.84
Placer County Air Pollution Control District (PCAPCD) Significance Thresholds	82	82	82
Exceedance of PCAPCD Threshold	NO	NO	NO

As shown, the project's short-term construction-related emissions are not anticipated to exceed the PCAPCD's significance thresholds for emissions of ROG, NO_x, and PM₁₀. Therefore, construction activities associated with development of the proposed project would not substantially contribute to the PCAPCD's nonattainment status for ozone and PM₁₀. Accordingly, construction of the proposed project would not violate any ambient air quality standards (AAQS) or contribute to an existing or projected air quality violation or conflict with or obstruct implementation of the applicable air quality plan.

Operational Emissions

Operational emissions of ROG, NO_x and PM₁₀ would be generated by the project from both mobile and stationary sources. Day-to-day activities such as vehicle trips to and from the project site would make up the majority of the mobile emissions. Emissions would occur from stationary sources such as natural gas combustion from heating mechanisms, landscape maintenance equipment exhaust, and consumer products (e.g., deodorants, cleaning products, spray paint, etc.). The modeling performed for the project takes these factors into consideration.

The project is required to comply with all PCAPCD rules and regulations, such as those listed previously for construction, as well as the following for operations:

- Rule 225 related to wood-burning appliances, and Rule 246 related to water heaters.

The analysis found that the overall project's maximum operational emissions on a daily basis would be as follows:

MAXIMUM UNMITIGATED OPERATIONAL EMISSIONS (lbs/day)			
	Reactive Organic Gases (ROG)	Nitrous Oxides (NO_x)	Inhalable Particulate Matter (PM₁₀)
Maximum Daily Emissions	24.33	15.59	17.59
Placer County Air Pollution Control District (PCAPCD) Significance Thresholds	55	55	82
Exceedance of PCAPCD Threshold	NO	NO	NO

As shown, the project's operational emissions of ROG, NO_x and PM₁₀ would be below the applicable PCAPCD thresholds of significance. Accordingly, the project's operational emissions would not contribute to the PCAPCD's nonattainment status of ozone and PM, operations of the project would not violate an air quality standard or contribute to an existing or projected air quality violation and operationally-related impacts would be considered less than significant.

Cumulative Air Quality

Due to the dispersive nature and regional sourcing of air pollutants, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants, including ozone and PM, is a result of past and present development, and, thus, cumulative impacts related to these pollutants could be considered cumulatively significant.

The project is part of a pattern of urbanization occurring in the greater Sacramento ozone nonattainment area. The growth and combined vehicle usage, and business activity within the nonattainment area from the project, in combination with other past, present, and reasonably foreseeable projects within Rocklin and surrounding areas, could either delay attainment of the standards or require the adoption of additional controls on existing and future air pollution sources to offset emission increases. Thus, the project could cumulatively contribute to regional air quality health effects through emissions of criteria and mobile source air pollutants.

The PCAPCD recommends using the region's existing attainment plans as a basis for analysis of cumulative emissions. If a project would interfere with an adopted attainment plan, the project would inhibit the future attainment of AAQS, and thus result in a cumulative impact. As discussed above, the PCAPCD's recommended thresholds of significance for ozone precursors and PM₁₀ are based on attainment plans for the region. Thus, the PCAPCD concluded that if a project's ozone precursor and PM₁₀ emissions would be greater than the PCAPCD's operational-level thresholds, the project could be expected to conflict with relevant attainment plans, and could result in a cumulatively considerable contribution to a significant cumulative impact.

As shown in the Maximum Unmitigated Operational Emissions table above, the proposed project would result in the generation of ROG, NO_x and PM₁₀ emissions that would be below the applicable operational-level thresholds; therefore, impacts related to the cumulative emissions of criteria pollutants for which the PCAPCD area is in non-attainment would be considered less than significant.

The General Plan EIR identified a cumulative contribution to regional air quality impacts as a significant and unavoidable impact, and the City of Rocklin adopted Findings of Fact and a Statement of Overriding Considerations in recognition of this impact. The proposed development of a 371-unit multi-family residential project would not result in a change to this finding because the project does not result in short-term, long-term or cumulative air quality emissions that exceed the PCAPCD's significance thresholds.

Significance Conclusions:

a. and b. Conflict with or obstruct implementation of the applicable air quality plan, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard – *Less Than Significant Impact*. The development of a 371-unit multi-family residential complex at this project site would result in construction and operational activities that would generate air quality emissions.

The proposed project area is located within the Sacramento Valley Air Basin (SVAB) and is under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The SVAB is designated nonattainment for the federal particulate matter 2.5 microns in diameter (PM_{2.5}) and the State particulate matter 10 microns in diameter (PM₁₀) standards, as well as for both the federal and State ozone standards. The federal Clean Air Act requires areas designated as federal nonattainment to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The SIP contains the strategies and control measures for states to use to attain the national ambient air quality standards (NAAQS). The SIP is periodically modified to reflect the latest emissions inventories, planning documents, rules, and regulations of air basins as reported by the agencies with jurisdiction over them. In compliance with regulations, the PCAPCD periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the NAAQS, including control strategies to reduce air pollutant emissions via regulations, incentive programs, public education, and partnerships with other agencies.

The current applicable air quality plan for the proposed project area is the *Sacramento Regional 2009 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (Ozone Attainment Plan), updated July 24, 2017.

The Ozone Attainment Plan demonstrates how existing and new control strategies would provide the necessary future emission reductions to meet the Clean Air Act (CAA) requirements, including the NAAQS. It should be noted that in addition to strengthening the 8-hour ozone NAAQS, the

United States Environmental Protection Agency (USEPA) also strengthened the secondary 8-hour ozone NAAQS, making the secondary standard identical to the primary standard. The SVAB remains classified as a severe nonattainment area with an attainment deadline of 2027. On October 26, 2015 the USEPA released a final implementation rule for the revised NAAQS for ozone to address the requirements for reasonable further progress, modeling and attainment demonstrations, and reasonably available control measures (RACM) and reasonably available control technology (RACT). On April 30, 2018 the USEPA published designations for areas in attainment/unclassifiable for the 2015 ozone standards. The USEPA identified the portions of Placer County within the SVAB as nonattainment for the 2015 ozone standards. Due to the designation of the SVAB as nonattainment for the 2015 standards, the PCAPCD will work with other regional air districts to prepare a new ozone SIP for the revised 2015 standards.

General conformity requirements of the regional air quality plan include whether a project would cause or contribute to new violations of any NAAQS, increase the frequency or severity of an existing violation of any NAAQS, or delay timely attainment of any NAAQS. In order to evaluate ozone and other criteria air pollutant emissions and support attainment goals for those pollutants that the area is designated nonattainment, the PCAPCD has recently proposed updates to the District's recommended significance thresholds for emissions of PM₁₀, and ozone precursors – reactive organic gases (ROG) and oxides of nitrogen (NO_x). On October 13, 2016 the PCAPCD adopted updated thresholds of significance of the aforementioned pollutants.

PCAPCD THRESHOLDS OF SIGNIFICANCE		
POLLUTANT	CONSTRUCTION THRESHOLD (LBS/DAY)	OPERATIONAL THRESHOLD (LBS/DAY)
ROG	82	55
NO _x	82	55
PM ₁₀	82	82
<i>Source: PCAPCD, 2017.</i>		

The significance thresholds, expressed in pounds per day (lbs/day), listed in the table above are the PCAPCD's current recommended thresholds of significance for use in the evaluation of air quality impacts associated with proposed development projects. The City of Rocklin, as lead agency, is utilizing the PCAPCD's recommended thresholds of significance for CEQA evaluation purposes. Thus, if a project's emissions exceed the PCAPCD's pollutant thresholds presented above, the project could have a significant effect on air quality, the attainment of federal and State AAQS, and could conflict with or obstruct implementation of the applicable air quality plan.

Through the combustion of fossil fuels, motor vehicle use produces significant amounts of pollution. In fact, the PCAPCD cites motor vehicles as a primary source of pollution for residential, commercial, and industrial development. Because motor vehicles emit air quality pollutants during their operations, changing the amount of motor vehicle operations in an area would change the amount of air pollutants being emitted in that area.

As shown in the Construction Emissions and Operational Emissions tables above, the development of a 371-unit multi-family residential project's construction and operational emissions of ROG, NO_x, and PM₁₀ would be below the applicable PCAPCD thresholds of significance. These thresholds consider strategies for attaining air quality standards. Accordingly, the project's construction and operational emissions would not contribute to the PCAPCD's nonattainment status of ozone and PM, operations of the project would not violate an air quality standard or contribute to an existing or projected air quality violation and construction-related and operationally-related impacts would be considered less than significant.

For cumulative emissions, the PCAPCD recommends using the region's existing attainment plans as a basis for analysis of cumulative emissions and the PCAPCD concluded that if a project's ozone precursor and PM₁₀ emissions would be greater than the PCAPCD's operational-level thresholds, the project could be expected to conflict with relevant attainment plans, and could result in a cumulatively considerable contribution to a significant cumulative impact. As shown in the Operational Emissions table above, the development of a 371-unit multi-family residential project would result in the generation of ROG, NO_x and PM₁₀ emissions that would be below the applicable operational-level thresholds. Thus, the development project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard and the impact would be considered less than significant.

c. Sensitive Receptors – *Less than Significant Impact.* The development of a 371-unit multi-family residential complex at this project site would result in construction and operational activities that would generate air quality emissions that could potentially impact sensitive receptors.

Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, childcare centers, playgrounds, retirement homes, convalescent homes, hospitals and medical clinics. The development of a 371-unit multi-family residential complex at this project site involves the development of residential uses; thus, the project would introduce sensitive receptors to the area. The nearest existing sensitive receptors to the project site are the multi-family residences directly to the east, as well as the Seavy Center School and the Western Sierra Collegiate Academy located approximately 200 feet and 500 feet north of the project site.

Emissions of carbon monoxide (CO) would result from the incomplete combustion of carbon-containing fuels such as gasoline or wood and are particularly related to traffic levels. Local mobile-source CO emissions near roadways are a direct function of traffic volume, speed and delay. Transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. However, under specific meteorological

conditions, CO concentrations near roadways and/or intersections may reach unhealthy levels at nearby sensitive land uses, such as residential units, hospitals, schools, and childcare facilities. Thus, high local CO concentrations are considered to have a direct influence on the receptors they affect. It should be noted that as older, more polluting vehicles are retired and replaced with newer, cleaner vehicles, the overall rate of emissions of CO for vehicle fleet throughout the State has been, and is expected to continue, decreasing. Therefore, emissions of CO would likely decrease from current levels over the lifetime of the project.

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. Traffic congestion near a roadway's intersection with vehicles moving slowly or idling could result in localized CO emissions at that intersection due to a vehicle engine's inefficient combustion. High levels of localized CO concentrations are only expected where background levels are high. Accordingly, a land use project could result in impacts associated with localized CO concentrations at roadway intersections if the project generates substantial traffic. Typically, according to the statewide CO Protocol document, signalized intersections operating at Level of Service (LOS) E or F, or projects that would result in the worsening of signalized intersections to LOS E or F, have the potential to result in localized CO concentrations in excess of the State or federal AAQS and potentially expose sensitive receptors to substantial CO concentrations.

In accordance with the statewide CO Protocol, the PCAPCD has established screening methodology for localized CO emissions, which are intended to provide a conservative indication of whether project-generated vehicle trips would result in the generation of localized CO emissions that would contribute to an exceedance of AAQS and potentially expose sensitive receptors to substantial CO concentrations. Per the PCAPCD's screening methodology if the project would result in vehicle operations producing more than 550 lbs/day of CO emissions and if either of the following scenarios are true, the project could result in localized CO emissions that would violate CO standards:

- Degrade the peak-hour level of service (LOS) on one or more streets at one or more intersections (both signalized and non-signalized) in the project vicinity from an acceptable peak-hour Level of Service (LOS) (e.g., LOS A, B, C, or D) to an unacceptable peak-hour LOS (e.g., LOS E or F); or
- Substantially worsen an already existing unacceptable peak-hour LOS on one or more streets or at one or more intersections in the project vicinity. "Substantially worsen" includes an increase in delay at an intersection by 10 seconds or more when project-generated traffic is included (it should be noted that for purposes of CO analysis the threshold of significance is worse than LOS D, however for purposes of traffic analysis the City's LOS threshold for acceptable operations is LOS C).

According to the air quality modeling performed in Raney's 2022 report for the development of a 476-unit multi-family residential complex at this project site (the results of which are considered to be conservative because the proposed project is now 371 units), operation of the project on the northern parcel would result in maximum mobile source CO emissions of 25.27

lbs/day, and operation of the project on the southern parcel would result in maximum mobile source CO emissions of 107.94 lbs/day, for a collective total of 133.21 lbs/day. Consequently, CO emissions related to operation of the project would be far below the 550 lbs/day screening threshold used by PCAPCD. Therefore, according to the PCAPCD's screening methodology for localized CO emissions, the project would not be expected to generate substantial concentrations of localized CO emissions.

In addition to the CO emissions discussed above, Toxic Air Contaminants (TACs) are also a category of environmental concern. The California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC. High volume freeways/roadways, stationary diesel engines, and facilities attracting heavy and constant diesel traffic were identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. Health-related risks associated with DPM in particular are primarily associated with long-term exposure and associated risk of contracting cancer.

Due to the nature of the project, relatively few vehicle trips associated with the project would be expected to be composed of heavy-duty diesel-fueled trucks and their associated emissions. The project would not involve any land uses or operations that would be considered major sources of TACs, including DPM, and the project does not involve long-term operation of any stationary diesel engine or other on-site stationary source of TACs. As such, the proposed project would not generate any substantial pollutant concentrations during operations.

Construction-related activities could result in the generation of TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of a project. Only portions of the site would be disturbed at a time throughout the construction period, with operation of construction equipment occurring intermittently throughout the course of a day, rather than continuously at any one location on the project site. Operation of construction equipment within portions of the overall development area would allow for the dispersal of emissions, and would ensure that construction activity is not continuously occurring in the portions of the project site closest to existing sensitive receptors. In addition, all construction equipment and operation thereof would be regulated per the State's In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation includes emissions reducing requirements such as limitations on vehicle idling, disclosure, reporting, and labeling requirements for existing vehicles, as well as standards relating to fleet average emissions and the use of Best Available Control Technologies. Project construction would also be required to comply with all applicable PCAPCD rules and regulations, particularly associated with permitting of air pollutant sources. In addition, as noted above construction equipment would operate intermittently throughout the course of a day and only portions of the site would be disturbed at a time. Considering the intermittent nature of construction equipment, the duration of

construction activities, and the typical long-term exposure periods typically associated with health risks, the likelihood that any one sensitive receptor would be exposed to high concentrations of DPM for any extended period of time due to project construction would be low. Therefore, construction of the project would not be expected to expose any nearby sensitive receptors to substantial concentrations of DPM or other TACs.

Emissions of TACs related to operational activities are typically associated with stationary diesel engines of land uses that involve heavy truck traffic or idling. The project is not expected to generate heavy truck traffic or involve the use of forklifts or other stationary diesel-fueled equipment. However, any potential future uses would be required to comply with all PCAPCD rules and regulations, including obtaining permits to operate, if any stationary diesel engines are proposed.

Based on the above discussion, the proposed 371-unit multifamily residential project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

d. Odors – Less Than Significant Impact. Odors are generally regarded as an annoyance rather than a health hazard. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative methodologies to determine the presence of a significant odor impact do not exist. Certain land uses such as wastewater treatment facilities, landfills, confined animal facilities, composting operations, food manufacturing plants, refineries, and chemical plants have the potential to generate considerable odors. The proposed project does not involve such land uses nor is it located near any such land uses. Although less common, emissions of DPM from heavy-duty diesel truck traffic could result in objectionable odors. While the proposed project would increase the total amount of vehicle trips in the area, the increase in area vehicle activity would not necessarily create an increase in heavy-duty diesel truck traffic, because the traffic increase would mostly be a result of increased residential land uses. Residential land uses are not typically associated with heavy-duty diesel truck traffic, and thus the increase in daily trips attributable to residential land uses would mainly involve single passenger vehicles that are not typically considered to be sources of objectionable odors.

Diesel fumes associated with diesel-fueled equipment and heavy-duty trucks, such as from construction activities or operations of emergency generators, could be found to be objectionable. However, as addressed above, construction is temporary and construction equipment would operate intermittently throughout the course of a day and would likely only occur over portions of the project area at a time.

In addition, PCAPCD Rule 205, Nuisance, addresses the exposure of “nuisance or annoyance” air contaminant discharges, including odors, and provides enforcement of odor control. Rule 205 is complaint-based, where if public complaints are sufficient to cause the odor source to be a public nuisance, then the PCAPCD is required to investigate the identified source as well as determine an acceptable solution for the source of the complaint, which could include operational

modifications to correct the nuisance condition. Thus, although not anticipated, if odor or air quality complaints are made upon the development of the proposed project, the PCAPCD would be required to ensure that such complaints are addressed and mitigated, as necessary.

Because the proposed project does not include the development of odor-generating land uses or development in proximity to odor-generating land uses, because the increase in project area traffic would be largely through increased use of passenger vehicles rather than heavy-duty diesel trucks, and considering the intermittent nature and short-term duration of construction activities, the project would not be anticipated to result in the exposure of residences or other sensitive receptors to objectionable odors or result in other emissions such as those leading to the creation of objectionable odors adversely affecting a substantial number of people. Therefore, the proposed project would result in a less than significant impact related to objectionable odors.

IV. <u>BIOLOGICAL RESOURCES</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 371-unit multi-family residential complex at this project site would modify habitats through the removal of native and other plant materials on the project site and impacts to special status animal and plant species could occur due to their presence or potential presence on the project site. The project does not contain any oak trees, but based upon biological surveys, the project site includes a creek, associated riparian areas, seasonal wetlands and vernal pools.

Prior Environmental Analysis

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur to the biological resources of the Planning Area as a result of the future urban development that was contemplated by the General Plan. These impacts included special-status species, species of concern, non-listed species, biological communities and migratory wildlife corridors (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.10-1 through 4.10-47). Mitigation measures to address these impacts are incorporated into the General Plan in the Open Space, Conservation and Recreation Element, and include policies that encourage the protection and conservation of biological resources and require compliance with rules and regulations protecting biological resources, including the City of Rocklin Oak Tree Preservation Ordinance.

The General Plan EIR concluded that, despite these goals, policies and rules and regulations protecting biological resources, significant biological resources impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will impact sensitive biological communities, will result in the loss of native oak and heritage trees, will result in the loss of oak woodland habitat and will contribute to cumulative impacts to biological resources. Findings of fact and a statement of overriding considerations were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for biological resources impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Project-Level Environmental Analysis:

The firm of Salix Consulting, Inc., a Sacramento area consulting firm with recognized expertise in biological resources, prepared a Biological Resources Analysis Report for the approximately 16.3-acre total project site, which included both the incorporated and unincorporated portion of the project (proposed project site). The report, dated June 2022 and amended June 2023, is available for review during normal business hours at the City of Rocklin Planning Division, 3970 Rocklin Road, Rocklin, CA and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Salix Consulting, Inc. has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Salix Consulting, Inc. report, which is summarized below.

