

APPENDIX B: RESPONSES TO THE NOP



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

29 March 2017

David Mohlenbrok
City of Rocklin
4081 Alvis Courts
Rocklin, CA 95677

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COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, QUARRY ROW SUBDIVISION PROJECT, SCH# 2017032029, PLACER COUNTY

Pursuant to the State Clearinghouse's 9 March 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the Quarry Row Subdivision Project, located in Placer County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering

discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

NATIVE AMERICAN HERITAGE COMMISSION

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March 29, 2017

David Mohlenbrok
Placer County

Sent by Email: david.mohlenbrok@rocklin.ca.us

RE: SCH#20170322029, Quarry Row Subdivision, Placer County

Dear Mr. Mohlenbrok:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or

tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
- a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at:
<http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

DEPARTMENT OF TRANSPORTATION

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03-PLA-80 PM 6.188
SCH# 2017032029

David Mohlenbrok
City of Rocklin
4081 Alvis Court
Rocklin, CA 95677

Quarry Row Subdivision

Dear David Mohlenbrok:

Thank you for including California Department of Transportation (Caltrans) in the review for Quarry Row Subdivision. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state's mobility goals that support a vibrant economy, and build communities, not sprawl.

The Quarry Row Subdivision project consists of the demolition of an existing commercial structure and the development of a 64 unit single family residential subdivision on a 7.4 acre lot. The proposed project is an infill development of alley loaded single family homes with a nearly zero lot line configuration. The project also proposes to change the General Plan land use designation to Medium High Density Residential and the zoning designation to Planned Development Residential. The project is located in eastern Rocklin, northwest of the Rocklin Road/I-80 interchange, in the southeast quadrant of the intersection of Pacific and Grove Streets. The following comments are based on the Notice of Preparation received.

Vehicle Miles Travelled (VMT) and Traffic Operations

In response to the provisions of Senate Bill 743, we encourage the integration of transportation and land use in a way that reduces VMT and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, as well as achieve a high level of non-motorized travel and transit use. As such, we encourage the evaluation of the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. The Department also seeks to reduce serious injuries and fatalities, as well as provide equitable mobility options for people who are economically, socially, or physically disadvantaged. Therefore, we encourage the evaluation of the project site for access problems, VMT, and service needs that may need to be addressed.

"Provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability"

Mr. David Mohlenbrok, City of Rocklin
April 6, 2017
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The environmental document should address complete streets needs within the vicinity of the project as well as multi modal (vehicle, bike, pedestrian, transit) transportation opportunities for the new residential and commercial building occupants. Project proponents should consider whether there will be a reduction or an increase in VMT (Vehicle Miles Travelled) with the project. As per the NOP Initial Study, the project will generate approximately 4,785 VMT per day. As per the Initial Study, the project does not conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities. However, can this number be reduced with new opportunities to connect to existing bicycle routes or transit routes? Will a transit station be located in close proximity to the new development?

A traffic analysis, prepared by K.D. Anderson and Associates, concluded that the amount of traffic associated with the traffic is very small and the addition of the project traffic would not result in exceedance of the City's LOS at any of the study locations, or conflict with any existing alternative transportation modes, i.e., bike lanes and sidewalks. As per the study, the project is anticipated to have less than significant transportation impacts. Because small developments can collectively result in impacts to the State Highway System, the NOP should propose fair share contributions to a Placer County mitigation fund program, such as the Highway SR65 JPA (Joint Powers Authority) Fee, the South Placer Regional Transportation Authority (SPRTA) fee, or the City/County Baseline Road Fee Program to address future transportation needs due to increased development within Placer County. As per the NOP Initial Study, page 71, the proposed project will be subject to payment of both SPRTA and Highway 65 Interchange Improvement fees. For any traffic mitigation proposed, please provide construction cost estimates and a timeline for completion. If the project will be paying into an impact fee program, please state what amount will be set aside for highway improvements.

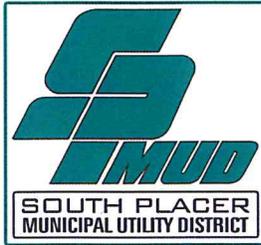
Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any question regarding these comments or require additional information, please contact David Smith, Intergovernmental Review Coordinator for Placer County, by phone (530) 634-7799 or via email to david.j.smith@dot.ca.gov.

