



**VISTA OAKS AND
HIGHLANDS PARCEL A**
SUBDIVISION PROJECTS

**FINAL ENVIRONMENTAL IMPACT
REPORT**

PREPARED FOR
THE CITY OF ROCKLIN

SEPTEMBER 2006

PREPARED BY
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**Vista Oaks and Highlands
Parcel A Subdivision Projects**
Final Environmental Impact Report

SCH# 2003042169

Prepared for the City of Rocklin
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September 2006

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1. INTRODUCTION AND SCOPE OF EIR

1. INTRODUCTION AND SCOPE OF EIR

INTRODUCTION

This Final Environmental Impact Report (FEIR) contains public and agency comments received during the public review period for the Vista Oaks and Highlands Parcel A Subdivision Projects Draft Environmental Impact Report (DEIR). This document has been prepared by the City of Rocklin in accordance with the California Environmental Quality Act (CEQA).

BACKGROUND

A Notice of Preparation (NOP) for this DEIR was released December 17, 2004 for a 30-day review (Appendix A of the DEIR). A public scoping meeting was held on January 4 2005, Comments provided by the public and public agencies in response to the NOP were received by the City of Rocklin and are provided in Appendix B to the DEIR.

The DEIR was circulated to the public for 45 days, meeting the 45-day circulation requirement for a DEIR submitted to the State Clearinghouse for review by State agencies (CEQA Guidelines §15105[a]). The public review period began on April 10, 2006 and ended on May 24, 2006. In addition, a public hearing to receive comments on the DEIR was held on May 11, 2006 at 6:30 pm in the City of Rocklin Council Chambers, 3970 Rocklin Road, Rocklin.

In addition, a total of 11 written comments were received during the open public comment period on the DEIR. These comments were received from local agencies, other organizations and interested parties, and residents.

SUMMARY OF TEXT CHANGES

Chapter 2, Revisions to the DEIR text, identifies all changes to the DEIR. These changes are in response to both written and verbal comments on the DEIR made by the public during the public review period. The changes to the DEIR do not require re-circulation per CEQA Guidelines §15088.5(b).

LIST OF COMMENTERS

A list of all written and verbal comments, including the commenter/agency name, as well as the page number on which the letters occur, are presented at the beginning of Chapter 3, Comments and Responses.

RESPONSES TO COMMENTS

During the public comment period comments were received in writing from letters and faxes, as well as orally during the public hearing on the DEIR. Responses to the comments received on the DEIR during the public comment period are presented in Chapter 3, Comments and Responses. The numbering of the responses corresponds to the bracketed letters that precede each response.

Each comment letter received has been numbered at the top and then bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1.

MITIGATION MONITORING PLAN

This FEIR contains a Mitigation Monitoring Plan for the Vista Oaks and Highlands Parcel A Subdivision project. The Plan includes a complete list of impacts and mitigation measures associated with the development of the proposed project.

2. REVISIONS TO DEIR TEXT

2. REVISIONS TO DEIR TEXT

This chapter presents all of the revisions made to the DEIR as a result of either staff-initiated changes or in response to comments received. New text is double underlined and deleted text is struck through. Text changes are presented in the page order in which they appear in the DEIR.

TEXT CHANGES

NOTE: New text is double underlined; deleted text is ~~struck through~~.

4.6 Biological Resources

The following change has been made to page 4.6-39, as Policy 37 is similar to Policy 25:

~~Policy 37 Replace oak trees with a diameter of six (6) inches or more, which are removed as a result of road construction, in kind, at a 2 : 1 (replaced : removed) ratio or greater, in areas adjacent to the roadway. Plantings are to be installed by a qualified landscape contractor using proven methods to protect saplings from depredation and facilitate survival. Size of new trees shall be specified by the City Council.~~

The following change has been added to Mitigation Measure 4.6MM-4a on page 4.6-51:

4.6MM-4a Prior to any grading or construction activities; the proposed bridge shall be designed to be consistent with Southeast Rocklin Circulation Element policies 16 through 38 ~~39~~, 41, and 44, and in consultation with the CDFG so as to ensure year-round passage of steelhead and Chinook through the area. The bridge shall be designed so that it traverses the creek in a manner that does not in any way impede its current flow.