Project Site Description:

The study area encompasses approximately 16.3 total acres in a roughly square shape. Three biological communities are identified within the study area: annual grassland, riparian and an intermittent stream. Additionally, five concrete building pads were constructed in 2007 and then abandoned. These building pads occupy approximately 2.0 acres. The site also contains numerous other infrastructure features including manhole covers, storm drain inlets, electrical stubs, piping, etc. The site is maintained through frequent mowing and vegetation is kept low and minimal. The property contains an above ground detention basin that is maintained along with the rest of the property. The bottom of the basin is lined with landscape fabric, and it holds occasional water from winter rains. The feature is clearly intended to be a temporary structure but has remained with the abandoned development.

Biological Assessment Overview

As part of the assessment of the project site's biological resources, queries of the California Natural Diversity Database (CNDDb) of the California Department of Fish and Wildlife (CDFW) (including the Rocklin USGS quadrangle which includes the project area and the eight other surrounding quadrangles including Roseville, Lincoln, Sheridan, Gold Hill, Folsom, Citrus Heights, Rio Linda and Pleasant Grove), United States Fish and Wildlife (USFWS) species lists, Natural Resource Conservation Service (NRCS) soils survey, California Native Plant Society (CNPS) Inventory and other literature reviews were conducted to provide updated information on special-status plant and wildlife species within the project region.

Field assessments of wildlife, habitats, and plants were conducted in whole or in part on June 9 and September 10, 2021, and May 10 and June 21, 2022, by Principal Biologist Jeff Glazner. All areas of the property were walked and evaluated to characterize existing conditions, to assess the potential for sensitive plant and wildlife resources to occur, and to determine if aquatic resources were present onsite. During the field assessment, biological communities were mapped and assessed for the potential to support special-status species. Plants and animals observed were documented, and ground photos were taken. Aerial photography was taken on

September 10, 2021, to obtain a high resolution ortho mosaic, which is presented in the Salix report.

Biological Communities

Three biological communities were identified on the overall project site: annual grassland, riparian, and intermittent stream. Vegetative cover is generally dominated by 14 +/- acres of annual grassland habitat, followed by 0.1 +/- acre intermittent stream and 0.2 +/- acre of riparian. As previously stated, the remaining 2 +/- acres is developed building pad area from a previous project.

Special-Status Plant and Animal Species

Special-status plant and animal species are those that have been afforded special recognition by federal, State, or local resources or organizations. Listed and special-status species are of relatively limited distribution and may require specialized habitat conditions.

Plants

Of the eight (8) potentially-occurring plant species listed in the study, seven (7) species were identified as occurring within or near a five-mile radius of the study area and are marked with an asterisk (*) in the lists below. None of these species was determined to have any potential to occur within the study area due to lack of suitable habitats (vernal pools or other wetland habitats). The short reach of an unnamed tributary to Pleasant Grove Creek would not support these species.

- Big-scale balsam-root (*Balsamorhiza macrolepis*)*
- Hispid salty bird's-beak (*Chloropyron molle hispidum*)*
- Dwarf downingia (*Downingia pusilla*)*
- Bogg's Lake hedge-hyssop (*Gratiola heterosepala*)*
- Ahart's dwarf rush (*Juncus leiospermus ahartii*)
- Red Bluff dwarf rush (*Juncus leiospermus leiospermus*)*
- Legenere (*Legenere limosa*)*
- Pincushion navarretia (*Navarretia myersii myersii*)*

In summary, eight (8) special-status plants are known from the region surrounding the study area, and seven (7) of these plants are known from within a five-mile radius. All eight (8) of the species were determined to have no potential for occurring onsite and were eliminated from further consideration. None were observed during the field surveys.

Wildlife

Based upon a review of resource databases noted above, there are eighteen potentially occurring special-status animal species on the overall project site. These species are discussed in more detail below:

Of the 18 potentially-occurring animal species listed in the study, 12 species were identified as occurring within or near a 5-mile radius of the study area and are marked with an asterisk (*) in the lists below. Ten (10) species were determined to have no potential to occur within the study area due to lack of suitable habitats or microhabitats, such as vernal pools, wetlands, marshes, fresh-water streams below man-made barriers, and similar aquatic habitats, or due to the absence of host plants or the site being outside the range of the species. These have been dismissed from further consideration and include:

- Conservancy fairy shrimp (*Branchinecta conservatio*)
- Vernal pool fairy shrimp (*Branchinecta lynchi*)*
- Monarch butterfly (*Danaus plexippus*)
- Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)*
- Delta smelt (*Hypomesus transpacificus*) (site outside range of species)
- Vernal pool tadpole shrimp (*Lepidurus packardii*)*
- Steelhead, Central Valley ESU (*Oncorhynchus mykiss irideus*)*
- California red-legged frog (*Rana draytonii*)
- • Western spadefoot (*Spea hammondi*)*
- Giant garter snake (*Thamnophis gigas*)

The following seven (6) species have no potential to occur because the site lacks suitable nesting or foraging habitat (such as large/old growth trees close to a body of water, secondary cavities near open foraging areas, cliffs, banks, dunes, tall man-made structures, or marshes).

- Tricolored blackbird (*Agelaius tricolor*)*
- Grasshopper sparrow (*Ammodramus savannarum*)*
- California black rail (*Laterallus jamaicensis coturnculus*)*
- Song Sparrow - Modesto population (*Melospiza melodia*)
- White-tailed kite (*Elanus leucurus*)*
- Purple martin (*Progne subis*)*

Although not observed, burrowing owl (*Athene cunicularia*)* has some potential to occur due to open character of the study area and potential for ground nesting. Burrowing owls usually occupy abandoned ground squirrel burrows but in areas with pipes along the ground and other openings for cover are present, they may find suitable non-squirrel occupation sites.

For Swainson's hawk (*Buteo swainsoni*) foraging and nesting, the proximity of the study area to one or more active nest sites determines the potential for development of the site to impact the hawk's foraging and nesting behavior. In terms of distribution of the hawk, the study area is located at the eastern edge of the hawk's range which is situated at the transition between the

Sacramento Valley and the Sierra Nevada Foothills. The study area does not contain habitat to support Swainson's hawk nesting. The study area could provide foraging habitat if active nests were found within 10 miles. The nearest reported CNDDDB occurrence is a 2009 record at site 1.9 miles to the west along Pleasant Grove Creek in the City of Roseville near William Hughes Park. Two additional occurrences are reported by the CNDDDB along Pleasant Grove Creek 2.65 miles to the west and 3.49 miles to the southwest. Given the location and size of the study area and its proximity to known nest sites, the use of the study area for foraging cannot be discounted. Additionally, it is necessary to avoid impacts to active nests with 0.25 mile of the study area. If active Swainson's hawk nests are found within 0.25 mile of the construction area, construction within 0.25 mile of the nest should not commence until a qualified biologist determines that the young have fledged, or it is determined that the nesting attempt has failed.

In summary, 18 special-status animals are known from the region surrounding the study area. Of these species, only the burrowing owl has potential to occupy the site and Swainson's hawk may forage within the study area if an active nest is detected within 0.25- mile of the study area. The property does not provide suitable habitat for any other the other special status species, except for bird foraging habitat.

Hydrology and Jurisdictional Waters of the U.S.

An unnamed intermittent stream flows through the study area. This feature carries seasonal flows and warm season urban runoff and is wet for much of the year. Any encroachment below the ordinary high-water mark would require permits from the U.S. Army Corps of Engineers (Corps) and the Regional Water Quality Control Board (RWQCB). The Corps may require a Section 7 consultation with the National Marine Fisheries Service for potential impacts to salmonids resulting in the issuance of a Biological Opinion by that agency.

Riparian Vegetation

The intermittent stream and associated riparian habitat cross the study area and are regulated by the California Department of Fish and Wildlife (CDFW) under the Fish and Game Code. Crossing the intermittent stream, whether or not impacts occur below the OHWM would require a Lake & Streambed Alteration Agreement (Fish and Game Code Section 1602) from the (CDFW).

Significance Conclusions:

a. Effect on Protected Species – *Less Than Significant With Mitigation.* The development of a 371-unit multi-family residential complex at this project site would result in the construction and operational activities that would directly result in physical disturbance of the project site and its biological resources.

Special-Status Plants

As noted above, while eight (8) special-status plant species were identified as occurring within the region surrounding the site, none of these were determined to have any potential to occur within the study area due to the lack of suitable habitats or soil substrates. No further studies are recommended or required.

Special-Status Wildlife

As noted above, eighteen (18) special-status animal species were identified through the database queries as occurring within the region surrounding the site. Only burrowing owl may occupy the site, and it is possible that Swainson's hawks could use the site for foraging.

Foraging or Nesting Raptor/Passerine Species

Potential nesting habitat is present for birds protected by the Migratory Bird Treaty Act occurs in association with trees and shrubs located in the study area. If tree removal or other ground disturbance takes place during the breeding/nesting season (February 1 through August 31), disturbance of nesting activities could occur. To avoid impacts to nesting birds, disturbance should occur outside of the typical nesting season. If disturbance occurs at any time during the nesting season, a pre-construction survey should be conducted by a qualified biologist within two weeks prior to initiation of proposed development activities. If active nests are found during the pre-construction survey, buffer zones should be established around any identified nests, and the nests should be monitored by a qualified biologist until the offspring have fledged. Consultation with the California Department of Fish and Wildlife (CDFW) may be warranted. If no nesting is found to occur, necessary vegetation removal could then proceed.

To address the project's potential impacts to foraging or nesting raptor/passerine species, the following mitigation measure, agreed to by the applicant, is being applied to the project:

- IV.- 1 *The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 through September 15).*

If tree and vegetation removal and/or project grading or construction activities would occur during the nesting season for raptors and migratory birds (February-September 15), the developer and/or contractor shall hire a qualified biologist approved by the City to conduct pre-construction surveys no more than 14 days prior to initiation of tree and vegetation removal activities. The survey shall cover all areas of suitable nesting habitat within 500 feet of project activity and shall be valid for one construction season. Prior to the start of tree and vegetation removal activities, documentation of the survey shall be provided to the City of Rocklin Engineering Department and if the survey results are negative, no further mitigation is required and necessary tree and vegetation removal may proceed. If there is a break in construction activities of more than 14 days, then subsequent surveys shall be conducted.

If the survey results are positive (active nests are found), impacts shall be avoided by the establishment of appropriate buffers. The biologist shall consult with the California Department of Fish and Wildlife (CDFW) and the City to determine the size of an appropriate buffer area (CDFW guidelines recommend implementation of 500-foot buffers). Monitoring of the nest by a qualified biologist may be required if the activity has the potential to adversely affect an active nest.

If construction activities are scheduled to occur during the non-breeding season (September 16 – January 31), a survey is not required and no further studies are necessary.

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to foraging or nesting raptor/passerine species to a less than significant level.

Although the project site has been previously graded following the attainment of the necessary regulatory permits to allow for fill and excavation on the project site, and while none were located as part of the biological study, it is possible that Swainson's hawks could use the site for foraging and there is still the potential for an active Swainson's hawk nest tree to be located within 0.25 mile feet of the project site. To address the potential impact of the loss of Swainson's hawk foraging habitat, the following mitigation measure, agreed to by the applicant, is being applied to the project:

IV.-2 If an active Swainson's hawk nest tree is located within 0.25 mile of the project site, prior to the start of grading or construction activity, the applicant shall mitigate for the loss of Swainson's hawk foraging habitat by providing 0.5 acre of replacement Swainson's hawk habitat land for each acre of land to be developed. The mitigation may be in the form of mitigation bank credits, conservation easements or fee title to an appropriate entity. The location of the habitat area is encouraged, but not required to be within Placer County. Habitats located within the north half of the Central Valley, from the Stanislaus River to Redding shall be deemed acceptable. The applicant shall verify that this condition has been met to the satisfaction of the Community Development Director.

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to Swainson's hawk foraging habitat to a less than significant level.

As noted above, burrowing owls were not identified on the property during the site surveys, but there is still the potential for burrowing owls to be present on the project site. Because potential burrowing owl habitat is present onsite, the following mitigation measure, agreed to by the applicant, is being applied to the project:

IV.-3 Prior to any grading activities, the applicant/developer shall hire a qualified biologist to conduct a pre-construction take avoidance survey between 14 and 30 days prior to the commencement of construction, in accordance with the 2012 California Department of Fish and Wildlife Staff Report on Burrowing Owl Mitigation (2012 Staff Report) (CDFW 2012). The survey area shall include an approximately 500-foot buffer area around the footprint of work activities, where access is permitted. If the surveys are negative, then and a letter report documenting the results of the survey should be provided to the CDFW, City of Rocklin Environmental Coordinator and the project proponent for their records, and no additional measures are required. If construction does not commence within 14 days of the pre-construction survey, or halts for more than 14 days, a new survey shall be required.

If burrows are observed within 500 feet of the footprint of work activities, an impact assessment shall be prepared and submitted to the CDFW, in accordance with the 2012 Staff Report. If it is determined that project activities may result in impacts to nesting, occupied, and satellite burrows and/or burrowing owl habitat, the biologist shall consult with CDFW and develop a detailed mitigation plan such that the habitat acreage, number of burrows, and burrowing owls impacted are replaced. The mitigation plan shall be implemented prior to any grading activities and/or prior to the issuance of Improvement Plans.

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to burrowing owls to a less than significant level.

b. and c. Riparian Habitat and Wetlands – Less Than Significant Impact.

The biological resource analysis survey conducted by Salix Consulting, Inc. indicates that the project site contains wetlands/waters that may be considered jurisdictional by the Army Corps of Engineers, RWQCB or CDFW. An unnamed intermittent stream flows through the study area. This feature carries seasonal flows and warm season urban runoff and is wet for much of the year. Any encroachment below the ordinary high-water mark would require permits from the U.S. Army Corps of Engineers (Corps) and the Regional Water Quality Control Board (RWQCB). The Corps may require a Section 7 consultation with the National Marine Fisheries Service for potential impacts to salmonids resulting in the issuance of a Biological Opinion by that agency.

The project is not anticipated to impact the wetlands/waters that may be considered jurisdictional because it does not include construction activities around or over the creek. As noted previously, access to the project site will be via a bridge over the unnamed tributary to Pleasant Grove Creek. When the project site was previously partially developed as part of a project approved by the City of Rocklin, that project included a bridge over the unnamed tributary to Pleasant Grove Creek. The approved bridge design and plans are now being processed as its own separate project through the City of Rocklin Engineering Division's Improvement Plan process.

d. Fish and Wildlife Movement – *Less than Significant Impact.*

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of undeveloped land by urbanization creates isolated "islands" of wildlife habitat. Fragmentation can also occur when a portion of one or more habitats is converted into another habitat, such as when woodland or scrub habitat is altered or converted into grasslands after a disturbance such as fire, mudslide, or grading activities. Wildlife corridors mitigate the effects of this fragmentation by: (1) allowing animals to move between remaining habitats, thereby permitting depleted populations to be replenished and promoting genetic exchange and diversity; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk of catastrophic events (such as fire or disease) on population or local species extinction, and (3), serving as a travel routes for individual animals as they move within their home ranges in search of food, water, mates and other needs.

The project site consists of vacant properties (with the exception of the previously constructed building pads and associated infrastructure) and the surrounding lands are designated as Recreation/Conservation and then existing businesses within the Atherton Tech Center Business Park to the north of the project site. The previously approved Lonetree Apartments project and the Atherton Tech Center Business Park are located directly to the northeast and north, respectively, and to the west is State Route 65. To the east of the project site is the James Apartments. Beyond that to the east is another vacant parcel designated for Light Industrial land uses, some office complexes, Kathy Lund Park and the site of the recently approved, but not yet completed, West Oaks Townhomes Subdivision which consists of 16 luxury small lot single family homes. To the south of the project site is vacant property designated as Recreation/Conservation and the Arroyo Vista apartments.

The project site is located within a mostly developed area that includes roads, existing residential, light industrial and office developments. The project site does include a creek and riparian habitat, and a riparian buffer was established along that creek in accordance with City policies. To the degree that the creek and riparian area currently serve as a wildlife migration corridor, it is expected that the project's preservation of the creek and riparian area will also preserve the ability for wildlife to use that corridor for movement. Therefore, the multi-family residential development is not anticipated to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or wildlife nursery sites.

e. Local Policies/Ordinances – *No Impact.*

The City of Rocklin General Plan policies OCR-42 and OCR-43 require all projects to mitigate for the loss of oak trees and the impacts to oak woodland that result from development. To comply with these policies, the City of Rocklin relies on the Oak Tree Preservation Ordinance and the Oak Tree Preservation Guidelines to determine project impacts and appropriate mitigation for the removal of and construction within the dripline of native oak trees with a trunk diameter of 6 inches or more at 4.5 feet above ground level. Seven oak species and five hybrids between these species are defined as “native oaks” by the City. Per the City’s oak tree ordinance, the diameter at breast height (DBH) of a multiple trunk tree is the measurement of the largest trunk only, and heritage trees are defined as native oak trees with a trunk diameter of 24 inches or more.

The City of Rocklin commissioned the firm of Phytosphere Research to evaluate, characterize, and make recommendations on the City’s urban forest, and from that effort, a 2006 report titled “Planning for the Future of Rocklin’s Urban Forest” was produced. One of the findings of this report was that the City’s overall tree canopy cover has increased from 11% in 1952 to 18% in 2003 (a 63% increase) due to the protection of existing oaks and growth of both new and existing trees. This finding supports the City’s on-going practice of requiring mitigation for oak tree removal through its Oak Tree Preservation Ordinance as being an effective way to maintain or even increase urban forest canopy.

Although an arborist report was not submitted in association with the proposed project, based upon reviews of aerial photos and site visits, there are no native oak trees within the boundaries of the project site that would be regulated by the City’s Oak Tree Preservation Ordinance.

There are no facts or circumstances presented by the proposed project which create conflicts with other local policies or ordinances protecting biological resources.

f. Habitat Conservation Plan/Natural Communities Conservation Plan – *No Impact.*

The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state Habitat Conservation Plan because the site is not subject to any such plan; therefore, there is no impact related to a conflict with a habitat conservation plan or natural communities conservation plan.

V. <u>CULTURAL RESOURCES</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X			
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 371-unit multi-family residential complex at this project site would result in ground disturbance which could potentially impact known or unknown/undiscovered historical, archaeological, sites and/or human remains as development occurs.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur to historical and cultural resources (including human remains) within the Planning area as a result of the future urban development that was contemplated by the General Plan. These impacts included potential destruction or damage to any historical and cultural resources (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.8-1 through 4.8-21). Mitigation measures to address these impacts are incorporated into the General Plan in the Land Use and Open Space, Recreation and Conservation Elements, and include goals and policies that encourage the preservation and protection of historical and cultural resources and the proper treatment and handling of such resources when they are discovered.