Sincerely,



KEVIN YOUNT, Branch Chief
Office of Transportation Planning
Regional Planning Branch—North



South Placer Municipal Utility District

5807 Springview Drive
Rocklin, CA 95677
(916) 786-8555

April 10, 2017

David Mohlenbrok
City of Rocklin Public Services Department
3970 Rocklin Road
Rocklin, CA 95677

Subject: Quarry Row Subdivision – Comments in Response to the Notice of Preparation for the Environmental Impact Report

Dear Mr. Mohlenbrok,

Thank you for the opportunity to comment on the proposed Quarry Row Subdivision to allow the development of approximately 7.4 +/- acres as a small lot single-family residential subdivision at the southeast corner of Pacific Street and Grove Street (APN's 045-031-001 through 005, 045-031-005-510, 045-031-005-520 and 045-031-047).

The South Placer Regional Wastewater and Recycled Water Systems Evaluation (dated December 2009) identifies intensification and rezone areas within the City of Rocklin. The Quarry Row project is outside of the areas identified and studied as an intensification area and will therefore be required to assess potential impacts to the South Placer Wastewater Authority regional treatment plants and regional facilities. Following is the South Placer Wastewater Authority website:

http://www.roseville.ca.us/eu/wastewater_utility/south_placer_wastewater_authority.asp

Additionally, the South Placer Regional Wastewater and Recycled Water Systems Evaluation can be found online at the following location:

http://www.roseville.ca.us/lp/supersize/spwa_systems_evaluation_update_121409_reduce.pdf

The design and construction of all on-site and off-site facilities which may be required as a result of this project, including the acquisition and granting of sewer easements, will be the responsibility of the developer/owner. All work shall conform to the Standard Specifications of SPMUD. Improvement plans shall be submitted to SPMUD for review and approval. A copy of the District's facility map has been provided for your use.

Additionally, the District has reviewed the preliminary plans submitted to the City of Rocklin and the following comments apply:

- a. The street and alley widths shown in the Quarry Row project are not wide enough to accommodate utilities and meet minimum separation standards and SPMUD minimum design standards.



South Placer Municipal Utility District

5807 Springview Drive
Rocklin, CA 95677
(916) 786-8555

- b. Sewer shall be located a minimum of 8-feet from the edge of the right-of-way.
- c. Drivable access shall be provided over all sewer facilities. The sewer adjacent to lot 37 shall have drivable access per the District's standards and specifications. Retaining walls and other structures are not allowed within sewer easements.
- d. The sewer located in the alley serving lots 17 to 20 does not provide drivable access over the District's sewer facilities. Additionally, it is not apparent based on the information provided, whether or not the District's operations and maintenance vehicles can maneuver the alley. A minimum 41-foot centerline radius is required. Additional information is required to be submitted in order to adequately address whether the alley alignment is acceptable.
- e. The connection to the existing sewer within Pacific Street shall be perpendicular to the street/sewer line. A manhole will be required at the point of connection.
- f. Sewer facilities shall not be located within parking stalls. Adjust the sewer to avoid parking stalls or include "NO PARKING" areas.
- g. Reinforced curb, gutter and sidewalk may be required in locations where sewer maintenance vehicles require access.
- h. Confirm that the proposed radius in the pipe meets the minimum District standard of 200-feet.
- i. The sewer pipe shall all be 6-inch.
- j. Trees, including the drip line, shall not be located within sewer easements.
- k. Existing public and private sewer facilities shall be abandoned by removal.

Additional requirements may be required as design information is provided.

Pending the completion of the EIR and additional information regarding intensification of the parcels, the District will consider issuing a will-serve.

Please note that the District's Standard Specifications and Improvement Standards for Sanitary Sewers can be viewed at SPMUD's website: <http://spmud.ca.gov/developer-resources/standards-specifications/>.

Please do not hesitate to contact me at (916) 786-8555 extension 311 or chuff@spmud.ca.gov if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads 'Carie Huff'.

Carie Huff, P.E.

CC: Eric Nielsen, SPMUD District Engineer (via e-mail)
Ken Glotzbach, SPWA Executive Director (via e-mail)

From: Lisa Seals [<mailto:lisaseals5@gmail.com>]
Sent: Thursday, March 09, 2017 8:52 PM
To: David Mohlenbrok
Subject: NOP Quarry Row Subdivision

Hello Mr. Mohlenbrok,

My family lives on Winners Circle directly behind the proposed Quarry Row Subdivision. We are very concerned about the impact the development will have on our neighborhood especially regarding the open feel and views of our neighborhood (very few 2 story buildings in the vicinity) and the potential increase in traffic and students for the nearby elementary school . We are also unsure how our property values will be affected if this development proceeds. We would like to know if these concerns will be addressed at the Scoping meeting set for April 5th, or if there will be another forum in which neighbors such as ourselves can have concerns addressed.