The following change has been made to Mitigation Measure 4.6MM-12a on Page 4.6-66:

4.6MM-12a The City shall require the project applicant and/or any developers filing final ~~tentative~~ maps to mitigate impacts to elderberry shrubs hosting the Valley Elderberry Longhorn Beetle by avoiding any net loss of such shrubs. Such avoidance may be achieved by entering into a formal consultation with the USFWS by obtaining the necessary take permit for VELB, and by taking all necessary steps required to comply with the take permit issued by USFWS for avoidance and replacement of elderberry shrubs consistent with USFWS guidelines.

The above changes have been added for clarification purposes and do not alter the conclusions contained within the DEIR.

4.8 Air Quality

The following changes to Mitigation Measure 4.8MM-2a at the bottom of Page 4.8-11 have been made at the request of the Placer County Air Pollution Control District (Comment 7-1) and for clarification purposes:

Prior to groundbreaking, the applicant shall submit a dust control plan to the City Engineer and the Placer County Air Pollution Control District. This plan shall identify adequate dust control measures, including those in the "Mitigation for Air Quality Impacts" form, and otherwise comply with the mandates of the General Plan, including General Plan ~~policy 25 policies 49 through~~ 52, and the Southeast Rocklin Circulation Element, including Southeast Rocklin Circulation Element policies 50 through 52. The applicant shall have a pre-construction meeting for grading activities for 20 or more acres to discuss the construction emission/dust control plan with employees and/or contractors and the District is to be invited. The applicant shall suspend all grading operations when fugitive dusts exceed District Rule 228 Fugitive Dust limitations. An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate compliance to Rule 228, Fugitive Dust. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas, they shall be controlled as not to exceed District Rule 228 Fugitive Dust Limitations.

The Placer County Air Pollution Control District requested that Mitigation Measure 4.8MM-2c on Page 4.8-12 be updated to correspond to the District's current standards. The mitigation measure is hereby changed as follows:

4.8MM-2c *The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used for an aggregate of 40 or more hours for the construction project. The project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The project shall provide a plan for approval by the District demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average of 20 percent NO_x reduction and 45 percent particulate reduction compared to the most*

recent CARB fleet average. The District should be contacted for average fleet emission data. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. As a resource, the Placer County Air Pollution Control Districts suggests contractors can access the Sacramento Metropolitan Air Quality Management District's web site to determine if their off-road fleet meets the requirements listed in this measure.

http://www.airquality.org/ceqa/Construction_mitigation_calculator.xls

~~Prior to groundbreaking, the applicant/developer shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all heavy-duty off-road equipment (50 horse power or greater) that will be used in the aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, shall conduct initial Visible Emission Evaluations on all heavy-duty equipment on the inventory list. Vehicles used in construction on-site shall comply with standards for on- and off-road heavy-duty vehicle engine emission opacities as defined in California Code of Regulations, Title 13, sections 2180-2194.~~

The Placer County Air Pollution Control District requests that Mitigation Measures 4.8MM-2e and 4.8MM-2f be updated to correspond to the District's current policies (Comment 7-4 and 7-5). Mitigation Measure 4.8MM-2e on Page 4.8-12 is hereby changed as follows:

4.8MM-2e Idling time on the project site shall be limited to 5 minutes for all diesel power equipment.

~~Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARB certified off road engines, as follows: —~~

- 175hp-750hp — 1996 and newer engines
- 100hp-174hp — 1997 and newer engines
- 50hp-99hp — 1998 and newer engines

Mitigation Measure 4.8MM-2f on Page 4.8-12 is hereby replaced with the following:

4.8MM-2f Diesel fuel certified by the California Air Resources Board (CARB) shall be used for all diesel-powered equipment.

~~Construction contracts shall require the use of emulsified diesel fuel and/or particulate matter traps for off road heavy duty diesel equipment to reduce nitrogen oxide emissions.~~

The Placer County Air Pollution Control District requests that the second bullet of Mitigation Measure 4.8MM-5a be updated to correspond to the District's current policies. The second bullet of Mitigation Measure 4.8MM-5a on Page 4.8-15 is hereby replaced with the following:

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

In lieu of the applicant implementing their own offsite mitigation program, the applicant can choose to participate in the Placer County Air Pollution Control District Offsite Mitigation Program by paying an equivalent amount of money into the District program. The actual amount of emission reduction needed through the Offsite Mitigation Program would be calculated when the project's average daily emissions have been determined.