The General Plan EIR concluded that despite these goals and policies, significant cultural resources impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will contribute to cumulative impacts to historic character. Findings of fact and a statement of overriding considerations were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

Historically significant structures and sites as well as the potential for the discovery of unknown archaeological or cultural resources as a result of development activities are discussed in the Rocklin General Plan. Policies and mitigation measures have been included in the General Plan to encourage the preservation of historically significant known and unknown areas.

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for cultural resources impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Project-Level Environmental Analysis:

The firm of Peak & Associates, Inc., a Sacramento area consulting firm with recognized expertise in cultural resources, prepared a cultural resource report for the West Oaks Apartments project area. The report, dated May 4, 2023, is not available for public review due to the need to protect the confidentiality of Native American cultural place information in compliance with federal and State rules and regulations. The report's basic findings are incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Peak & Associates, Inc. has a professional reputation that makes their conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Peak & Associates, Inc. report, which is summarized below.

In summary, the Peak & Associates, Inc. report included records searches of the North Central Information Center (NCIC), archival research, field parcel surveys and limited excavation efforts performed by a qualified archaeologist, a request to the Native American Heritage Commission (NAHC) for a search of the Sacred Lands File Inventory, and notification of Native American contacts recommended by the NAHC. The records searches revealed that the project area contains one prehistoric period site, and three prehistoric period and one historic period resource are recorded within a one-quarter mile radius. The prehistoric period site on the project area was subjected to a shovel test excavation in 1992 and it was concluded that the site is not an important archaeological resource and requires no further consideration in the planning process. During the most recent archaeological survey, the site appears to be lost in grading activities or buried in fill and no evidence of prehistoric or historic period cultural resources were observed. However, the project site may contain unknown cultural resources that could potentially be discovered during construction activities.

Significance Conclusions:

a. Historic Resources – Less Than Significant Impact. CEQA Statutes Section 21084.1 identifies historic resources as those listed in or eligible for listing in the California Register of Historic Resources, based on a range of criteria, including association with events or patterns of events that have made significant contributions to broad patterns of historical development in the United States or California, including local, regional, or specific cultural patterns (California Register Criterion 1), structures which are directly associated with important persons in the history of the state or country (Criterion 2), which embody the distinctive characteristics of type, period, or other aesthetic importance (Criterion 3), or which have the potential to reveal important information about the prehistory or history of the state or the nation (such as archaeological sites) (Criterion 4).

In addition to meeting at least one of the above criteria, the structure must typically be over 50 years old (a state guideline rather than a statutory requirement) and have retained historic integrity sufficient to be clearly evident as a historic resource through a combination of location, design, setting, materials, workmanship, feeling and association with historic patterns. The definition of “integrity” in this context is based on criteria established by the National Register of Historic Places.

The project site is not known to contain any historic resources as defined in §15064.5 of the CEQA Guidelines (the project archaeologist concluded that there are no identified cultural resources on the project site that are considered eligible for the National or State Register of Historic Places/Resources); therefore, no impacts to historic resources are anticipated.

b. Archaeological Resources – Less Than Significant Impact With Mitigation. While no archaeological resources were found during the Peak & Associates, Inc. study, as noted above, the project site may contain unknown/undiscovered cultural resources.

To address the project’s potential impact of the discovery of unknown cultural resources, the following mitigation measure, agreed to by the applicant, is being applied to the project:

V.-1 If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) or tribal cultural resources is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist, the Environmental Coordinator and the Native American Heritage Commission shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA (i.e., whether it is a historical resource, a unique archaeological resource, a unique paleontological resource, or a tribal cultural resource) and shall develop specific measures to ensure preservation of the resource or to mitigate impacts to the resource if it cannot feasibly be preserved in light of costs, logistics, technological considerations, the location of the find, and the extent to which avoidance and/or preservation of the find is consistent or inconsistent with the design and objectives of the project. Specific measures for significant or potentially significant resources would include, but are not necessarily limited to, preservation in

place, in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations, and would be developed in a manner consistent with CEQA guidelines for preserving or otherwise mitigating impacts to archaeological and cultural artifacts and tribal cultural resources.

In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, until compliance with the provisions of Sections 15064.5 (e) (1) and (2) of the CEQA Guidelines, as well as Public Resources Code Section 5097.98, has occurred. If any human remains are discovered, all work shall stop in the immediate vicinity of the find and the County Coroner shall be notified, according to Section 7050.5 of the California Health and Safety Code. The City's Environmental Coordinator shall also be notified. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods, and the landowner shall comply with the requirements of AB2641 (2006).

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to known and unknown/ undiscovered cultural resources to a less than significant level.

c. Human Remains – Less Than Significant Impact. No evidence of human remains is known to exist at the project site. However, in the event that during construction activities, human remains of Native American origin are discovered on the site during project demolition, it would be necessary to comply with state laws relating to the disposition of Native American burials, which fall under the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code Section 5097). In addition, State law (CEQA Guidelines Section 15064.5 and the Health and Safety Code Section 7050.5) requires that the Mitigation Measure V.-1 be implemented should human remains be discovered; implementation of Mitigation Measure V.-1 will reduce impacts regarding the discovery of human remains to a less than significant level.

VI. ENERGY					
Would the project:					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X		
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 371-unit multi-family residential complex at this project site would result in construction and operational activities which would be anticipated to use energy resources, but it is anticipated such use would not be in a wasteful or inefficient manner, nor would such use conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur related to the cumulative demand for electrical and natural gas services as a result of the future urban development that was contemplated by the General Plan. These impacts included an increased demand for electrical and natural gas services, energy consumption impacts, and a cumulative increase in demand for electrical and natural gas services and associated infrastructure and increased infrastructure expansions to serve future development (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.13-1 through 4.13-34, pages 4.13-23 through 4.13-32 and pages 5.0-47 through 5.0-48). Mitigation measures to address these impacts are incorporated into the General Plan in the Public Services and Facilities and Open Space, Conservation and Recreation Elements, and include goals and policies that encourage coordination with utility service providers and energy and resource conservation. The analysis found that while development and buildout of the General Plan can result in energy consumption impacts, these impacts would be reduced to a less than significant level through the application of California Building Energy Efficiency Standards (Title 24), through the application of development standards contained in the City’s Improvement Standards and Standard Specifications and in the Rocklin Municipal Code, through the application of General Plan goals and policies that would reduce energy consumption, and through compliance with local, state and federal standards related to energy consumption.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

The consumption of energy as a result of development activities is discussed in the Rocklin General Plan. Policies and mitigation measures have been included in the General Plan that encourage coordination with utility service providers and the conservation of energy and resources.

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for greenhouse gas emissions impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. Wasteful, Inefficient or Unnecessary Consumption of Energy Resources – *Less Than Significant Impact*. The development of a multi-family residential project at this project site would result in construction and operational activities which would be anticipated to use energy resources. The project would use energy resources for the operation (i.e., electricity and natural gas), for on-road vehicle trips (i.e., gasoline, diesel fuel and electricity) generated by the project, and from off-road vehicles generated by and associated with the construction of the project.

The Pacific Gas & Electric Company (PG&E) provides both electrical and natural gas service within the City of Rocklin. According to PG&E, in 2015 Placer County used a total of 2,902 million kWh of electricity. The project would increase electricity use in the county by a minimal amount. PG&E's electrical service area extends far beyond Placer County, and draws on a variety of sources for electricity, including hydroelectric, natural gas, nuclear and renewable resources. According to PG&E, in 2015 Placer County used approximately 78.8 million therms of natural gas. Similar to electricity, the project's natural gas use would represent a minimal increase of natural gas usage within the county, and a smaller portion of PG&E's total natural gas service. PG&E would be able to absorb the additional demand for electricity and natural gas that would result from the project because it would represent a very minimal increase compared to PG&E's current demand and supply, and because PG&E plans for additional development within its service area, including the City of Rocklin.

Project construction and operation would comply with CalGreen energy efficiency requirements, which would ensure that electricity use associated with the operation of the project would not be wasteful or inefficient.

Once constructed, the project would also increase the annual use of transportation fuel. The project is located in proximity to commercial services, pedestrian and bicycle facilities, which could reduce vehicle use and the associated fuel consumption. The project does not include any elements that would result in an unusually high use of transportation fuel as compared to other, similar, development.

The project would be in compliance with all applicable Federal, State, and local regulations regulating energy usage. In addition, energy providers are actively implementing measures to reduce reliance on fossil fuels and to improve energy efficiency. For example, PG&E is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the Statewide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. Based on this requirement, PG&E is expected to procure at least 50% of its electricity resources from renewable energy resources by 2030. In 2016, renewable resources provided 33% of PG&E's electricity supply. Other Statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard), would improve vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

For the above reasons, the project would not result in any significant adverse impacts related to project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the project including construction, operations, maintenance, and/or removal. PG&E, the electricity and natural gas provider to the site, maintains sufficient capacity to serve the project. The project would comply with all existing energy standards, including those established by the City of Rocklin, and would not result in significant adverse impacts on energy resources. Although improvements to City's pedestrian, bicycle, and public transit systems would provide further opportunities for alternative transit, the project would be linked closely with existing networks that, in large part, are sufficient for most residents or employees of the project and the City of Rocklin as a whole. For these reasons, and others (as described previously), the project would be expected to result in a less than significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation.

b. Conflict or Obstruct with State or Local Plan – *Less Than Significant Impact*. The project site is not part of a state or local plan for renewable energy and the project itself does not conflict with or obstruct a state or local plan for energy efficiency. As noted above, the project would be required to comply with CalGreen energy efficiency requirements. Therefore, the project would have a less than significant impact with regard to conflicting with or obstructing a state or local plan for renewable energy or energy efficiency.

VII. <u>GEOLOGY AND SOILS</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the state Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X		
ii) Strong seismic ground shaking?			X		
iii) Seismic-related ground failure, including liquefaction?			X		
iv) Landslides?			X		
b) Result in substantial soil erosion or the loss of topsoil?			X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		
d) Be located on expansive soil, as defined in Table I8-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

Branches of the Foothill Fault system, which are not included on the Alquist-Priolo maps, pass through or near the City of Rocklin and could pose a seismic hazard to the area including ground shaking, seismic ground failure, and landslides. Construction of the proposed project will involve clearing and grading of the site, which could render the site susceptible to a temporary increase in erosion from the grading and construction activities.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts of local soils and geology on development that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included seismic hazards such as groundshaking and liquefaction, erosion, soil stability, and wastewater conflicts (City of Rocklin General Plan Update Draft EIR, 2011 pages 4.6-1 through 4.6-27). The analysis found that while development and buildout of the General Plan can result in geological impacts, these impacts would be reduced to a less than significant level through the application of development standards contained in the City’s Improvement Standards and Standard Specifications and in the Rocklin Municipal Code, the application of General Plan goals and policies that would assist in minimizing or avoiding geologic hazards and compliance with local, state and federal standards related to geologic conditions.

These goals, policies and standards include, but are not limited to, erosion control measures in the City’s Improvement Standards and Standard Specifications, the City’s Grading and Erosion and Sediment Control Ordinance, the City’s Stormwater Runoff Pollution Control Ordinance, and goals and policies in the General Plan Community Safety Element requiring soils and geotechnical reports for all new development, enforcement of the building code, and limiting development of severe slopes.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for geology and soils impacts incorporated as goals and policies in the Rocklin General Plan will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City ordinances, rules and regulations.

In addition, the project would be subject to the provisions of the City’s Grading and Erosion and Sediment Control Ordinance. Chapter 15.28 of the Rocklin Municipal Code, Grading and Erosion Sediment Control, regulates grading activity on all property within the City of Rocklin to safeguard life, limb, health, property, and public welfare; to avoid pollution of watercourses with nutrients, sediments, or other earthen materials generated or caused by surface runoff on or across the

permit area; to comply with the City's National Pollutant Discharge Elimination System permit issued by the California Regional Water Quality Control Board; and to ensure that the intended use of a graded site is consistent with the City of Rocklin General Plan, provisions of the California Building Standards Code as adopted by the City relating to grading activities, City of Rocklin improvement standards, and any applicable specific plans or other land use entitlements. This chapter (15.28) also establishes rules and regulations to control grading and erosion control activities, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction and erosion control plans for all graded sites.

Also, a geotechnical report, prepared by a qualified engineer, will be required with the submittal of project improvement plans. The report will provide site-specific recommendations for the construction of all features of the building foundations and structures to ensure that their design is compatible with the soils and geology of the project site.

Significance Conclusions:

a., i. and ii. Fault Rupture, Ground Shaking – *Less than Significant Impact.* The City of Rocklin is located in an area known to be subject to seismic hazards, but it is not near any designated Alquist-Priolo active earthquake faults. The Foothill Fault System has been identified in previous environmental studies as potentially posing a seismic hazard to the area; however, the Foothill Fault system is located near Folsom Lake, and not within the boundaries of the City of Rocklin. There are, however, two known and five inferred inactive faults within the City of Rocklin. Existing building code requirements are considered adequate to reduce potential seismic hazards related to the construction and operation of the multi-family development project to a less than significant level.

a., iii. and iv. Liquefaction, Landslides – *Less than Significant Impact.* The site does not contain significant grade differences and therefore, does not possess the slope/geological conditions that involve landslide hazards. The potential for liquefaction due to earthquakes and groundshaking is considered minimal due to the site-specific characteristics that exist in Rocklin; Rocklin is located over a stable granite bedrock formation and much of the area is covered by volcanic mud (not unconsolidated soils which have liquefaction tendencies). Application of development standards contained in the City's Improvement Standards and Standard Specifications and in the Rocklin Municipal Code, the application of General Plan goals and policies that would assist in minimizing or avoiding geologic hazards, and compliance with local, state and federal standards related to geologic conditions would reduce the potential impact from liquefaction and landslides for a multi-family development project to a less than significant level.

b. Soil Erosion – *Less Than Significant Impact.* Standard erosion control measures are required of all projects, including revegetation and slope standards. The project proponent will be required to prepare an erosion and sediment control plan through the application of the City's Improvement Standards and Standard Specifications as a part of the City's development review process. The erosion and sediment control plan are reviewed against the Placer County

Stormwater Management Manual and the Regional Water Quality Control Board's Erosion and Sediment Control Field Manual. The erosion and sediment control plan includes the implementation of Best Management Practices/Best Available Technology (BMPs/BATs) to control construction site runoff. The project will also be required to comply with the City's Grading and Erosion and Sedimentation Control Ordinance (Rocklin Municipal Code, Chapter 15.28), and the Stormwater Runoff Pollution Control Ordinance (Rocklin Municipal Code, Chapter 8.30). The application of standard erosion control measures to the proposed multi-family development project, as well as compliance with the above noted Ordinances, would reduce potential erosion-related impacts to a less than significant level for on-site grading.

c. and d. Unstable and Expansive Soil – *Less Than Significant Impact*. A geotechnical report, prepared by a qualified engineer, will be required with the submittal of the project improvement plans. The report will be required to provide site-specific recommendations for the construction of all features of the building foundations and structures to ensure that their design is compatible with the soils and geology of the project site. Through the preparation of such a report and implementation of its recommendations as required by City policy during the development review process, impacts associated with unstable soil or geologic conditions for the proposed multi-family development project would be reduced to a less than significant level.

e. Inadequate Soils for Disposal - *No Impact*. Sewer service is available to the project site and the multi-family development project will be served by public sewer. Septic tanks or alternative wastewater disposal systems would not be necessary; therefore, there are no impacts associated with the disposal of wastewater.

f. Paleontological Resource and Unique Geological Feature – *Less Than Significant Impact*. The project site and project area are not known or considered likely to contain a unique paleontological resource or a unique geological feature; therefore, direct or indirect impacts from the project to these resources would be less than significant.

VIII. <u>GREENHOUSE GAS EMISSIONS</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

An individual project, even a very large project, does not in itself generate enough greenhouse gas emissions to measurably influence global climate change. Global climate change is therefore by definition a cumulative impact. A project contributes to this potential cumulative impact through its cumulative incremental contribution combined with the emissions of all other sources of greenhouse gases (GHG).

Area- and mobile-source emissions of greenhouse gases would be generated by the construction and operation of the proposed project. Individual projects can contribute to greenhouse gas emission reductions by incorporating features that reduce vehicle emissions and maximize energy-efficiency.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur related to climate change and greenhouse gas emissions as a result of the future urban development that was contemplated by the General Plan. These impacts included consistency with greenhouse gas reduction measure, climate change environmental effects on the City and generation of greenhouse gas emissions (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.15-1 through 4.15-25). Mitigation measures to address these impacts are incorporated into the General Plan in the Land Use and Circulation Elements, and include goals and policies that encourage the use of alternative modes of transportation and promote mixed use and infill development.

The General Plan EIR concluded that despite these goals and policies, significant greenhouse gas emission impacts will occur as a result of development under the General Plan and further, that

these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will result in the generation of greenhouse gas emissions which are cumulatively considerable. Findings of fact and a statement of overriding considerations were adopted by the Rocklin City Council in regard to this impact, which was found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

Generation of greenhouse gas emissions as a result of development activities are discussed in the Rocklin General Plan. Policies and mitigation measures have been included in the General Plan that encourage the use of alternative modes of transportation and promote mixed use and infill development.

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for greenhouse gas emissions impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Project Level Environmental Analysis:

An Air Quality/GHG report was prepared by Raney Planning & Management for the project. The report, dated May 2023, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and are incorporated into this Negative Declaration by reference. City staff has reviewed the documentation and is also aware that Raney Planning & Management, Inc. has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Raney Planning & Management, Inc. report, which are summarized below.

The analysis was prepared to estimate the greenhouse gas emissions from project construction and operation. As discussed in the Air Quality section above, the report assumed development of 375 multi-family dwelling units, as well as a 15,000 square foot community clubhouse, and 942 parking spaces, consistent with the existing zoning standards in the Rocklin Municipal Code (RMC). The report also analyzed the 3.38-acre unincorporated parcel located directly north of the incorporated project area. This portion of the project, which was previously Caltrans right-of-way, is currently going through an annexation process to bring the parcel into the City of Rocklin. For the purpose of the study, this parcel assumed development of 101 multi-family residential dwelling units on-site, as well as 218 residential parking spaces, consistent with the RMC. Therefore, the report analyzed a project total of 476 total units.

As previously described, subsequent to the preparation of the AQGHG report, the project site project was updated to include the currently proposed development of 371 multi-family dwelling units, which is a reduction of 109 units from the 476 units that were analyzed in the report,

including the unincorporated area. Nonetheless, the assumptions and conclusions included in the report represent a conservative estimate, and actual project emissions for the current project would be lower than what is presented in the report.