Respectfully,
The Seals Family

From: JoAnn Dusky [<mailto:jadsky1@sbcglobal.net>]

Sent: Friday, March 10, 2017 4:51 PM

To: Nathan Anderson

Subject: My statement regarding the environmental impact report for the proposed Quarry Row Subdivision

Dear Nathan Anderson,

Our family lives on Surrey Ct in Rocklin. After reading your environmental impact report for the Quarry Row subdivision I would like to advise you that no study was done concerning these new homeowners using Tuttle Drive as a shortcut to get to Sierra Meadows Dr. Having lived on Surrey Ct for more than 27 years I can tell you that motorists are constantly speeding on Tuttle Drive and using it as a shortcut. It is my opinion that if these houses are built there should be speedbumps placed in at least two locations on Tuttle Dr. The city of Roseville uses them in their older neighborhoods. They will slow down the traffic. I will not be able to attend the environmental impact meeting. I would like this concern submitted for discussion.

Thank you for your help in this matter.

JoAnn Dusky
3424 Surrey Ct
Rocklin 95677

From: Casey Smith [<mailto:csmith@caseysmithconsulting.com>]
Sent: Monday, March 20, 2017 11:01 AM
To: David Mohlenbrok
Subject: Comments on Proposed Quarry Row NOP

Hello Mr. Mohlenbrok,

Please see my specific comments below on the NOP for the Proposed Quarry Row Subdivision Project. To summarize—I'm concerned about converting this commercial land to residential given the long-standing nature, and apparent long-standing City plan, to maintain Pacific Avenue as a commercial corridor. While I recognize that the City has plenty of commercial space that goes unused (a problem in and of itself) as well as a shortage of housing given current demand, I also recognize the long-term vision for a primary downtown commercial corridor and how that vision somewhat conflicts with a residential subdivision. The housing developments located south/southeast behind the project site are distinguished from the proposed development because they are somewhat set back off the Pacific Avenue commercial corridor, creating a logical buffer between business and residential that is commonplace in suburban settings such as ours. This project would be much improved, from my perspective, if it included a commercial element that fronted Pacific Avenue with housing behind.

Maybe this re-configuring of Pacific Avenue works and improves the downtown region, but it needs to be considered holistically in concert with overall City goals for full buildout. Therefore, I am requesting that Land Use be properly assessed in the EIR being prepared for the proposed project, in addition to other issue areas discussed below.

Land Use

The change in land use and rezone may introduce an incompatible land use with the surrounding commercial properties on Pacific Avenue as well as the City of Rocklin's own plans.

- Per the General Plan Land Use Element (City of Rocklin General Plan, Land Use Element, October 2012), the City's Redevelopment Plan, amended in 2004, has the goal of strengthening "retail and other commercial functions in the downtown area" (p. 4A-3). The proposed development may conflict with this goal.
- Note that I have been unable to locate online the City's "Redevelopment Plan" or the "Downtown Rocklin Plan," referenced in the General Plan Land Use Element (2012) to look in better detail whether this proposed development would comport or conflict with them. However, I did find a March 1988, "Rocklin Downtown Revitalization Plan and Design Guidelines" document online (at: http://www.rocklin.ca.us/sites/main/files/file-attachments/downtown_revitalization_plan.pdf). This document, prepared by Wade Associates and Foothill Design Group, appears to show the project site as some kind of "Gateway Commercial Corridor," though the images are poor quality so it's difficult to tell. The proposed development may conflict with this plan.
- The General Plan Land Use Element (2012) also references a 2006 Downtown Rocklin Plan (p. 4A-4), and states "The focus of the new plan is to address land

use mix (particularly providing for more residential living units incorporated in commercially designed projects)...” Notwithstanding the confusing verbiage here, the proposed project would be a free-standing subdivision and not “incorporated” into a commercial project. In fact, it would replace any potential commercial project that could have existed on the site. If the proposed development were to be fronted on Pacific Avenue with commercial space, then this would be more agreeable project for the area. The proposed development may conflict with this plan.