~~Because the project cannot implement sufficient on-site measures to reduce long-term operational impacts, the project shall implement or participate in the PCAPCD's offsite mitigation program to reduce emissions to the extent feasible. The off-site mitigation program currently is based on a fee of \$13,600 per ton of ROG or NOx to be offset, calculated on the basis of a 180-day ozone season. Based on the URBEMIS 2002 results shown in Table 4.8-3, the estimated offset fee would be \$16,646 and \$5,630 for the Vista Oaks development and Highlands Parcel A development, respectively.~~

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

4.9 Noise

For the sake of clarification, Mitigation Measure 4.9MM-2 on page 4.9-17 is hereby changed to the following:

- *Phase II area: In order to reduce traffic noise levels to ~~60~~ 69 L_{dn} , adjacent to the park a noise barrier 6 feet in height shall be required to extend west of the terminus of the 14-foot barrier, which is required for the Phase I area (as shown in Figure 4.9-3, Barrier B-2). The noise barrier shall be extended 100 feet past the western terminus of the Phase I area. The noise barrier shall be constructed in conjunction with the subdivision improvements and completed prior to occupancy of residences. If revisions are made to the grading plan, then the noise analysis must be similarly revised.*

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

4.10 Cultural Resources

For the sake of clarification, Mitigation Measures 4.10-1a on page 4.10-28 is hereby changed to the following:

- 4.10MM-1a *Prior to any grading or construction activity the applicant/developer shall retain a qualified archeologist to consult with the Community Development Director in preparing, ~~adopting~~, and implementing a data recovery program for historic site PA-89-32.*

In an effort to cooperate with the United Auburn Indian Community, the City hereby changes Mitigation Measure 4.10MM-4a on Page 4.10-33 and 4.10-34 to the following:

- 4.10MM-4a *If during construction outside of the areas designated as CA-PLA-515/H, Highlands #2, or AF-31-67-H, the project applicant, any successor in interest, or any agents of contractors of the applicant or successor discovers a cultural resource that could qualify as either an historical resource or a unique archaeological resource, work shall immediately stop within 100 feet of the find, and both the City of Rocklin and an appropriate Native American representative, including but not limited to the United Auburn Indian Community, shall be immediately notified per Southeast Rocklin Circulation Element policy 47. Work within the area surrounding the find (i.e., an area created by a 100-foot radius emanating from the location of the find) shall remain suspended while a qualified archaeologist, retained at the applicant's expense, conducts an onsite evaluation, develops an opinion as to whether the resource qualifies as either a historical resource or a*

unique archaeological resource, and makes recommendations regarding the possible implementation of avoidance measures or other appropriate mitigation measures. Based on such recommendations, as well as any input obtained from the Native American representative(s), ~~Indian Community~~ within 72 hours (excluding weekends and State and federal holidays) or its receipt of notice regarding the find, the City shall determine what mitigation is appropriate. At a minimum, any Native American artifacts shall be respectfully treated and offered to the Native American representative(s) ~~Indian Community~~ for permanent storage or donation, at the ~~Indian Community~~ Native American representative(s)'s discretion, and any Native American sites, such as grinding rocks, shall be respectfully treated and preserved intact. In considering whether to impose any more stringent mitigation measures, the City shall consider the potential cost to the applicant and any implications that additional mitigation may have for project design and feasibility. Where a discovered cultural resource is neither a Native American artifact, a Native American site, an historical resource, nor a unique archaeological resource, the City shall not require any additional mitigation, consistent with the policies set forth in Public Resources Code sections 21083.2 and 21084.1. A note requiring compliance with this measure shall be indicated on construction drawings and in construction contracts for the review and approval of the Engineering Division prior to any grading or construction activity.