The analysis was prepared to estimate the greenhouse gas emissions from project construction and operation. The short-term construction-related and long-term operational emissions of the development of a 476-unit multi-family residential apartment complex at this project site were estimated using the CalEEMod modeling program. CalEEMod estimates the emissions that result from various land uses, and includes considerations for trip generation rates, vehicle mix, average trip length by trip type, and average speed. Where project-specific data was assumed, that data was input into the CalEEMod model (i.e., construction phases and timing, inherent site or project design features, compliance with applicable regulations, etc.).

Greenhouse Gas Setting

Gases that trap heat in the atmosphere are referred to as greenhouse gas (GHG) emissions because they capture heat radiated from the sun as it is reflected back into the atmosphere, similar to a greenhouse. The accumulation of GHG emissions has been implicated as a driving force for Global Climate change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and the impact of human activities that alter the composition of the global atmosphere.

Emissions of greenhouse gases (GHGs) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential and agricultural sectors. Therefore, the cumulative global emission of GHGs contributing to global climate change can be attributed to every nation, region, city and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

The major concern is that increases in GHG emissions are causing Global Climate Change. Global Climate Change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between increased GHG emissions and long-term global temperature increases. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, more drought years, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. In California, GHGs are defined to include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), nitrogen trifluoride (NF₃), and hydrofluorocarbons.

To account for the warming potential of GHGs, GHG emissions are quantified and reported as CO₂ equivalents (CO₂e).

An individual project, even a very large project, does not in itself generate enough greenhouse gas emissions to measurably influence global climate change. Global climate change is therefore by definition a cumulative impact. A project contributes to this potential cumulative impact through its cumulative incremental contribution combined with the emissions of all other sources of greenhouse gases (GHG). In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable" (CEQA Guidelines Sections 15064 (h)(1) and 15130). To make this determination, the incremental impacts of the project must be compared to with the effects of past, current and probable future projects. To gather sufficient information on a global scale of all past, current, and probable future projects to make this determination is a difficult, if not impossible, task.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

Regulatory Framework

In recognition of the global scale of climate change, California has enacted several pieces of legislation in attempt to curb GHG emissions. Specifically, Assembly Bill (AB) 32 and more recently, Senate Bill (SB) 32, have established statewide GHG emissions reduction targets. Accordingly, the California Air Resources Board (CARB) has prepared the Climate Change Scoping Plan for California (Scoping Plan), approved in 2008 and updated in 2014 and 2017, which provides the outline for actions to reduce California's GHG emissions and achieve the emissions reductions targets required by AB 32 and SB 32. In concert with statewide efforts to reduce GHG emissions, air districts, counties, and local jurisdictions throughout the State have implemented their own policies and plans to achieve emissions reductions in line with the Scoping Plan and emissions reduction targets, including AB 32 and SB 32.

On October 13, 2016 the Placer County Air Pollution Control District (PCAPCD) adopted GHG emissions thresholds to help the district attain the GHG reduction goals established by AB 32 and SB 32. The updated thresholds specify a bright-line threshold for GHG emissions during construction activity of 10,000 MTCO₂e/yr. For operational emissions, the updated thresholds begin with a screening emission level of 1,100 MT CO₂e/yr. Any project below the 1,100 MT CO₂e/yr threshold is judged by the PCAPCD as having a less than significant impact on GHG emissions within the District and thus would not conflict with any state or regional GHG emissions reduction goals. Projects that would result in emissions above the 1,100 MT CO₂e/yr threshold

would not necessarily result in substantial impacts, if certain efficiency thresholds are met. The efficiency thresholds, which are based on service populations and square footage, are presented in the PCAPCD GHG Operational Thresholds of Significance table below.

PCAPCD GHG OPERATIONAL THRESHOLDS OF SIGNIFICANCE			
Efficiency Thresholds			
Residential (MT CO ₂ e/capita)		Non-Residential (MT CO ₂ e/1,000 sf)	
Urban	Rural	Urban	Rural
4.5	5.5	26.5	27.3
<i>Source: Placer County Air Pollution Control District, Placer County Air Pollution Control District Policy Review of Land Use Projects Under CEQA, October 13, 2016.</i>			

The PCAPCD further advises that regardless of emissions efficiency, should a project result in operational emissions in excess of 10,000 MTCO₂e/yr, the project would be considered to have a cumulatively considerable contribution to global climate change.

Projects that fall below the 1,100 MT CO₂e/yr threshold or meet the efficiency thresholds are considered to be in keeping with statewide GHG emissions reduction targets, which would ensure that the proposed project would not inhibit the State's achievement of GHG emissions reductions. Thus, projects which involve emissions below the 1,100 MT CO₂e/yr threshold or below the efficiency thresholds presented in the PCAPCD GHG Operational Thresholds of Significance table above are considered to result in less-than-significant impacts in regards GHG emissions within the District and would not conflict with any state or regional GHG emissions reduction goals. Finally, the PCAPCD has also established a Bright Line Cap, which shall be the maximum limit for any proposed project. The Bright Line Cap is 10,000 MT CO₂e/yr for all types of projects.

Significance Conclusions:

a. and b.) Generate Greenhouse Gas and Conflict with Greenhouse Gas Plan – *Less Than Significant Impact*. Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. Because the proposed project involves increased vehicle use in the area, the GHG emissions related to increased vehicle use in the area must be analyzed. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MT CO₂e), based on the global warming potential of the individual pollutants.

Similar to criteria air pollutants, the PCAPCD has identified the approximate size of a project for selected land use categories that would result in operational GHG emissions equal to the bright-line threshold of 10,000 MTCO₂e/yr and the screening level threshold of 1,100 MTCO₂e/yr based

on CalEEMod modeling. Thus, if a project is equal to or less than the size identified by the PCAPCD, the project would not be expected to result in emissions of GHG in excess of the applicable thresholds of significance.

Short-term emissions of GHG associated with construction of the project are estimated at the highest to be 1,315 MTCO₂e/year, which is below the PCAPCD's Bright Line Threshold of 10,000 MTCO₂e/year threshold. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. Due to the size of the proposed project, the project's estimated construction-related GHG contribution to global climate change would be considered negligible on the overall global emissions scale.

The long-term operational GHG emissions estimate for the development project incorporates the project's potential area source and vehicle emissions, emissions associated with utility and water usage, and the generation of wastewater and solid waste. The annual GHG emissions associated with the project would be 3,443 MTCO₂e/year, which would be in excess of the 1,100 MTCO₂e significance threshold. However, the project's operational GHG emissions would be below the PCACPD's Bright Line Threshold of 10,000 MTCO₂e/yr.

The PCAPCD efficiency thresholds are broken down into residential or non-residential project types, and further broken down into urban or rural settings. Accordingly, the proposed project's operational GHG emissions per capita are compared to the efficiency threshold for an urban residential project type of 4.5 MTCO₂e/yr/capita. Based on an estimated population for the project (Northern Parcel: 103 units x 2.6 persons per household = 267 residents, 655.23 MTCO₂e/yr / 267 residents = 2.45 MTCO₂e/yr/capita; Southern Parcel: 268 units x 2.6 persons per household = 696 residents, 2788.06 MTCO₂e/yr / 696 residents = 4.00 MTCO₂e/yr/capita), the operational GHG emissions per capita are estimated to be 2.45 MTCO₂e/yr/capita for the northern parcel, and 4.00 MTCO₂e/yr/capita for the southern parcel which are below the applicable efficiency threshold of 4.5 MTCO₂e/yr/capita. Collectively, the northern and southern parcel would generate 3443.29 MTCO₂e/yr / 963 residents = 3.57 MTCO₂e/yr/capita, which is also below the applicable efficiency threshold of 4.5 MTCO₂e/yr/capita.

Because the levels of construction emissions are below the 10,000 MTCO₂e/year significance threshold and the project's operational GHG emissions per capita is estimated to be below the urban residential efficiency threshold of 4.5 MTCO₂e/yr/capita, the project would not hinder the State's ability to reach the GHG reduction target nor conflict with any applicable plan, policy, or regulation for the purpose of reducing emissions of GHGs and the impact of the project on global climate change would not be cumulatively considerable and therefore would be considered less than significant.

X. <u>HAZARDS AND HAZARDOUS MATERIALS</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.			X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The development and operation of a 371-unit multi-family residential complex at this project site would result in construction and operational activities which will include associated potential hazards and hazardous materials.

As discussed below, compliance with the mitigation measures incorporated into the General Plan goals and policies and applicable City Code and compliance with applicable Federal, State and local laws and regulations would reduce impacts related to hazards and hazardous materials to a less-than-significant level.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated human health and hazards impacts that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included wildland fire hazards, transportation, use and disposal of hazardous materials, and emergency response and evacuation plans (City of Rocklin General Plan Update Draft EIR, 2011 pages 4.7-1 through 4.7-30). The analysis found that while development and buildout of the Rocklin General Plan can introduce a variety of human health and hazards impacts, these impacts would be reduced to a less than significant level through the application of development standards in the Rocklin Municipal Code, the application of General Plan goals and policies that would assist in minimizing or avoiding hazardous conditions, and compliance with local, state and federal standards related to hazards and hazardous materials.

These goals, policies and standards include, but are not limited to, Chapter 2.32 of the Rocklin Municipal Code which requires the preparation and maintenance of an emergency operations plan, preventative measures in the City’s Improvement Standards and Standard Specifications, compliance with local, state and federal standards related to hazards and hazardous materials and goals and policies in the General Plan Community Safety and Open Space, Conservation and Recreation Elements requiring coordination with emergency management agencies, annexation into fee districts for fire prevention/suppression and medical response, incorporation of fuel modification/fire hazard reduction planning, and requirements for site-specific hazard investigations and risk analysis.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for human health and hazards impacts incorporated as goals and policies in the General Plan and the City’s Improvement Standards, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with the Rocklin Municipal Code and other City rules and regulations.

In addition, Chapter 2.32 of the Rocklin Municipal Code requires the development of emergency procedures in the City through the Emergency Operations Plan. The Emergency Operations Plan provides a framework to guide the City’s efforts to mitigate and prepare for, respond to, and recover from major emergencies or disasters. To implement the Emergency Operations Plan, the City has established a Disaster Council, which is responsible for reviewing and recommending emergency operations plans for adoption by the City Council. The Disaster Council plans for the

protection of persons and property in the event of fires, floods, storms, epidemic, riot, earthquake and other disasters.

Significance Conclusion:

a. and b. Transport, Use or Disposal of Hazardous Materials, Release of Hazardous Materials – *Less than Significant Impact.* Construction, operation and maintenance activities would use hazardous materials, including fuels (gasoline and diesel), oils and lubricants; paints and paint thinners; glues; cleaners (which could include solvents and corrosives in addition to soaps and detergents), and fertilizers, pesticides, herbicides and yard/landscaping equipment. While these products noted above may contain known hazardous materials, the volume of material would not create a significant hazard to the public through routine transport, use, or disposal and would not result in a reasonably foreseeable upset and accident condition involving the release of hazardous materials. Compliance with various Federal, State, and local laws and regulations (including but not limited to Titles 8 and 22 of the Code of California Regulations, Uniform Fire Code, and Chapter 6.95 of the California Health and Safety Code) addressing hazardous materials management and environmental protection would be required to ensure that there is not a significant hazardous materials impact associated with the construction, operation and maintenance of the project.

c. Hazardous Emissions Near Schools – *Less Than Significant Impact.* There are two existing schools within one-quarter mile (1,320 feet) of the project site, namely the Seavy Center School and the Western Sierra Collegiate Academy. Although residential projects of this nature would not typically emit any significant amounts of hazardous materials, substances, or waste or be involved in the transportation of hazardous materials, substances, or waste, there are existing rules and regulations, as indicated above, that address hazardous materials management and environmental protection. Therefore, there is no impact related to hazardous emissions or hazardous materials within one-quarter mile of a school.

d. Hazardous Site List – *Less Than Significant Impact.* The project site is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Government Code 65962.5 is known as the Cortese List. The Cortese database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program, sites with Underground Storage Tanks (USTs) having a reportable release and all solid waste disposal facilities from which there is known migration. The Department of Toxic Substances Control (DTSC) EnviroStor database and State Water Resources Control Board GeoTracker database were searched on September 25, 2023 and no open hazardous sites were identified on the project site; therefore, there is no impact related to a hazardous materials site on the project site.

e. Public Airport Hazards – *No Impact.* The project is not located within an airport land use plan, or within two miles of a public airport or public use airport; therefore, there is no public or private airport hazard impact.

f. Emergency Response Plan – *Less than Significant Impact*. The City’s existing street system, particularly arterial and collector streets, function as emergency evacuation routes. The project’s layout and design would not impair or physically interfere with the street system emergency evacuation route or impede an emergency evacuation plan; therefore, a less than significant impact on emergency routes/plans would be anticipated.

g. Wildland Fires – *Less Than Significant Impact*. The project site is located in a mostly developed area, surrounded by undeveloped recreation-conservation areas and light industrial, office and residential development. Additionally, the project has been reviewed by the Rocklin Fire Department and has been designed with adequate emergency access for use by the Rocklin Fire Department to reduce the risk of loss, injury or death involving wildland fires to a less than significant level.

X. HYDROLOGY AND WATER QUALITY					
Would the project:					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X		
i) Result in substantial erosion or siltation on- or off-site?			X		
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or offsite;			X		
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X		
iv) Impede or redirect flood flows?			X		
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed project would involve grading activities that would remove vegetation and expose soil to wind and water erosion and potentially impact water quality. Waterways in the Rocklin area have the potential to flood and expose people or structures to flooding. Additional impervious surfaces would be created with the development of the proposed project.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated hydrology and water quality impacts that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included water quality, ground water quality and supply, drainage, flooding, risks of seiche, tsunami and mudflow (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.9-1 through 4.9-37). The analysis found that while development and buildout of the General Plan can result in hydrology and water quality impacts, these impacts would be reduced to a less than significant level through the application of development standards contained in the City’s Improvement Standards and Standard Specifications and in the Rocklin Municipal Code, the application of General Plan goals and policies related to hydrology, flooding and water quality, and compliance with local, state, and federal water quality standards and floodplain development requirements.

These goals, policies and standards include, but are not limited to, flood prevention and drainage requirements in the City’s Improvement Standards and Standard Specifications, the City’s Grading and Erosion and Sediment Control Ordinance, the Stormwater Runoff Pollution Control Ordinance, the State Water Resources Control Board General Construction Activity Storm Water Permit requirements, and goals and policies in the General Plan Open Space, Conservation and Recreation and Safety Elements requiring the protection of new and existing development from flood and drainage hazards, the prevention of storm drainage run-off in excess of pre-development levels, the development and application of erosion control plans and best management practices, the annexation of new development into existing drainage maintenance districts where warranted, and consultation with the Placer County Flood Control and Water Conservation District and other appropriate entities.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR as well as relevant standards from the City’s Improvement Standards for hydrology and water quality impacts will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with the Rocklin Municipal Code and other City rules and regulations.

The project would be subject to the provisions of the City's Grading and Erosion and Sediment Control Ordinance. Chapter 15.28 of the Rocklin Municipal Code, Grading and Erosion Sediment Control, regulates grading activity on all property within the City of Rocklin to safeguard life, limb, health, property, and public welfare; to avoid pollution of watercourses with nutrients, sediments, or other earthen materials generated or caused by surface runoff on or across the permit area; to comply with the City's National Pollutant Discharge Elimination System permit issued by the California Regional Water Quality Control Board; and to ensure that the intended use of a graded site is consistent with the City of Rocklin General Plan, provisions of the California Building Standards Code as adopted by the City relating to grading activities, City of Rocklin improvement standards, and any applicable specific plans or other land use entitlements. This chapter (15.28) also establishes rules and regulations to control grading and erosion control activities, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction and erosion control plans for all graded sites. Chapter 8.30 of the Rocklin Municipal Code, Stormwater Runoff Pollution Control Ordinance, prohibits the discharge of any materials or pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater, into the municipal storm drain system or watercourse. Discharges from specified activities that do not cause or contribute to the violation of plan standards, such as landscape irrigation, lawn watering, and flows from fire suppression activities, are exempt from this prohibition.

The project would also be subject to the City's Flood Hazard Area Ordinance and City General Plan policies related to floodplain protection and encroachment; these tools are designed to minimize public and private losses due to flood conditions by having legally enforceable regulations that are applied uniformly throughout the City to all publicly and privately owned land within flood prone or flood related erosion areas, they allow the City to protect regulatory floodplains from encroachment by development that would impede flood flows or pose a hazard to occupants, and they ensure that regulatory floodplains, based on the most current information, are not adversely affected by new development, both upstream and downstream.

In addition, the project would be required to prepare an erosion and sediment control plan through the application of the City's Improvement Standards and Standard Specifications that are a part of the City's development review process.

Significance Conclusions:

a., b., c., and e. Water Quality Standards and Groundwater Management – *Less than Significant Impact.* Storm water runoff from the project site will be collected in stormwater drainage pipes and then directed through water quality treatment devices/areas as Best Management Practices (BMP) and/or Low Impact Development (LID) features and then into the City's storm drain system. The purpose of the BMP/LID features is to ensure that potential pollutants are filtered out before they enter the storm drain system. The purposes of the BMP/LID features are to ensure that potential pollutants are filtered out before they enter the storm drain system and to provide opportunities for groundwater recharge. The City's storm drain system maintains the

necessary capacity to support the project site. Therefore, violations of water quality standards or waste discharge requirements are not anticipated.

To address the potential for polluted water runoff during project construction, the project would be required to prepare an erosion and sediment control plan through the application of the City's Improvement Standards and Standard Specifications as a part of the City's development review process. The erosion and sediment control plan are reviewed against the Placer County Stormwater Management Manual and the Regional Water Quality Control Board's Erosion and Sediment Control Field Manual. The erosion and sediment control plan includes the implementation of Best Management Practices/Best Available Technology (BMPs/BATs) to control construction site runoff. The project will also be required to comply with the City's Grading and Erosion and Sedimentation Control Ordinance (Rocklin Municipal Code, Chapter 15.28), and the Stormwater Runoff Pollution Control Ordinance (Rocklin Municipal Code, Chapter 8.30), which includes the preparation of a Stormwater Pollution Prevention Plan (SWPPP). The proposed project would not alter the course of a stream or a river.