General Plan policies that may be violated with the proposed project include:

- LU-16: To the extent feasible, require that new development in areas contiguous to neighboring jurisdictions be compatible with those existing land uses.
- LU-31: Promote and renew as needed, the Pacific Street...corridor business districts in order to provide diversified business opportunities...
- LU-30: Implement the Downtown Rocklin Plan...to provide a clear and strong economic identity to the core downtown area.
- LU-39: Implement the Downtown Rocklin Plan to address...promotion opportunities to provide clear and strong economic identity to the core downtown area.
- LU-66: Consider the effects of land use and decisions on the South Place subregion jobs/housing balance.

Aesthetics

The proposed project purports to insert a high density residential development amidst largely commercial developments along a primary commercial corridor. Arguably, there may be some incompatibility with surrounding uses that would require adequate aesthetic assessment so that the public and decision makers may compare proposed project effects against CEQA thresholds.

Air Quality/Greenhouse Gas

This residential development will house 64 families (sensitive receptors) and will abut a major commercial corridor that garners considerable vehicle traffic. The City has conducted an air quality study for this project yet states it won't include an air quality section in the EIR (or presumably this study). This does not give the public and decision makers a chance to properly compare study findings against CEQA thresholds. Please consider including an air quality section in the EIR. The same comment applies to Greenhouse Gas Emissions.

Biological Resources

The NOP is unclear on what exactly will appear in the EIR regarding biological resources, but if native oak trees would be removed, then this impact requires full evaluation in a biological resources section within the EIR and not just stuck in an MMRP. As well, currently the site is sparsely developed with open space and often times an overgrowth of ruderal grasses. The biology section should demonstrate that no special-status species have inhabited these trees and grasses during the decades in which they have been present onsite and/or how the proposed project won't impact any species that may be present onsite. The biological resources evaluation conducted generally states “based on the specific habit characteristics of subject property, no listed or special status

plant or wildlife species will be impacted...” (p. 2). This assertion may be true but should be well delineated in an EIR section and not just blown off in a two-page bio memo.

Public Services

Schools: With 64 new single family homes can come hundreds of children. Even just assuming 2 children per household, that is 128 new school-aged children. The City should show how existing school facilities can handle this increase. If the effect is less than significant, then the City should publicly demonstrate this.

Police/Emergency Services: When you add 64 new homes to a high traffic, commercial corridor, safety concerns arise, especially in regards to children traversing Pacific Avenue. The City should demonstrate how our local police force and emergency service system can handle foreseeable problems that will arise including, but not limited to: unsafe and illegal jaywalking; increased traffic accidents; increased vehicle/human interactions and accidents. If the effect is less than significant, then the City should publicly demonstrate this.

Transportation and Traffic

The same comments applies here as for air quality. A study was conducted that found impacts to be less than significant. These LTS impact should be demonstrated in an EIR section so the public may compare the data against CEQA thresholds.

Thank you for taking the time to consider my comments. I’m a Rocklin resident and want the best for my community. I always assumed that downtown revitalization would occur and hoped it would include a more robust commercial atmosphere on Pacific Avenue. One where residents can choose from a variety of restaurants, businesses, and activities. If this residential development is a positive match for the downtown region, then I would like that properly shown and illustrated by the CEQA document.

Best Regards,
Casey Smith
916-505-5176

From: Friederike Houser [<mailto:houserfriederike22@gmail.com>]

Sent: Friday, April 07, 2017 11:06 AM

To: David Mohlenbrok

Subject: Quarry Row Subdivision Project

In reference to our meeting about the above Subdivision Project, we understand, people need a home. With a constantly growing population, the need will not stop. But can it be done with less impact and disturbance for the existing homeowners?

We own a house close to the new Development and would like to express our concerns about the plan.

The density and height of the buildings is of great concern to us. The higher terrain and the soil condition, is another concern. With so many roofs and roads, a heavy rainy season may overpower the planned drainage ditches and flood the lower existing homes. The plan is for two story homes, which will block the view for at least one row of existing one story houses.

The plan is for 64 houses; assuming at least one car per house, more traffic, more pollution. Parking: two to three cars per family - where is there enough parking space? Commute time will be a traffic jam.

Streetlights and houselights will cause more light pollution. People will also add outdoor lights to their houses.

Of course, there is always the chance of noisy neighbors, who disregard other peoples rights.

Are there any plans for landscaping, planting trees to improve air quality?

Our main concern is, of course, just too many houses, too high. Half that number would still be too many on such a small area.

Please give it some thought and consideration as if it was your neighborhood.

Thank you.

Sincerely,

Bill and Friederike Houser