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

6.0 Alternative Analysis

Table 6-1, Environmental Impacts of Proposed Projects and Project Alternatives, on page 6-5 did not reflect the conclusions of Chapter 4.10, Cultural Resources. Therefore, for the sake of clarification, Table 6-1 on page 6-5 is hereby changed to the following:

**Table 6-1
Environmental Impacts of Proposed Projects and Project Alternatives**

Issue Area	Proposed Project	No Development Alternative	General Plan Buildout Alternative	No Bridge Alternative	Proposed Projects Without Vista Oaks Phase 1 and Bridge Alternative	No Lots 70-79, 99 and 100 Alternative
Land Use	Less-Than-Significant	More	Fewer	More	Fewer	Fewer
Aesthetics	Significant & Unavoidable	Fewer	Fewer*	Fewer*	Fewer*	Fewer*
Hydrology and Water Quality	Less-Than-Significant with Mitigation	Fewer	Equal	Fewer	Fewer	Fewer
Geology	Less-Than-Significant with Mitigation	Fewer	More	Fewer	Fewer	Fewer
Biological Resources	Significant & Unavoidable	Fewer	Equal	Fewer*	Fewer*	Fewer*
Transportation and Circulation	Less-Than-Significant	Fewer	More	More	Fewer	Fewer
Air Quality	Significant & Unavoidable	Fewer	Equal	Fewer*	Fewer*	Fewer*
Noise	Less-Than-Significant with Mitigation	Fewer	Fewer	Fewer	Fewer	Fewer
Cultural Resources	Significant & Unavoidable <u>Less-Than-Significant with Mitigation</u>	Fewer	More	Fewer	Fewer	Equal

*Note: Although alternative would reduce potential impacts, the overall result would remain significant and unavoidable.

Fewer = Fewer than proposed projects
Equal = Equal to proposed projects
More = More than proposed projects

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

3. COMMENTS AND RESPONSES

3. COMMENTS AND RESPONSES

This chapter responds to each comment received on the DEIR during the public comment period between April 10th, 2006 and May 24th, 2006.

List of Commentors

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Comment 2: Sierra Club (May 24, 2006)	3-11
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Comment 4: Andrew Darrow, Placer County Flood Control and Water Conservation District.	3-35
Comment 5: Brad Shirhall, TLA Engineering and Planning.....	3-37
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Comment 8: Darrel Davis, Resident	3-50
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Letter 1

CITY OF ROCKLIN

PUBLIC MEETING

DRAFT ENVIRONMENTAL IMPACT REPORT

VISTA OAKS/HIGHLANDS PARCEL A

THURSDAY, MAY 11, 2006

6:30 P.M.

CITY OF ROCKLIN COUNCIL CHAMBERS

3970 ROCKLIN ROAD

ROCKLIN, CALIFORNIA

ORIGINAL

REPORTED BY:

SANDRA VON HAENEL
CSR No. 11407

CAPITOL REPORTERS - (916) 923-5447

Letter 1 cont'd

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ATTENDEES

GEORGE MAGNUSSON - Mayor of Rocklin
KEN YORDE - Vice Mayor of Rocklin
RUSSELL HILDEBRAND - City Attorney
PETER HILL - Councilmember
LYNNE SULLY - Planning Chairwoman
BETTY WEIBERT - Planning Commissioner

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TIM RANEY - Raney Planning & Management

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STAFF

SHERRI ABBAS - Planning Services Manager
BRET FINNING - Associate Planner
DIANA MATTIX - Admin Secretary CS&F
DAVID MOHLENBROK - Senior Planner
TERRY RICHARDSON - Director Community Development

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MEMBERS OF THE PUBLIC

MICHAEL J. BOCCHICCHIO
JEFF KUYPERS

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CAPITOL REPORTERS - (916) 923-5447

Letter 1 cont'd

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ROCKLIN, CALIFORNIA

THURSDAY, MAY 11, 2006

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MAYOR MAGNUSSON: All right. Any questions?

All right. At this time we are going to ask the public to stand up and address if you have any questions.

Again, I would like to reiterate the purpose of this meeting. This meeting is not for us to make comments up here. It's to give you a chance to voice questions or concerns that you have regarding the Draft EIR. Not per se on the project, just those concerning the EIR.