The proposed project would not substantially alter the existing drainage pattern of the site or area because the City's policies of requiring new developments to detain on-site drainage such that the rate of runoff flow is maintained at pre-development levels (unless the Placer County Flood Control and Water Conservation District's Flood Control Manual requires otherwise) and to coordinate with other projects' master plans to ensure no adverse cumulative effects will be applied. Whether the project is located within the Dry Creek watershed or the Pleasant Grove Creek watershed, the City's application of conditions of approval requiring a registered civil engineer to prepare a final drainage plan and study consistent with the City's policies will ensure that development will not increase stormwater runoff rates beyond pre-development levels. Per the Placer County Flood Control and Water Conservation District Dry Creek Watershed Flood Control Plan, onsite stormwater detention is generally not recommended anywhere in the Dry Creek watershed because it has been determined that on-site detention would be detrimental to the overall watershed, unless existing downstream drainage facilities cannot handle post-construction runoff from the project site. Substantial erosion, siltation or flooding, on- or off-site, and exceedance of the capacity of existing or planned drainage systems would not be anticipated to occur.

Therefore, violations of water quality standards or waste discharge requirements would not be anticipated to occur with the project, surface or groundwater quality would not be substantially degraded, and conflicts with or obstruction of a water quality control plan would not occur, and the impact would be less than significant.

The project will use domestic water from the Placer County Water Agency and not use wells or groundwater; therefore, existing groundwater resources will not be depleted. The project site itself is not a substantial recharge area because of its smaller size in comparison to the overall groundwater recharge area. The City's policies of requiring new developments to retain on-site drainage such that the rate of runoff flow is maintained at pre-development levels and implementation of Low Impact Development features will ensure that groundwater recharge

rates are also maintained at pre-development levels. Therefore, groundwater quality would not be substantially degraded or supplies decreased and conflicts with, obstruction of or impediment of a sustainable groundwater management plan would not occur, and the impact would be less than significant.

d. Release of Pollutants in Flood Hazard, Tsunami or Seiche Zones – *Less Than Significant Impact.* According to Federal Emergency Management Agency (FEMA) flood maps (Map Panel 06061C0941H, effective date November 2, 2018) the developable portion of the project site is located in flood zone X, which indicates that the project is not located within a 100-year flood hazard area and outside of the 500-year flood hazard area.

The City's Flood Hazard Area Ordinance and City General Plan policies are designed to minimize public and private losses due to flood conditions by having legally enforceable regulations that are applied uniformly throughout the City to all publicly and privately-owned land within flood prone or flood related erosion areas. They allow the City to protect regulatory floodplains from encroachment by development that would impede flood flows or pose a hazard to occupants, and they ensure that regulatory floodplains, based on the most current information, are not adversely affected by new development, both upstream and downstream.

The project site is not located within the potential inundation area of any dam or levee failure, nor is the project site located sufficiently near any significant bodies of water or steep hillsides to be at risk from inundation by a tsunami or seiche. Therefore, the project would not risk release of pollutants due to project inundation in flood hazard, tsunami or seiche zones and a less than significant impact would be anticipated.

XI. <u>LAND USE AND PLANNING</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Physically divide an established community?				X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

Approval of the project would allow construction of a 371-unit multifamily residential community on 15.9 acres. The Project would include parking and landscaping. As discussed below, land use impacts are not anticipated.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts on land use as a result of the future urban development that was contemplated by the General Plan. These impacts included dividing an established community and potential conflicts with established land uses within and adjacent to the City (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.1-1 through 4.1-38). The analysis found that while development and buildout of the General Plan can result in land use impacts, these impacts would be reduced to a less than significant level through the application of General Plan goals and policies that would assist in minimizing or avoiding land use impacts.

These goals and policies include, but are not limited to goals and policies in the General Plan Land Use Element requiring buffering of land uses, reviewing development proposals for compatibility issues, establishing and maintaining development standards and encouraging communication between adjacent jurisdictions.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for impacts to land use incorporated as goals and policies in the Rocklin General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. Division of Community – *No Impact*. The project site is currently vacant and the entire project is within the City of Rocklin. The proposed construction of a 371-unit multifamily apartment complex would not physically divide an established community. Therefore, there is no division of community impact.

b. Plan, Policy or Regulation Conflict – *Less than Significant Impact*. The site's current General Plan designation for the southern portion, and the anticipated designations for the northern portion, is High Density Residential (HDR), with a minimum density of 15 units per acre. The southern portion of the site is zoned Planned Development Residential, 24 Units Per Acre Minimum (PD-24+), and this zoning designation is anticipated for the northern portion of the site as well. As proposed, the project is consistent with the HDR General Plan designation and the PD-24+ zoning district. Therefore, the project would have a less than significant impact related to conflicts with land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

XII. <u>MINERAL RESOURCES</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	

DISCUSSION OF DETERMINATION:

Project Impacts:

As discussed below, no impact is anticipated because the project site does not contain known mineral resources.

Significance Conclusions:

a. and b. Mineral Resources – No Impact. The Rocklin General Plan and associated EIR analyzed the potential for “productive resources” such as, but not limited to, granite and gravel (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.6-4 through 4.6-5 and 4.6-17). The City of Rocklin planning area has no mineral resources as classified by the State Geologist. The Planning Area has no known or suspected mineral resources that would be of value to the region and to residents of the state. The project site is not delineated in the Rocklin General Plan or any other plans as a mineral resource recovery site. Mineral resources of the project site have not changed with the passage of time since the General Plan EIR was adopted. Based on this discussion, the project is not anticipated to have a mineral resources impact.

XIII. <u>NOISE</u> Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?		X			
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	

DISCUSSION OF DETERMINATION:

Project Impacts:

As discussed below, development of the proposed project will result in an increase in short-term noise impacts from construction activities. Compliance with the mitigation measures incorporated into the General Plan goals and policies, and the City of Rocklin Construction Noise Guidelines would reduce construction noise related impacts to a less-than-significant level.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts of noise associated with the future urban development that was contemplated by the General Plan. These impacts included construction noise, traffic noise, operational noise, groundborne vibration, and overall increased in noise resulting from implementation of the General Plan Update (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.5-1 through 4.5-48).

Mitigation measures to address these impacts are incorporated into the General Plan in the Noise Element, which includes policies that require acoustical analyses to determine noise compatibility between land uses, application of stationary and mobile noise source sound limits/design standards, restriction of development of noise-sensitive land uses unless effective

noise mitigations are incorporated into projects, and mitigation of noise levels to ensure that the noise level design standards of the Noise Element are not exceeded.

The General Plan EIR concluded that, despite these goals and policies, significant noise impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will result in exposure of persons to, or generation of, noise levels in excess of applicable noise standards, will result in exposure to surface transportation noise sources and stationary noise sources in excess of applicable noise standards and will contribute to cumulative transportation noise impacts within the Planning Area. Findings of fact and a statement of overriding consideration were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for impacts associated with noise incorporated as goals and policies in the Rocklin General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Background Information on Noise

Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sounds and noise are highly subjective from person to person. The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound and for this reason, the A-weighted sound level has become the standard tool of environmental noise assessment.

Measuring sound directly would require a very large and awkward range of numbers, so to avoid this, the decibel (dB) scale was devised. The decibel scale is logarithmic, not linear. In other words, two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic scale is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70 dBA sound is half as loud as an 80 dBA sound, and twice as loud as a 60 dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool is the average, or equivalent, sound level (L_{eq}). The L_{eq} is the foundation of the composite noise descriptor, L_{dn} , and shows very good correlation with community response to noise. The

day/night average level (L_{dn}) is based upon the average noise level over a 24-hour day, with a +10 dB weighting applied to noise occurring during nighttime (10:00 p.m. – 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

The City of Rocklin General Plan includes criteria for stationary (non-transportation) and transportation noise sources. Because the proposed project is located within close proximity to State Route (SR) 65 and other roadways, the discussion below focuses on whether roadway noise levels would exceed City of Rocklin exterior or interior noise level standards at the residences of the project. For transportation noise sources, the maximum allowable exterior noise level standard for outdoor activity areas is 60 dB L_{dn} and the maximum allowable interior noise level standard is 45 dB L_{dn} .

Traffic Noise

During the original General Plan Amendment and Rezone of the project site in 2022, traffic data representing annual average traffic volumes for existing conditions were obtained from Caltrans and the General Plan EIR traffic consultant, DKS Associates. Using this data and the FHWA methodology, traffic noise levels as defined by L_{dn} were calculated for existing and future traffic volumes. Distances from the centerlines of selected roadways to the 60 and 65 dB L_{dn} contours are summarized in Table 4-11 and Table 4-12 of the City of Rocklin General Plan Noise Element. Table 4-12 shows the future traffic noise levels based upon the year 2030. The results of the analysis are based upon inputs to the Federal Highway Administration Traffic Noise Prediction Model (FHWA RD-77-108). Traffic volumes used for this analysis were obtained from the General Plan EIR traffic analysis, and the potential noise impacts from traffic were evaluated based on Predicted 2030 Traffic Noise Levels from the City of Rocklin General Plan EIR noise analysis. The predicted noise levels were compared to noise level performance criteria for transportation noise sources contained within the City of Rocklin General Plan Noise Element.

It should be noted that the City of Rocklin 60 dB L_{dn} exterior noise level standard applies specifically to outdoor use areas or “outdoor activity” areas, which in the project’s case are any anticipated outdoor areas of the project. The distance calculated between the centerline of State Route 65 (SR65) and a predicted noise level measurement of 60 dB was 2,332 feet. State Route 65 is located directly adjacent to the project site, with the nearest distance from the property line to the highway at approximately 70 feet and the distance from the nearest proposed building to the highway at approximately 160 feet. Therefore, it is anticipated that noise impacts from SR65 to the residents of a future multi-family residential development project would be above the City’s threshold.

As part of the proposed project, in order to determine traffic noise levels on the project site, Saxelby Acoustics, LLC (Saxelby) prepared an exterior noise and exterior façade acoustical analysis, dated May 4, 2023. This report was prepared to predict the exterior noise level at the site using measurements and computer modeling. The report is available for review during

normal business hours at the City of Rocklin Planning Division, 3970 Rocklin Road, Rocklin, CA and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Saxelby has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Saxelby report, which is summarized below.

Traffic on SR-65 was the primary source of noise affecting the site. Saxelby visited the site between April 23, 2022 and April 26, 2022, and made continuous (24-hour) noise measurements from two (2) locations on the project site. Location LT-1 is near the northwest corner of the project site, and Location LT-2 is in the central portion of the site. Both locations were 83 feet to the centerline of SR-65.

Summary of Existing Background Noise Measurement Data

Location	Date	Ldn	Daytime Leq	Daytime L50	Daytime Lmax	Nighttime Leq	Nighttime L50	Nighttime Lmax
LT-1: 83 ft. to CL of SR- 65	4/23/2022	73	71	70	88	65	64	83
	4/24/2022	71	69	68	84	64	62	81
	4/25/2022	73	70	69	83	66	62	80
	4/26/2022	72	70	69	84	65	62	83
LT-2: 83 ft. to CL of SR- 65	4/23/2022	72	70	65	88	65	56	83
	4/24/2022	71	69	63	85	63	54	82
	4/25/2022	72	69	64	84	65	53	81
	4/26/2022	72	69	64	86	65	53	83

Notes:

- All values shown in dBA
- Daytime hours: 7:00 a.m. to 10:00 p.m.
- Nighttime Hours: 10:00 p.m. to 7:00 a.m.
- Source: Saxelby Acoustics 2022

Sensitive Receptors

Noise sensitive receptors include residences, schools, hospitals, churches and similar uses that are sensitive to noise. Sensitive land uses in the vicinity of the project site include the James Apartments located approximately 300 feet to the east of the project boundary, Western Sierra Collegiate Academy located approximately 750 feet to the north, and St. Matthew Lutheran Church located approximately 1,300 feet to the east. The proposed multi-family residential development project itself would also be introducing noise sensitive receptors due to the residential nature of the project.

Operational Noise at Existing Sensitive Receptors

Parking areas and Heating, Ventilation and Air Conditioning (HVAC) equipment are considered to be the primary sources for this project. Based upon manufacturer's data and Saxelby Acoustics data from similar operations, the proposed project is predicted to generate noise levels of 35 dBA Leq at the closest residential uses (Arroyo Vista Apartments). Noise levels at other nearby residential uses would be less than or equal to 35 dBA Leq. The operational noise of the project meets the City of Rocklin exterior stationary noise source level standard with no additional noise control measures needed.

Transportation Noise on the Project Site

Saxelby Acoustics used a noise model to calculate traffic noise levels at the proposed residential uses due to traffic on SR-65. It was estimated that existing noise levels would increase by 4 dBA based upon the Noise Study Report for SR-65 Capacity and Operational Improvements Project (ICF International, January 2016). This future increase as a result of SR-65 widening is accounted for in the noise model.

Noise levels at the common outdoor activity areas of the proposed residential uses do not exceed the City of Rocklin General Plan standard of 60 dBA Ldn. It should be noted that the City of Rocklin outdoor activity area noise level standard applies to common outdoor activity areas for multi-family residential development and not to individual patios or balconies.

Interior Traffic Noise Levels

Modern building construction methods typically yield an exterior-to-interior noise level reduction of 25 dBA. Therefore, where exterior noise levels are 70 dBA Ldn, or less, no additional interior noise control measures are typically required. For this project, exterior noise levels are predicted to be up to 74 dBA Ldn at the third story of the buildings closest to Highway 65. This would result in interior noise levels of up to 49 dBA Ldn at the third story receivers based on typical building construction. This exceeds the City of Rocklin noise standard which requires that interior noise levels do not exceed 45 dBA Ldn. Therefore, additional noise control measures are required to reduce interior noise to acceptable levels, as specified in the mitigation measures below.

For the purpose of determining which specific buildings are subject to mitigation, the Saxelby report has divided them into three groups, all of which require interior control measures. Group 1 includes the 2nd, 3rd, and 4th floors of Buildings 15 and 16, which are the two buildings located in the northwestern portion of the site. Group 2 includes the 2nd and 3rd floors of Buildings 13 and 14, which are the two buildings located in the central western portion of the site. Group 3 includes Building 12, which is located in the southwestern portion of the site.

Vibration Levels

Construction operations have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. The ground vibration levels associated with various types of construction equipment are summarized in the table below.

REPRESENTATIVE VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT			
Equipment		Peak Particle Velocity at 25 feet (in/sec)_	Peak Particle Velocity at 25 feet (in/sec)_
Pile Driver (impact)	upper range	1.518	2.121
	typical	0.644	0.900
Pile Driver (sonic)	upper range	0.734	1.026
	typical	0.170	0.238
Vibratory Roller		0.210	0.293
Large Bulldozer		0.089	0.124
Loaded Trucks		0.076	0.106
Jackhammer		0.035	0.049
Small Bulldozer		0.003	0.004
Source: Federal Transit Administration, 2006			
Note: Vibration levels at 20 feet were calculated using the equation provided by FTA that may be used to estimate vibration at different distances based on a reference ppv at 25 feet for various construction equipment.			

Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The effects of ground vibration may be imperceptible at the lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and slight damage to nearby structures at the highest levels.

At the highest levels of vibration, damage to structures is primarily architectural (e.g., loosening and cracking or plaster or stucco coatings) and rarely results in structural damage. For most structures, a peak particle velocity (ppv) threshold of 0.5 inch per second or less is sufficient to avoid structural damage. The Federal Transit Administration recommends a threshold of 0.5 ppv for residential and commercial structures, 0.25 ppv for historic buildings and archaeological sites, and 0.2 ppv for non-engineered timber and masonry buildings.

Significance Conclusions:

a. and b. Generation of Noise or Vibration – *Less than Significant Impact With Mitigation.* The primary goal for the City of Rocklin General Plan with respect to noise is: “To protect City residents from the harmful and annoying effects of exposure to excessive noise”. To implement that goal, the City has adopted Noise Compatibility Guidelines prepared by the State Office of Noise Control. The objective of the Noise Compatibility Guidelines is to assure that consideration is given to the sensitivity to noise of a proposed land use in relation to the noise environment in which it is proposed to be located.

Potential noise impacts can be categorized into short-term construction noise impacts and long-term or permanent noise impacts. The City has adopted standard conditions for project approvals which address short-term impacts. These include limiting traffic speeds to 25 mph and keeping

equipment in clean and tuned condition. The project would be subject to these standard conditions. The project would also be subject to the City of Rocklin Construction Noise Guidelines, including restricting construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 7:00 p.m. on weekends to the satisfaction of the City Engineer or Building Official. Therefore, impacts associated with substantial temporary increases in the ambient noise environment or generation of excessive groundborne noise levels during construction would be less than significant.

Construction and operation would not be expected to involve the use of any equipment or processes that would result in potentially significant levels of ground vibration. The closest structures to the project site are more than 100 feet from project construction. As shown in the Representative Vibration Source Levels for Construction Equipment table above, the predicted vibration levels from vibratory rollers, bulldozers, loaded trucks and jackhammers at a distance of 20 feet would not exceed the 0.5 ppv threshold for residential and commercial structures. Therefore, the generation of excessive groundborne vibration is anticipated to be less than significant.

With regard to resident noise levels within the proposed multifamily apartment complex, as noted above, exterior noise levels at any outdoor activity areas for a future multi-family development project are not predicted to exceed the City's 60 dB Ldn exterior noise level, and therefore would be considered less than significant. Outdoor activity area noise level standards apply to common outdoor amenities for multifamily residential developments and not individual patios or balconies.

As stated above, unmitigated interior noise levels have the potential to exceed the City's 45 dB Ldn interior noise level standard. However, provided that the project complies with the recommendation from Saxelby regarding interior control measure, these levels would be reduced below the threshold requirement. To address this, the following mitigation measure, agreed to by the applicant, is being applied to the project:

XIII.-1 The project shall comply with the following requirements on the upper floors (2nd and above) of all westernmost façades of Buildings 12, 13, 14, 15, and 16.

- Building facades shall include use of stucco with exterior sheathing and a resilient channel for hanging interior gypsum board. An alternative to RC channel is use of a staggered stud exterior wall;
- Interior gypsum wallboards and gypsum ceiling shall be 5/8";
- Saxelby Acoustics recommends that mechanical ventilation penetrations for exhaust fans not face toward Highway 65. Where feasible, these vents should be routed towards the opposite side of the building to minimize sound intrusion to sensitive areas of the buildings. Where vents must face toward Highway 65, it is recommended that the duct work be increased in length and make as many "S" turns as feasible prior to exiting the dwelling. This separates the openings between the noise source and the living space with a long circuitous route. Each time the sound turns a corner, it is

reduced slightly. Flexible duct work is preferred ducting for this noise mitigation. Where the vent exits the building, a spring-loaded flap with a gasket should be installed to reduce sound entering the duct work when the vent is not in use;

- Mechanical ventilation shall be provided to allow occupants to keep doors and windows closed for acoustic isolation;
- No Packaged Terminal Air Conditioners (PTAC's) shall be used;
- In lieu of these measures, an interior noise control report may be prepared by a qualified acoustic engineer demonstrating that the proposed building construction would achieve the interior noise reduction requirement of up to 30 dBA.

This mitigation measure shall be incorporated as notes on the project's building permits and shall be implemented during construction.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to interior noise levels to a less than significant level.

XIII.-2 In addition to the interior control measures listed above, each specific group requires the following additional upgrades on the upper floors (2nd and above) of all westernmost facades of the specified buildings:

Group 1 (Buildings 15 and 16):

Bedroom: STC 33 glazing and carpet on pad, or STC 37 glazing and hard flooring

Living Room: STC 29 Glazing and carpet on pad, or STC 32 glazing and hard flooring

Group 2 (Buildings 13 and 14):

Bedroom: STC 34 glazing and carpet on pad, or STC 38 glazing and hard flooring

Room: STC 30 Glazing and carpet on pad, or STC 33 glazing and hard flooring

Group 3 Building 12:

Bedroom: STC 32 glazing and carpet on pad, or STC 34 glazing and hard flooring

Living Room: STC 29 glazing and carpet on pad, or STC 31 glazing and hard flooring

This mitigation measure shall be incorporated as notes on the project's building permits and shall be implemented during construction.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to interior noise levels to a less than significant level.

c. Public and Private Airport Noise – No Impact. The City of Rocklin, including the project site, is not located within an airport land use plan or within two miles of an airport, and is therefore not

subject to obtrusive aircraft noise related to airport operations. Therefore, there is no airport related noise impact.

XIV.	<u>POPULATION AND HOUSING</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure.)			X		
b)	Displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed project will result in the construction of 371-unit multifamily apartment complex, which would not induce substantial population growth or displace substantial numbers of people.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated population and housing impacts that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included population growth and availability of housing opportunities (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.11-1 through 4.11-13). The analysis found that while development and buildout of the General Plan can result in population and housing impacts, implementation of the General Plan would not contribute to a significant generation of growth that would substantially exceed any established growth projections nor would it displace substantial numbers of housing units or people. Moreover, the project will not construct off-site infrastructure that would induce substantial development, unplanned or otherwise. As such, population and housing impacts were determined to be less than significant.

Significance Conclusions:

a. Population Growth – *Less than Significant Impact.* The southern portion of the project site is currently designated on the City’s General Plan land use map as High Density Residential (HDR),

and this same designation is anticipated for the northern portion. The southern portion of the project site is currently zoned Planned Development Residential, 24 units per acre minimum (PD-24+), and this same designation is anticipated for the northern portion. The proposed development of 371 multifamily units is consistent with both the existing and planned General Plan designation and the existing and planned zoning.

The development of a 371-unit multi-family residential complex at this project site would not be considered to induce substantial unplanned population growth into a city that is projected to have approximately 29,283 dwelling units at the buildout of the General Plan, as 371 dwelling units equates to 0.12 percent of the anticipated 29,283 Citywide dwelling units. Therefore, the project will have a less than significant population growth impact.

b. Displace Substantial Numbers of Existing People or Housing – *Less Than Significant Impact.*

The development of a 371-unit multi-family residential complex at this project site would result in construction activities which would result in an increase in population and housing at the project site. However, the project would not be anticipated to displace substantial numbers of people or existing housing. The project site is currently vacant and, although the development of a multi-family residential project at this site would represent an increase in housing, it will not result in the displacement of substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere will not occur, and the impact would be less than significant.

XV. <u>PUBLIC SERVICES</u>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a) Fire protection?			X		
b) Police protection?			X		
c) Schools?			X		
d) Parks?			X		
e) Other public facilities?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed project would create a need for the provision of new and/or expanded public services or facilities.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts on the demand for fire and police protection and school and recreation facilities as a result of the future urban development that was contemplated by the General Plan. These impacts included increased demand for fire, police and school services, provision of adequate fire flow, and increased demand for parks and recreation (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.12-1 through 4.12-45). The analysis found that while development and buildout of the General Plan can result in public services and facilities impacts, these impacts would be reduced to a less than significant level through compliance with state and local standards related to the provision of public services and facilities and through the

application of General Plan goals and policies that would assist in minimizing or avoiding impacts to public services and facilities.

These goals, policies and standards include, but are not limited to the California Fire Code, the California Health and Safety Code, Chapters 8.12 and 8.20 of the Rocklin Municipal Code, and goals and policies in the General Plan Community Safety and Public Services and Facilities Elements requiring studies of infrastructure and public facility needs, proportional share participation in the financial costs of public services and facilities, coordination of private development projects with public facilities and services needed to serve the project, maintaining inter-jurisdictional cooperation and coordination and requiring certain types of development that may generate higher demand or special needs to mitigate the demands/needs.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for impacts to public services incorporated as goals and policies in the Rocklin General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for the project to ensure consistency with the General Plan and compliance with City rules and regulations.

California Fire Code, the California Health and Safety Code, Chapters 8.12 and 8.20 of the Rocklin Municipal Code, and the goals and policies in the General Plan Community Safety, and Public Services and Facilities Elements requiring studies of infrastructure and public facility needs, proportional share participation in the financial costs of public services and facilities, coordination of private development project with public facilities and services needed to serve the project, maintaining inter-jurisdictional cooperation and coordination, and requiring certain types of development that may generate higher demand or special need to mitigate the demands/needs.

Significance Conclusions:

a. Fire Protection – *Less than Significant Impact.* The development of this project site has been anticipated in the planning, staffing, equipping and location of fire stations within the City of Rocklin; the closest fire station to the project site is Fire Station #25 (aka #3) on Wildcat Boulevard, which is approximately 1.2 road miles away. Development of the project could increase the need for fire protection services. The City collects construction taxes for use in acquiring capital facilities such as fire suppression equipment. Operation and maintenance funding for fire suppression is provided through financing districts and from general fund sources. The proposed project would pay construction taxes, participate in any applicable financing districts and contribute to the general fund through property and sales taxes. Participation in these funding mechanisms would ensure fire protection service to the site and reduce fire protection impacts to less than significant.

b. Police Protection – *Less than Significant Impact.* The development of this project site has been reviewed by the Rocklin Police Department in association with their efforts to plan, staff, and equip the police station and provide police services within the City of Rocklin. Development of the proposed project could increase the need for police patrol and police services to the site. Funding for police services is primarily from the general fund, and is provided for as part of the City’s budget process. The proposed project would pay construction taxes, participate in any applicable financing districts and contribute to the general fund through property and sales taxes. Participation in these funding mechanisms would ensure police protection services to the site and reduce police protection impacts to less than significant.

a. Parks – *Less than Significant Impact.* The development of this project site has been anticipated in the planning, staffing, and maintenance of park and recreation facilities within the City of Rocklin. Development of the project site could increase the use of nearby park and recreation facilities. Funding for park and recreation facilities development and maintenance is primarily from the development fees, the general fund and financing districts, and is provided for as part of the City’s budget process. The project would pay construction taxes, participate in any applicable financing districts and contribute to the general fund through property and sales taxes. Participation in these funding mechanisms would ensure the construction and maintenance of park and recreation facilities and reduce impacts to parks to less than significant.

a. Schools and Other Public Facilities – *Less than Significant Impact.* The project will be required to pay applicable school impact fees in effect at the time of building permit issuance to finance school facilities. The assessment of developer fees is regulated through the State Government Code. Proposition 1A/Senate Bill 50 (SB50, Chapter 407, Statutes of 1998) establishes the base amount that developers can be assessed per square foot of residential and non-residential development. If a district meets certain standards, the base adjustment can be adjusted upward a certain amount. Under SB 50, payment of the identified fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development. Participation in these funding mechanisms, as applicable, will reduce school impacts to a less than significant level as a matter of state law. The need for other public facilities would not be anticipated to be created by a project and the impact is anticipated to be less than significant.

XVI. RECREATION					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed project, the development and occupation of a 371-unit apartment complex would be anticipated to increase the use of, and demand for, recreational facilities but not in a way that results in a significant impact.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts on the demand for recreation facilities as a result of the future urban development that was contemplated by the General Plan. These impacts included increased demand for parks and recreation (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.12-30 through 4.12-45). The analysis found that while development and buildout of the General Plan can result in recreation facilities impacts, these impacts would be reduced to a less than significant level through the application of General Plan goals and policies that would assist in minimizing or avoiding impacts to recreation facilities. The General Plan has established a parkland standard of five acres per 1,000 population, and has adopted goals and policies to ensure that this standard is met. These goals and policies call for the provision of new park and recreational facilities as needed by new development through parkland dedication and the payment of park and recreation fees. These programs and practices are recognized in the General Plan Open Space, Conservation and Recreation Element, which mitigates these impacts to a less than significant level.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for impacts to recreation incorporated as goals and policies in the Rocklin General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. and b. Increase Park Usage and Construction or Expansion of Recreational Facilities – *Less than Significant Impact*. The proposed project, a multifamily apartment complex, is not anticipated to significantly increase the use of, and demand for, recreational facilities. The City of Rocklin provides parkland dedication and/or collection of park fees to mitigate for the increased recreational impacts of new residential developments at the time that a parcel or subdivision map is recorded or building permits are issued for multi-family units. The project includes recreational amenities such as a pool and outdoor spaces. While the residents of the proposed project would likely utilize City recreational facilities, the use is anticipated to be minimal and is not anticipated to significantly increase the use of existing facilities to the extent that substantial physical deterioration of the facility would occur or be accelerated, nor is the minimal use anticipated to require the construction or expansion of recreational facilities. Any impact on City recreational facilities would be mitigated by the requirement that the project pay standard Park Development fees and annex into the appropriate maintenance districts. Therefore, the project would have less than significant impacts regarding the increase in use of recreational facilities.

XVII. <u>TRANSPORTATION</u> Would the project:					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			X		
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		
d) Result in inadequate emergency access?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 371-unit multi-family residential complex at this project site would result in construction activities and the occupation of the complex which could result in transportation impacts because an undeveloped site will become developed, but not to a degree that would result in a substantial increase in Vehicle Miles Traveled (VMT).

Prior Environmental Review:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts on transportation that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included signalized intersections in Rocklin, Loomis, Roseville, Lincoln and Placer County, state/interstate highway segments and intersections, transit service, bicycle and pedestrian facilities, and conflicts with at-grade railways (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.4-1 through 4.4-98).

Mitigation measures to address these impacts are incorporated into the General Plan in the Circulation Element, and include policies that require the monitoring of traffic on City streets to determine improvements needed to maintain an acceptable level of service, updating the City’s Capital Improvement Program (CIP) and traffic impact fees, providing for inflationary adjustments to the City’s traffic impact fees, maintaining a minimum level of service (LOS) of “C” for all signalized intersections during the PM peak period on an average weekday, maintaining street design standards, and interconnecting traffic signals and consideration of the use of

roundabouts where financially feasible and warranted to provide flexibility in controlling traffic movements at intersections.

The General Plan EIR concluded that, despite these goals and policies, significant transportation impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will result in increased traffic volumes at state/interstate highway intersections and impacts to state/interstate highway segments. Findings of fact and a statement of overriding consideration were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable policies and standards, including the mitigation measures addressing impacts of urban development under the General Plan on utility and service systems incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for the project to ensure consistency with the General Plan and compliance with City rules and regulations.

Project-Level Environmental Analysis:

The firm of Kimley Horn, a Sacramento area consulting firm with recognized expertise in transportation, prepared traffic impact study (TIS) of the proposed project. Their report is available for review during normal business hours at the City of Rocklin Planning Division, 3970 Rocklin Road, Rocklin, CA, and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Fehr & Peers has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Fehr and Peers report, which is summarized below.

Significance Conclusions:

a. Conflict with Program, Plan, Ordinance or Policy Addressing the Circulation System – Less than Significant Impact With Mitigation

The project will be conditioned to contribute its fair share to the cost of circulation improvements via the existing citywide traffic impact mitigation (TIM) fee program that would be applied as a uniformly applied development policy and standard. The traffic impact mitigation fee program is one of the various methods that the City of Rocklin uses for financing improvements identified in the Capital Improvement Program (CIP). The CIP, which is overseen by the City's Public Services Department, is updated periodically to respond to changing conditions and to assure that growth in the City and surrounding jurisdictions does not degrade the level of service on the City's roadways. The roadway improvements that are identified in the CIP in response to anticipated growth in population and development in the City are consistent with the City's Circulation

Element. The traffic impact fee program collects funds from new development in the City to finance a portion of the roadway improvements that result from traffic generated by the new development. Fees are calculated on a citywide basis, differentiated by type of development in relationship to their relative traffic impacts. The intent of the fee is to provide an equitable means of ensuring that future development contributes their fair share of roadway improvements, so that the City's General Plan Circulation policies and quality of life can be maintained.

South Placer Regional Transportation Authority

The South Placer Regional Transportation Authority (SPRTA) was formed through the establishment of a joint powers authority including the cities of Rocklin, Roseville and Lincoln, Placer County and the Placer County Transportation and Planning Agency in January 2002. SPRTA was formed for the implementation of fees to fund specialized regional transportation projects including planning, design, administration, environmental compliance, and construction costs. Regional transportation projects included in the SPRTA include Douglas Boulevard/Interstate 80 Interchange, Placer Parkway, Lincoln Bypass, Sierra College Boulevard Widening, State Route 65 Widening, Rocklin Road/Interstate 80 Interchange, Auburn Folsom Boulevard Widening, and Transit Projects. Similar to other members of SPRTA, the City of Rocklin has adopted a SPRTA fee for all development, and the project would be subject to payment of such a fee.

Highway 65 Interchange Improvement Fee

The cities of Rocklin and Roseville and Placer County have established the "Bizz Johnson" Highway Interchange Joint Powers Authority that has adopted an interchange traffic fee on all new development within Rocklin, Roseville and affected portions of Placer County. The purpose of the fee is to finance four interchanges on State Route 65 to reduce the impact of increased traffic from local development; the proposed project would be subject to payment of such a fee.

The development of the proposed project and the resulting addition of the proposed multifamily project would not result in project-specific significant effects as demonstrated by the summary of the project's traffic impact analysis presented above.

Evaluation of Transit, Bicycle, and Pedestrian Impacts

The City of Rocklin seeks to promote the use of public transit through development conditions requiring park-and-ride lots, and bus turnouts. Transit service in the project vicinity is provided by Placer County Transit (PCT). The bus route closest to the project site is the Lincoln/Rocklin/Sierra College which runs a continuous route between Lincoln and Sierra College, with stops nearest the project site being at Sunset Boulevard/Lonetree Boulevard, Sunset Boulevard/Atherton Road, and Sunset Boulevard/West Oaks Boulevard. The project does not conflict with these bus route or stop locations or other policies or programs promoting alternative transportation and the impact is considered less than significant.

Bike lanes are typically required along arterial and collector streets. In the vicinity of the project there are existing Class II bike facilities on Atherton Road, Lonetree Boulevard and West Oaks Boulevard adjoining the project. The project does not conflict with these bike lane locations or with other policies or programs promoting alternative transportation and it would not disrupt or interfere with an existing bicycle facility or preclude the construction of any planned bikeway facility identified in the City of Rocklin Parks and Trails Master Plan (2017); therefore, the impact is considered less than significant.

Under existing conditions, West Oaks Boulevard has a sidewalk on the south side of the road up to the current western terminus of the road. The recently approved Lonetree Apartments projects (Phases 1 and 2) have been conditioned to construct a sidewalk on the north side of West Oaks Boulevard. The West Oaks Apartments project proposes to construct a connecting sidewalk over the bridge crossing the unnamed tributary of Pleasant Grove Creek, which will provide pedestrian connectivity to and from the project. The bridge will add sidewalks and bike lanes on both sides leading into the project. The project does not conflict with existing or planned sidewalk locations or other policies or programs promoting alternative transportation and does not result in a lack of pedestrian connectivity; therefore, the impact is considered less than significant.

b. Conflict or Inconsistency with CEQA Guidelines section 15064.3 (b) Conflict with Congestion Management Program – *Less Than Significant Impact*. Senate Bill 743 (SB 743), which was signed by Governor Brown on September 27, 2013, created a process to change the way transportation impacts are analyzed under CEQA by moving away from the more traditional traffic flow and delay metric of Level of Service (LOS) to an alternative metric known as Vehicle Miles Traveled (VMT). Vehicle Miles of Travel (VMT) is a transportation performance metric that is used as an input to air quality and noise analyses. VMT not only addresses the number of trips generated by a given land use, but also the length of those trips. By doing so, the placement of a given land use in proximity to complementary land uses, and available transit, walking and bicycling facilities are all considered. VMT can also be used to quantify the effects of proposed changes to a roadway network, transportation demand strategies, and investments in non-auto travel modes. VMT may be expressed in absolute numbers or as “per capita” ratios, such as VMT per person, household, dwelling unit, employee, or service population (persons plus employees). The requirement to incorporate VMT as a metric in CEQA documents became effective on December 28, 2018 with the addition of section 15064.3 to the CEQA Guidelines. Per section 15064.3 (c), the provisions of section 15064.3 shall apply statewide, beginning on July 1, 2020.

In 2018, the Secretary of the Natural Resources Agency promulgated and certified CEQA Guidelines Section 15064.3 to implement Public Resources Code Section 21099(b)(2). Public Resources Code Section 21099(b)(2) states that, “upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicle capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.”

Subsequent to the certification of the CEQA Guidelines, the Governor's Office of Planning and Research (OPR) published the Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018). OPR's advisory document identifies a potential approach which an agency could utilize as the basis for determining significant transportation impacts. Specifically, the OPR technical guidance recommends consideration of whether the project is consistent with the applicable Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The guidance aligns with CEQA Guidelines Section 15125(d), which requires that an EIR should discuss inconsistencies between the proposed project and the regional transportation plan. For the SACOG region, this consists of the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS).

The project would construct a multi-family apartment complex within an area designated as an Established Community in both the 2016 and 2020 MTP/SCS. The MTP/SCS is aimed at reducing greenhouse gas emissions through VMT reduction, and these efforts are primarily focused on urban areas, where investments in the roadway system and transit, bike and pedestrian infrastructure are built into the MTP/SCS to achieve identified air quality targets.

According to the MTP/SCS, Established Community areas are typically areas adjacent to, or surrounding, Center and Corridor Communities. Many are characterized as "first tier", "inner ring", or mature subdivision communities. Local land use patterns aim to maintain the existing character and land use pattern in these areas. Land uses in Established Communities are typically made up of existing low- to medium-density residential neighborhoods, office and industrial parks, or commercial strip centers. Depending on the density of existing land uses, some Established Communities have bus service; others may have commuter bus service or very little service. The MTP/SCS assumes that over the next two decades, the region will attract roughly 168,000 new homes and 228,000 new jobs to infill areas in cities, suburbs and towns across the region. This is about 64 percent of new housing and 84 percent of the new jobs expected in the region by 2040.

Figures 3-10 and 3-11 of the 2020 MTP/SCS show the 2016 and the projected 2040 vehicle miles traveled per capita for the six-County SACOG region. The sub-region in which the project is located and a portion of the project site is shown as having in 2016 \leq 85-100% of the regional average VMT per capita, and in the future (2040) the sub-region in which the project is located and a portion of the project site is shown as having \leq 50-85% and \leq 85-100% of the regional average VMT per capita (the other portion of the project site has no data). The MTP/SCS anticipates some increased activity/growth within Established Communities. Additionally, these areas are recognized as typically having high VMT per capita both now and in the future (2040 MTP/SCS Planning Period). The introduction of additional multi-family housing at this location instead would provide opportunities for individuals residing at this location to work in closer proximity to existing and future anticipated surrounding job generating land uses and employment centers.

There is bus service available along Sunset Boulevard and Lonetree Boulevard and bus stops in the project vicinity, so the use of bus service by residents of the project is anticipated. In addition,

the project is located within one road mile of existing retail commercial services including a Grocery Outlet grocery store that could be utilized by residents of the project.

Therefore, because the project site is zoned and designated for high density residential (currently for the southern portion and anticipated for the northern portion), and because the proposed project would facilitate construction of high density residential units within an area of the City which has some of the largest employment centers, impacts to VMT are not anticipated to be significant.

c. and d. Hazards and Emergency Access – *Less than Significant Impact.*

Evaluation of Hazardous Design Features

Per the Kimley Horn TIS, based on the project's site plan, the proposed project is served by multiple drive aisles providing access to buildings and parking. Access to the project site is directly off of West Oaks Boulevard. As the single project access driveway provides ample throat depth, minimal turn movement/access conflicts are anticipated. One emergency access point is provided at the north frontage of the site. The project's site layout is anticipated to mainly serve personal vehicles and operate effectively.

The proposed project is evaluated by the City's Engineering Services Manager to assess such items as hazards due to a design feature or incompatible uses. In addition, the proposed project is evaluated by representatives of the City of Rocklin's Fire and Police Departments to ensure that adequate emergency access is provided. Through these reviews and any required changes, there will be a less than significant hazard or emergency access impact.

XVIII. <u>TRIBAL CULTURAL RESOURCES</u>					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		X			
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1 the lead agency shall consider the significance of the resource to a California Native American tribe.					

DISCUSSION OF DETERMINATION

Project Impacts:

The project site does not contain any resources that are listed with the California Register of Historical Resources or that have been determined by the lead agency to have significance to a California Native American Tribe. Therefore, no impacts to tribal cultural resources are anticipated.

Prior Environmental Analysis:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur to historical, cultural and paleontological resources within the Planning area as a result of the future urban development that was contemplated by the General Plan. These impacts included potential destruction or damage to any historical, cultural, and paleontological resources (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.8-1 through 4.8-21). Mitigation measures to address these impacts are incorporated into the General

Plan in the Land Use and Open Space, Recreation and Conservation Elements, and include goals and policies that encourage the preservation and protection of historical, cultural and paleontological resources and the proper treatment and handling of such resources when they are discovered.

The General Plan EIR concluded that despite these goals and policies, significant cultural resources impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will contribute to cumulative impacts to historic character. Findings of fact and a statement of overriding considerations were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

Historically significant structures and sites as well as the potential for the discovery of unknown archaeological or paleontological resources as a result of development activities are discussed in the Rocklin General Plan. Policies and mitigation measures have been included in the General Plan to encourage the preservation of historically significant known and unknown areas.

All applicable mitigation measures from the General Plan EIR, including the mitigation measures for cultural resources impacts incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. and b. Tribal Cultural Resources –*Less Than Significant Impact*. Per Assembly Bill 52 (AB-52, Gatto 2014), as of July 1, 2015 Public Resources Code Sections 21080.3.1 and 21080.3 require public agencies to consult with the Native American Heritage Commission (NAHC) and Native American tribes for the purpose of mitigating impacts to tribal cultural resources; that consultation process is described in part below:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section (Public Resources Code Section 21080.1 (d))

As of the writing of this document, the United Auburn Indian Community (UAIC), the Lone Band of Miwok Indians (IBMI), the Shingle Springs Band of Miwok Indians (SSBMI) and the Torres Martinez Desert Cahuilla Indians (TMDCI) are the only tribes that are traditionally and culturally affiliated with the project area that have requested notification. Consistent with Public Resources Code (PRC) Section 21080.3.1 (d) and per AB-52, the City of Rocklin provided formal notification of the project and the opportunity to consult on it to the designated contacts of the UAIC, IBMI, SSBMI and TMDCI in a letter dated 2/09/2023, and received by those organizations on 2/14/2023, 2/15/2023, 2/16/2023, and 2/16/2023, respectively. All tribes had 30 days to request consultation on the project pursuant to AB-52. Only the UAIC responded to request a consultation.

Prior to the site visit and as part of their AB-52 consultation outreach letter, the City provided the UAIC with a copy of the May 24, 2022 *Cultural Resource Assessment for the West Oaks Apartments Project Area, City of Rocklin, Placer County, California*, prepared by Peak & Associates, Inc. The report identified that, based on records searches, there was a prehistoric period site, CA-PLA-427 (P-31-000553) within the project area. The report noted that site CA-PLA-427 was subjected to a shovel test pit excavation in 1992 and the testing “revealed a very light surface scatter with no associated cultural deposit” and the report authors concluded that the site was not an important archaeological resource and required no further consideration in the planning process. The report also noted a more recent site visit of April 27, 2022 and a determination based on that site visit and review of historic aerial photographs that CA-PLA-427 appears to have been lost in grading activities or buried under fill that was added to the area in 2002, and that development during 2008-2009 that built two large concrete pads over the area and installation of underground utilities may have impacted the site to an unknown degree as well.

Through e-mail correspondence leading up to the 3/22/23 site visit, the UIAC also indicated they were aware of a recorded cultural site on the project site and asked for more information on when and how the site was developed. City staff directed them to the cultural report’s findings summarized above.

On March 22, 2023, the City, project engineering, and a representative for UAIC met on the site. At that meeting, there was discussion of the cultural report’s findings and how the previously recorded site is now beneath fill and building foundations, but the newly proposed multi-family project would require demolition of the existing improvements and would involve excavation for the new project. The UAIC representative suggested that it would not be necessary to have on-site tribal monitors during the duration of the excavation period, but rather the UAIC would like the opportunity to visit the site during certain periods of the excavation process.

To address the UAIC’s concerns, the following mitigation measures, agreed to by the applicant, are being applied to the project:

XVIII.-1 A minimum of seven days prior to beginning earthwork, clearing and grubbing, or other soil disturbing activities, the applicant shall notify lead agency of the proposed earthwork

start-date. The lead agency shall contact the United Auburn Indian Community (UAIC) with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure.

If any TCRs are encountered during this initial inspection, or during any subsequent construction activities, work shall be suspended within 100 feet of the find and the measures included in the Inadvertent/Unanticipated Discoveries Mitigation Measure (XVIII.-2) shall be implemented. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign.

The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant effects to the resources, including the use of a paid Native American Monitor during ground disturbing activities.

XVIII.-2 If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

These mitigation measures shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

The applicant is agreeable to the above mitigation measure; implementation of the above measures will reduce impacts to tribal cultural resources to a less than significant level.

XIX. <u>UTILITIES AND SERVICE SYSTEMS</u> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			X		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed development and occupation of a multifamily residential apartment complex will increase the need for utility and service systems, but not to an extent that will impact the ability of the utility and service providers to adequately provide such services.

Prior Environmental Review:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts on utilities and service systems that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included increased generation of wastewater flow, provision of adequate wastewater treatment, increased demand for solid waste disposal, and increased demand for energy and communication services (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.13-1 through 4.13-34). The analysis found that while development and buildout of the General Plan can result in utilities and service system impacts, these impacts would be reduced to a less than significant level through the application of General Plan goals and policies that would assist in minimizing or avoiding impacts to utilities and service systems.

These goals and policies include, but are not limited to, requiring studies of infrastructure needs, proportional share participation in the financial costs of public services and facilities, coordination of private development projects with public facilities and services needed to serve the project and encouraging energy conservation in new developments.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable policies and standards, including the mitigation measures addressing impacts of urban development under the General Plan on utility and service systems incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. and c. Relocation, New or Expanded Utilities – *Less than Significant Impact.* The proposed project site is located within the South Placer Municipal Utility District (SPMUD) service area for sewer. SPMUD has provided a letter regarding the proposed project indicating that the project is within their service area and eligible for service, provided that their condition requirements and standard specifications are met. SPMUD has a System Evaluation and Capacity Assurance Plan, which is periodically updated, to provide sewer to projects located within their service boundary. The plan includes future expansion as necessary. SPMUD collects participation fees to finance the maintenance and expansion of its facilities. The proposed project is responsible for complying

with all requirements of SPMUD, including compliance with wastewater treatment standards established by the Central Valley Water Quality Control Board. The South Placer Wastewater Authority (SPWA) was created by the City of Roseville, Placer County and SPMUD to provide regional wastewater and recycled water facilities in southwestern Placer County. The regional facilities overseen by the SPWA include the Dry Creek and Pleasant Grove Wastewater Treatment Plants, both of which receive flows from SPMUD (and likewise from Rocklin). To project future regional wastewater needs, the SPWA prepared the South Placer Regional Wastewater and Recycled Water Systems Evaluation (Evaluation) in June 2007. The Evaluation indicates that as of June 2004, flows to both the wastewater treatment plants were below design flows. Both wastewater treatment plants are permitted discharges under the National Pollutant Discharge Elimination System (NPDES). Specifically, the Dry Creek Wastewater Treatment Plant (WWTP) is permitted to discharge an average dry weather flow not to exceed 18 mgd, while the Pleasant Grove Wastewater Treatment Plant is permitted to discharge an average dry weather flow not to exceed 12 mgd. According to SPMUD, in 2016 the Dry Creek WWTP had an average dry weather inflow of 8.2 mgd, with SPMUD's portion being 1.8 mgd, and the Pleasant Grove WWTP had an average dry weather inflow of 7.0 mgd, with SPMUD's portion being 1.9 mgd. Consequently, both plants are well within their operating capacities and there remains adequate capacity to accommodate the projected wastewater flows from this project. Therefore, a less than significant wastewater treatment impact is anticipated.

The proposed project site is located within an area of the City of Rocklin that has been contemplated for urban development in the Rocklin General Plan, and as such the provision of storm water drainage, electric power, natural gas and telecommunications facilities to the project site has been planned for, with much of the necessary distribution infrastructure already in place within existing public utility rights-of-way. The City of Rocklin coordinates with utility and service providers as new development or re-development is being proposed.

The proposed project would be conditioned to require connection into the City's storm drain system, with Best Management Practices and/or Low Impact Development features located within the project's drainage system at a point prior to where the project site runoff will enter the City's storm drain system. Other than on-site improvements, new drainage facilities or expansion of existing facilities would not be required as a result of this project.

The project site is within the Pacific Gas & Electric (PG&E) service area for electric power and natural gas, and as new development occurs, PG&E builds infrastructure on an as needed basis. Upgrades to existing infrastructure within existing easements (such as roadway right-of-way) are not anticipated to result in significant environmental effects because existing rights-of-way are typically paved or otherwise modified from their original natural condition and would not contain sensitive environmental resources. New infrastructure, if required in previously undisturbed areas, would be addressed as part of the environmental review for the development of a specific site/project, or would be subject to separate environmental review.

The project site is within the service area for AT&T, CCI Communications, Wave Broadband and various wireless service telecommunications providers. Infrastructure for telephone and cable

services is typically installed at the point of initial development and in accordance with service demand. Similar to electric power and natural gas, upgrades to existing telecommunications infrastructure within existing easements (such as roadway right-of-way) are not anticipated to result in significant environmental effects because existing rights-of-way are typically paved or otherwise modified from their original natural condition and would not contain sensitive environmental resources. New infrastructure, if required in previously undisturbed areas, would be addressed as part of the environmental review for the development of a specific site/project, or would be subject to separate environmental review.

Therefore, the project is not anticipated to require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects and the impact is less than significant.

b. Water Supplies – *Less than Significant Impact.* The project site is located within the Placer County Water Agency (PCWA) service area. The PCWA has a Master Plan, which is periodically updated, to provide water to projects located within their service boundary. The plan includes future expansion as necessary, and includes the option of constructing additional treatment plants. The PCWA collects hook-up fees to finance the maintenance and expansion of its facilities.

The PCWA service area is divided into five zones that provide treated and raw water to Colfax, Auburn, Loomis, Rocklin, Lincoln, small portion of Roseville, unincorporated areas of western Placer County, and a small community in Martis Valley near Truckee. The project is located in Zone 1, which is the largest of the five zones. Zone 1 provides water service to Auburn, Bowman, Ophir, Newcastle, Penryn, Loomis, Rocklin, Lincoln, and portions of Granite Bay.

PCWA has planned for growth in the City of Rocklin and sized the water supply infrastructure to meet this growth and reasonably foreseeable future development during normal, dry and multiple dry years (PCWA 2006). PCWA has provided a letter regarding the proposed project indicating that the project is within their service area and eligible for service upon execution of a facilities agreement and payment of all required fees and charges. The project site would be served by the Foothill WTP, which treats water diverted from the American River Pump Station near Auburn, and the proposed project's estimated maximum daily water treatment demands would not exceed the plant's permitted capacity. Because the proposed project would be served by a water treatment plant that has adequate capacity to meet the project's projected demand and would not require the construction of a new water treatment plant, the project's water supply and treatment facility impacts would be considered less than significant.

d. and e. Solid Waste – *Less than Significant Impact.* The Western Regional landfill, which serves the Rocklin area, has a total capacity of 36 million cubic yards and a remaining capacity of 29 million cubic yards. The estimated closure year for the landfill is approximately 2036. Development of the project site with urban land uses was included in the lifespan and capacity calculations of the landfill, and a less than significant landfill capacity impact would be anticipated. Federal and State regulations regarding solid waste consist of the Federal

Environmental Protection Agency regulations and the California Integrated Waste Management Act regulating waste reduction. These regulations primarily affect local agencies and other agencies such as the Landfill Authority. The project will comply with all Federal, State, and local regulations regarding trash and waste and other nuisance-related issues as may be applicable. Recology would provide garbage collection services to the project site, provided their access requirements are met.

The project is not expected to include any unusual elements that would generate solid waste in excess of State and local standards, or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals, and the project would comply with solid waste regulations and the impact would be less than significant.

XX. WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X		
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a multifamily residential apartment complex at this project site would result in construction activities and the occupation of the complex which is expected to increase the need for fire and emergency responses to the project site, but not to an extent that will impact the ability of the fire and emergency responders to adequately provide such services.

The project is not located in or near a State Responsibility Area (SRA). There are no locations in Rocklin that are classified as very high fire hazard severity zones.

Prior Environmental Review:

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts of wildland fires that would occur as a result of the future urban development that was contemplated by the General Plan. These impacts included exposure of people or structures to significant risk of loss, injury or death involving wildland fires, impairment or interference with implementation of emergency response and evacuation plans and cumulative hazard impacts (City of Rocklin General Plan Update Draft EIR, 2011, pages 4.7-20 through 4.7-28). The analysis found that while development and buildout of the General Plan can result in wildland fire and emergency response impacts, these impacts would be reduced to a less than significant level through the application of General Plan goals and policies that would assist in minimizing or avoiding impacts to utilities and service systems.

These goals and policies include, but are not limited to, maintaining emergency operations plans, coordination with emergency management agencies, annexation into financing districts for fire prevention/suppression and emergency response, incorporation of fuel modification/fire hazard reduction planning, and maintaining interjurisdictional cooperation and coordination.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

All applicable policies and standards, including the mitigation measures addressing impacts of urban development under the General Plan on wildland fire and emergency response incorporated as goals and policies in the General Plan, will be applied to the project. These serve as uniformly applied development policies and standards and/or as conditions of approval for this project to ensure consistency with the General Plan and compliance with City rules and regulations.

Significance Conclusions:

a. Impair Emergency Response or Evacuation Plan – *Less than Significant Impact.* The project occurs on a project site that is contemplated in the Rocklin General Plan for urban development, and the development of the project site does not include any features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The streets adjacent to the project site serve as emergency evacuation corridors and would provide direct fire vehicle access to the site. In addition, the project has been evaluated by representatives of the City of

Rocklin's Fire and Police Departments to ensure that adequate emergency access is provided. Most wildland fires are caused by human activities involving motor vehicles, construction/maintenance equipment, arson and burning of debris. The addition of impervious surface cover on the vacant project site may in fact help reduce the potential wildfire risk. Therefore, the project will not substantially impair an adopted emergency response or emergency evacuation plan and the impact will be less than significant.

b. and c. Exacerbation of Fire Risk – *Less than Significant Impact.* The project occurs on a site that is contemplated in the Rocklin General Plan for urban development, and the development of the project site does not occur in an area where an exacerbation of fire risk would occur due to slope, prevailing winds, and other factors. The project will install new fire hydrants and the project will include underground power lines which will reduce the potential for overhead power line fires. In addition, construction of roadway improvements and other impervious surface areas, as well as upgrades to existing infrastructure would help reduce fire risk. Therefore, the project will not exacerbate wildfire risk and the impact will be less than significant.

d. Exposure of People or Structures to Risk – *Less than Significant Impact.* The project site is relatively flat and located in an urban area where there would be no downslope or downstream flooding or landslides that would result from runoff, post-fire instability or drainage changes. Therefore, the project will not expose people or structures to significant risks and the impact will be less than significant.

XXI. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	Impact for which General Plan EIR is Sufficient
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory?		X			
b) Does the project have impacts that are limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?			X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X		

DISCUSSION OF DETERMINATION:

Project Impacts:

The preceding analysis demonstrates that these effects will not occur as a consequence of the project.

Significance Conclusions:

a. Degradation of Environment Quality – *Less than Significant with Mitigation.* The proposed project site is partly surrounded by disturbed and developed land. Based on the project

location and the application of mitigation measures for potential biological resources and cultural resources as discussed above, the proposed project does not have the potential to: substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory. Although the proposed project could cause a significant effect on the environment, there will not be a significant effect in this case because of the project design and the application of the recommended mitigation measures and the City's uniformly applied development policies and standards that will reduce the potential impacts to a less than significant level. Therefore, the project will have less than significant impacts with mitigation.

b. Cumulatively Considerable Impacts – *Less than Significant Impact.* Development in the South Placer region as a whole will contribute to regional air pollutant emissions, thereby delaying attainment of Federal and State air quality standards, regardless of development activity in the City of Rocklin and application of mitigation measures. As a result of this potential degradation of the quality of the environment, the General Plan EIR, which assumed the development of the proposed project site, determined that there would be significant and unavoidable cumulative air quality impacts. The project-specific air quality analysis discussed above demonstrated that the proposed project would have a less than significant cumulative air quality and greenhouse gas emissions impact. Therefore, the project would have less than significant impacts.

Development in the City and the South Placer region as a whole will alter viewsheds as mixed urban development occurs on vacant land. In addition, new development will also generate new sources of light and glare; as a result, the General Plan EIR determined that there would be significant and unavoidable cumulative aesthetic impacts. Development of the proposed project represents conversion of the same vacant land area that was analyzed in the General Plan EIR. Therefore, the project would have less than significant impacts.

Development in the City and the South Placer region as a whole will result in cumulative, long-term impacts on biological resources (vegetation and wildlife), due to the introduction of domestic landscaping, homes, paved surfaces, and the relatively constant presence of people and pets, all of which negatively impact vegetation and wildlife habitat. As a result, the General Plan EIR, which assumed the development of the proposed project site, determined that there would be significant and unavoidable cumulative biological resource impacts, both at a project-specific Rocklin General Plan buildout level as it relates to biological resources solely within the City of Rocklin, as well as in the context of a cumulative contribution from Rocklin General Plan buildout as it relates to biological resources in the region. Development of the proposed project represents conversion of the same vacant land area that was analyzed in the General Plan EIR. Therefore, the project would have less than significant impacts.

Development in the City and the South Placer region as a whole will result in significant noise impacts as a result of the introduction of new noise sources and additional traffic and people. As

a result, the General Plan EIR, which assumed the development of the proposed project site, determined that there would be significant and unavoidable cumulative noise impacts. The project-specific noise analysis discussed above demonstrated that the proposed project would have a less than significant cumulative noise impact. Therefore, the project would have less than significant impacts.

Development in the City and the South Placer region as a whole will result in significant transportation/traffic impacts as a result of the creation of additional housing, employment and purchasing opportunities which generate vehicle trips. As a result, the General Plan EIR, which assumed the development of the proposed project site, determined that there would be significant and unavoidable cumulative transportation/traffic impacts. The project-specific traffic analysis discussed above demonstrated that the proposed project would have a less than significant cumulative traffic impact. Therefore, the project would have less than significant impacts.

The approval of the proposed project would not result in any new impacts that are limited, but cumulatively considerable, that are not already disclosed in the previously prepared environmental documents cited in this report. Therefore, the project would have less than significant impacts.

c. Adverse Effects to Humans – *Less than Significant Impact.* Because the development of the proposed project represents conversion of the same land area that was analyzed in the General Plan EIR, the project would not have environmental effects that would cause substantial adverse effect on human beings, either directly or indirectly beyond those that were previously identified in the General Plan EIR. Therefore, the project would have less than significant impacts.

Section 5. References

City of Rocklin General Plan, October 2012

City of Rocklin General Plan, Final Environmental Impact Report, August 2012

City of Rocklin General Plan, Draft Environmental Impact Report, August 2011

City of Rocklin Zoning Ordinance, Title 17 of the Rocklin Municipal Code

City of Rocklin Design Review Guidelines

Kimley Horn, Transportation Impact Study for West Oaks Apartments, June 9, 2023

Saxelby Acoustics, Environmental Noise Assessment for West Oaks Apartments, November 2, 2022

Salix Consulting, Inc., Biological and Wetlands Resources Assessment for the 16.3-Acre West Oaks Apartments Study Area, June 2022; Amended June 2023

Peak & Associates, Inc., Cultural Resource Assessment for the West Oaks Apartments Project Area, May 4, 2023

Raney Planning & Management, Inc., Air Quality and Greenhouse Gas Impact Analysis Prepared for Black Iris Properties, LLC, May 2023.

Attachments

Attachment A – Project Vicinity Map

Attachment B – West Oaks Apartments Project Site Plan

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

West Oaks Apartments (DR2022-0010, DL2023-0001, and ENV2022-0002)

Project Name and Description

The project is a request for approval of a Design Review to construct a multifamily development on approximately 15.9 gross acres. The development would be comprised of 371 units in 15 three-story walk-up buildings, two (2) four-story apartment buildings with rooftop patios, and a one-story clubhouse with an outdoor pool, as well as associated parking and landscaping.

The project also includes a Tentative Parcel Map (DL2023-0001) to subdivide the site into three (3) individual parcels for phasing and financing purposes, and to abandon historic private reciprocal access, public utility, and emergency access easements which were established as part of the previously-approved Atherton Center, a nonresidential project approved in 2006 on the property, which has since expired.

Project Location

The project site is approximately 15.9 gross acres located west of the terminus of West Oaks Boulevard, east of Highway 65. The site consists of six (6) incorporated parcels, designated with Assessor Parcel Numbers (APNs) 365-020-067, -068, -069, -070, -071, and -072, as well as an approximately 3.4-acre portion of former Caltrans right-of-way located north and adjacent to the other parcels. That piece, which is currently unincorporated with no APN assigned, is part of an annexation which is being concurrently processed.

Property Owner/Project Applicant

The property owner is Black Iris Properties. The project applicant is HRGA Young Kim.

Basis for Mitigated Negative Declaration Determination

The City of Rocklin finds that as originally submitted the proposed project could have a significant effect on the environment. However, revisions in the project have been made by or agreed to by the project proponent, which will avoid these effects or mitigate these effects to a point where clearly no significant effect will occur. Therefore, a MITIGATED NEGATIVE DECLARATION has been prepared. The Initial Study supporting the finding stated above and describing the mitigation measures including in the project is incorporated herein by this reference. This determination is based upon the criteria of the Guidelines of the State Secretary of Resources Section 15064 – Determining the Significance of the Environmental Effects Caused by a Project, Section 15065 – Mandatory Findings of Significance, and 15070 – Decision to Prepare a Negative Declaration or

Mitigated Negative Declaration, and the mitigation measures described in the Mitigation Monitoring Plan for this Project.

Date Circulated for Review: October 13, 2023

Date Adopted: _____

Signature: _____
David Mohlenbrok, Community Development Department Director

**MITIGATION MONITORING PROGRAM
West Oaks Apartments
(DR2022-0010, DL2023-0001, and ENV2022-0002)**

The California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq., as amended by Chapter 1232) requires all lead agencies before approving a proposed project to adopt a reporting and monitoring program for adopted or required changes to mitigate or avoid significant environmental effects. The reporting or monitoring program shall be designed to ensure compliance during project implementation as required by AB 3180 (Cortese) effective on January 1, 1989 and Public Resources Code Section 21081.6. This law requires the lead agency responsible for the certification of an environmental impact report or adoption of a mitigated negative declaration to prepare and approve a program to both monitor all mitigation measures and prepare and approve a report on the progress of the implementation of those measures.

The responsibility for monitoring assignments is based upon the expertise or authority of the person(s) assigned to monitor the specific activity. The City of Rocklin Community Development Director or his designee shall monitor to assure compliance and timely monitoring and reporting of all aspects of the mitigation monitoring program.

The Mitigation Monitoring Plan identifies the mitigation measures associated with the project and identifies the monitoring activities required to ensure their implementation through the use of a table format. The columns identify Mitigation Measure, Implementation and Monitoring responsibilities. Implementation responsibility is when the project through the development stages is checked to ensure that the measures are included prior to the actual construction of the project such as: Final Map (FM), Improvement Plans (IP), and Building Permits (BP). Monitoring responsibility identifies the department responsible for monitoring the mitigation implementation such as: Community Development (CD), Public Services (PS), Community Facilities (CFD), Police (PD), and Fire Departments (FD).

The following table presents the Mitigation Monitoring Plan with the Mitigation Measures, Implementation, and Monitoring responsibilities. After the table is a general Mitigation Monitoring Report Form, which will be used as the principal reporting form for this, monitoring

program. Each mitigation measure will be listed on the form and provided to the responsible department.

Revisions in the project plans and/or proposal have been made and/or agreed to by the applicant prior to this Negative Declaration being released for public review which will avoid the effects or mitigate those effects to a point where clearly no significant effects will occur. There is no substantial evidence before the City of Rocklin that the project as revised may have a significant effect on the environment, pursuant to CEQA Guidelines, Section 15070. These mitigation measures are as follows:

MITIGATION MEASURES:

Biological Resources: Raptors and Migratory Birds

To address the potential impact of the loss of Swainson's hawk foraging habitat, the following mitigation measure, agreed to by the applicant, is being applied to the project:

IV.- 1 The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 through September 15).

If tree and vegetation removal and/or project grading or construction activities would occur during the nesting season for raptors and migratory birds (February-September 15), the developer and/or contractor shall hire a qualified biologist approved by the City to conduct pre-construction surveys no more than 14 days prior to initiation of tree and vegetation removal activities. The survey shall cover all areas of suitable nesting habitat within 500 feet of project activity and shall be valid for one construction season. Prior to the start of tree and vegetation removal activities, documentation of the survey shall be provided to the City of Rocklin Engineering Department and if the survey results are negative, no further mitigation is required and necessary tree and vegetation removal may proceed. If there is a break in construction activities of more than 14 days, then subsequent surveys shall be conducted.

If the survey results are positive (active nests are found), impacts shall be avoided by the establishment of appropriate buffers. The biologist shall consult with the California Department of Fish and Wildlife (CDFW) and the City to determine the size of an appropriate buffer area (CDFW guidelines recommend implementation of 500-foot buffers). Monitoring of the nest by a qualified biologist may be required if the activity has the potential to adversely affect an active nest.

If construction activities are scheduled to occur during the non-breeding season (September 16 – January 31), a survey is not required and no further studies are necessary.

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

IMPLEMENTATION:

Prior to the start of grading or construction activities to occur within the nesting season, the applicant shall submit documentation of a survey for nesting raptors and migratory birds to the City's Engineering Department. If the survey results are negative, no further mitigation is required. If the survey results are positive, the biologist shall consult with the City and the California Department of Fish and Wildlife as detailed above.

RESPONSIBILITY

Applicant/Developer

Engineering Department and Community Development Director

Biological Resources: Swainson's Hawk

To address the potential impact of the loss of Swainson's hawk foraging habitat, the following mitigation measure, agreed to by the applicant, is being applied to the project:

IV.-2 If an active Swainson's hawk nest tree is located within 0.25 mile of the project site, prior to the start of grading or construction activity, the applicant shall mitigate for the loss of Swainson's hawk foraging habitat by providing 0.5 acre of replacement Swainson's hawk habitat land for each acre of land to be developed. The mitigation may be in the form of mitigation bank credits, conservation easements or fee title to an appropriate entity. The location of the habitat area is encouraged, but not required to be within Placer County. Habitats located within the north half of the Central Valley, from the Stanislaus River to Redding shall be deemed acceptable. The applicant shall verify that this condition has been met to the satisfaction of the Community Development Director.

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

IMPLEMENTATION:

If an active Swainson's hawk nest tree is located within 0.25 mile of the project site, prior to the start of grading or construction activities, the applicant shall submit documentation of providing 0.5 acre of replacement Swainson's hawk foraging habitat for each 1.0 acre developed as detailed above to the satisfaction of the Community Development Director.

RESPONSIBILITY

Applicant
Engineering Department
Community Development Director

Biological Resources: Burrowing Owls

To address the project's potential impacts to burrowing owls, the following mitigation measure, agreed to by the applicant, is being applied to the project:

IV.-3 Prior to any grading activities, the applicant/developer shall hire a qualified biologist to conduct a pre-construction take avoidance survey between 14 and 30 days prior to the commencement of construction, in accordance with the 2012 California Department of Fish and Wildlife Staff Report on Burrowing Owl Mitigation (2012 Staff Report) (CDFW 2012). The survey area shall include an approximately 500-foot buffer area around the footprint of work activities, where access is permitted. If the surveys are negative, then and a letter report documenting the results of the survey should be provided to the CDFW, City of Rocklin Environmental Coordinator and the project proponent for their records, and no additional measures are required. If construction does not commence within 14 days of the pre-construction survey, or halts for more than 14 days, a new survey shall be required.

If burrows are observed within 500 feet of the footprint of work activities, an impact assessment shall be prepared and submitted to the CDFW, in accordance with the 2012 Staff Report. If it is determined that project activities may result in impacts to nesting, occupied, and satellite burrows and/or burrowing owl habitat, the biologist shall consult with CDFW and develop a detailed mitigation plan such that the habitat acreage, number of burrows, and burrowing owls impacted are replaced. The mitigation plan shall be implemented prior to any grading activities and/or prior to the issuance of Improvement Plans.

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

IMPLEMENTATION:

Prior to the start of grading or construction activities, the applicant shall submit documentation of a survey for burrowing owls to the City's Engineering Department, as detailed above. If the survey results are negative, no further mitigation is required. If the survey results are positive, the biologist shall consult with the California Department of Fish and Wildlife and the City and take additional measures as detailed above.

RESPONSIBILITY

Applicant/Developer

City of Rocklin Engineering Department

City of Rocklin Community Development Department

California Department of Fish and Wildlife

Cultural Resources: Inadvertent Discoveries

V.-1 If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) or tribal cultural resources is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist, the Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA (i.e., whether it is a historical resource, a unique archaeological resource, a unique paleontological resource, or a tribal cultural resource) and shall develop specific measures to ensure preservation of the resource or to mitigate impacts to the resource if it cannot feasibly be preserved in light of costs, logistics, technological considerations, the location of the find, and the extent to which avoidance and/or preservation of the find is consistent or inconsistent with the design and objectives of the project. Specific measures for significant or potentially significant resources would include, but are not necessarily limited to, preservation in place, in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations, and would be developed in a manner consistent with CEQA guidelines for preserving or otherwise mitigating impacts to archaeological and cultural artifacts and tribal cultural resources.

In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, until compliance with the provisions of Sections 15064.5 (e) (1) and (2) of the CEQA Guidelines, as well as Public Resources Code Section 5097.98, has occurred. If any human remains are discovered, all work shall stop in the immediate vicinity of the find and the County Coroner shall be notified, according to Section 7050.5 of the California Health and Safety Code. The City's Environmental Services Manager shall also be notified. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods, and the landowner shall comply with the requirements of AB2641 (2006).

This mitigation measure shall be incorporated as notes on the project's grading and/or Improvement Plans and shall be implemented prior to any grading or ground/vegetation-disturbing activities.

IMPLEMENTATION:

If evidence of undocumented cultural resources is discovered during grading or construction operations, ground disturbance in the area shall be halted and a qualified professional archaeologist, the City's Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. Other procedures as specifically noted in the mitigation measure shall also be followed and complied with.

RESPONSIBILITY:

Applicant/Developer

Community Development Department

Native American Heritage Commission

Noise: Generation of Noise or Vibration 1

XIII.-1 The project shall comply with the following requirements on the upper floors (2nd and above) of all westernmost façades of Buildings 12, 13, 14, 15, and 16.

- Building facades shall include use of stucco with exterior sheathing and a resilient channel for hanging interior gypsum board. An alternative to RC channel is use of a staggered stud exterior wall;
- Interior gypsum wallboards and gypsum ceiling shall be 5/8”;
- Saxelby Acoustics recommends that mechanical ventilation penetrations for exhaust fans not face toward Highway 65. Where feasible, these vents should be routed towards the opposite side of the building to minimize sound intrusion to sensitive areas of the buildings. Where vents must face toward Highway 65, it is recommended that the duct work be increased in length and make as many “S” turns as feasible prior to exiting the dwelling. This separates the openings between the noise source and the living space with a long circuitous route. Each time the sound turns a corner, it is reduced slightly. Flexible duct work is preferred ducting for this noise mitigation. Where the vent exits the building, a spring-loaded flap with a gasket should be installed to reduce sound entering the duct work when the vent is not in use;
- Mechanical ventilation shall be provided to allow occupants to keep doors and windows closed for acoustic isolation;
- No Packaged Terminal Air Conditioners (PTAC’s) shall be used;
- In lieu of these measures, an interior noise control report may be prepared by a qualified acoustic engineer demonstrating that the proposed building construction would achieve the interior noise reduction requirement of up to 30 dBA.

This mitigation measure shall be incorporated as notes on the project’s building permits and shall be implemented during construction.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to interior noise levels to a less than significant level.

IMPLEMENTATION:

This mitigation measure shall be incorporated as notes on the project’s building permits and shall be implemented during construction.

RESPONSIBILITY:

Applicant/Developer

Community Development Department

Noise: Generation of Noise or Vibration 2

XIII.-2 In addition to the interior control measures listed above, each specific group requires the following additional upgrades on the upper floors (2nd and above) of all westernmost facades of the specified buildings:

Group 1 (Buildings 15 and 16):

Bedroom: STC 33 glazing and carpet on pad, or STC 37 glazing and hard flooring

Living Room: STC 29 Glazing and carpet on pad, or STC 32 glazing and hard flooring

Group 2 (Buildings 13 and 14):

Bedroom: STC 34 glazing and carpet on pad, or STC 38 glazing and hard flooring

Living Room: STC 30 Glazing and carpet on pad, or STC 33 glazing and hard flooring

Group 3 Building 12:

Bedroom: STC 32 glazing and carpet on pad, or STC 34 glazing and hard flooring

Living Room: STC 29 glazing and carpet on pad, or STC 31 glazing and hard flooring

This mitigation measure shall be incorporated as notes on the project's building permits and shall be implemented during construction.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to interior noise levels to a less than significant level.

IMPLEMENTATION:

This mitigation measure shall be incorporated as notes on the project's building permits and shall be implemented during construction.

RESPONSIBILITY:

Applicant/Developer

Community Development Department

Tribal Cultural Resources: UAIC Notifications

XVIII.-1 A minimum of seven days prior to beginning earthwork, clearing and grubbing, or other soil disturbing activities, the applicant shall notify lead agency of the proposed earthwork start-date. The lead agency shall contact the United Auburn Indian Community (UAIC) with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure.

If any TCRs are encountered during this initial inspection, or during any subsequent construction activities, work shall be suspended within 100 feet of the find and the measures included in the Inadvertent/Unanticipated Discoveries Mitigation Measure (XVIII.-2) shall be implemented. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign.

The contractor shall implement any measures deemed by CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize significant effects to the resources, including the use of a paid Native American Monitor during ground disturbing activities.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to interior noise levels to a less than significant level.

IMPLEMENTATION:

A minimum of seven days prior to any grading or construction activities, the applicant shall notify the Community Development Department of the proposed earthwork start-date to begin coordination with the UAIC. Other procedures as specifically noted in the mitigation measure shall also be followed and complied with.

RESPONSIBILITY:

Applicant/Developer

Community Development Department

Tribal Cultural Resources: TCR Discoveries

XVIII.-2 If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

The applicant is agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to interior noise levels to a less than significant level.

IMPLEMENTATION:

If any suspected TRCs are discovered, all work within 100 feet of the find shall be halted immediately and the Tribal Representative and City shall be notified. Other procedures as specifically noted in the mitigation measure shall also be followed and complied with.

RESPONSIBILITY:

Applicant/Developer
Community Development Department
Native American Heritage Commission
United Auburn Indian Community

ATTACHMENT A – PROJECT VICINTY MAP



SITE PLAN - OVERALL

1" = 80'-0"

1

2.1