This is an extra meeting that has been added. It's not required by state law, but we want to get everybody's input as much as we can.

If you feel that you want to add extra things, there are comment forms back there that you can put in and make sure that they are input into the report.

I would now ask everybody to line up, who wants to comment, against the wall. Once the line disappears, we'll consider the meeting for comments closed. So at this point in time, if anyone would like to comment on the EIR, I ask you to line up at the wall, against that wall there, and take your turn.

All right. This is going to be a short meeting.

Go ahead.

1-1

3

CAPITOL REPORTERS - (916) 923-5447

Letter 1 cont'd

1-2

1 MR. BOCCHICCHIO: My name is Mike Bocchicchio.
2 Please stop me if I talk about something -- ask about
3 anything outside the scope of this meeting.

4 One of my concerns would be, of course, population
5 density of the area. I'm sure that there are school impact
6 fees that are paid by the builder; however, being in the
7 building business, I know that those very seldom offset the
8 actual impact to the schools. That is one of my concerns.

1-3

9 Two would be the indigenous trees and plants. That is
10 a beautiful wildlife area that people use to walk their dogs
11 and just stroll and whatnot, beautiful open land, and I am
12 concerned that that -- I would not like to see that give way
13 to development interests in a way that destroyed it for
14 public use.

15 Basically that's it.

1-4

16 MAYOR MAGNUSSON: All right. That's pretty sincere and
17 to the point. Thank you.

18 All right. Next.

1-5

19 MR. KUYPERS: Good evening. My name is Jeff Kuypers.
20 I'm a Rocklin resident.

21 Thanks for the opportunity, Mayor, councilmembers, and
22 members of the Planning Commission.

23 I just have one part of the EIR I want to comment on
24 which is the noise section, Section 4.9. I did write in a
25 letter --

Letter 1 cont'd

1-5
cont'd

1 MAYOR MAGNUSSON: Yes. It's part of the official
2 record.

3 MR. KUYPERS: Okay. Let me just ask. Is it worthwhile
4 for me to summarize, or if it's in writing, everybody gets to
5 see it already so --

6 MAYOR MAGNUSSON: We have it and the consultant has it,
7 so it is an official part of the record and will be addressed
8 in the Final EIR.

9 MR. KUYPERS: Okay. Thank you. Appreciate it.

10 MAYOR MAGNUSSON: All right. Thank you very much.
11 Thank you for taking your time and coming.

12 Is there anybody else?

13 All right. That was pretty quick.

14 So I want to thank you for all attending.

15 All right. You got your questions answered --
16 questions asked, rather?

17 All right. Thank you very much. We're adjourned.

18 VICE MAYOR YORDE: I actually want to say something.

19 MAYOR MAGNUSSON: Well, we're going to open it back up.
20 I'm sorry. I thought they had already asked their questions.

21 VICE MAYOR YORDE: I have a question. The Secret
22 Ravine and Flood Plain Restoration Feasibility Study needs to
23 be integrated with the EIR, because it offers some
24 opportunity for flood protection or flood -- reduce the flood
25 risk to the Secret Ravine people and also to reduce flood

1-6

1-7

Letter 1: Comments made at the Public Hearing on May 11, 2006.

Comment 1-1: Mayor Magnusson

This comment introduces the public meeting. This comment does not address the adequacy of the EIR.

Comment 1-2: Mike Bocchicchio, Resident

The commenter's concerns regarding the adequacy of school impact fees (Stirling fees) is a matter of school district financing policy, in this case the Rocklin Unified School District. The school district is responsible for determining the appropriate level (amount) of the school impact fee by assessing what funding is necessary to support the future development of necessary school facilities and infrastructure. For a further discussion of the project's potential impact to schools, please refer to page 42 of the Initial Study in Appendix C of the DEIR.

Comment 1-3: Mike Bocchicchio, Resident

This comment states that the commenter is in support of the conservation of open space and prefers that the land be available for public use. This comment expresses the commenter's opinion and preference and does not address the adequacy of the DEIR.

Comment 1-4: Mayor Magnusson

This is a procedural comment and does not address the adequacy of the DEIR.

Comment 1-5: Jeff Kuypers, Resident

The commenter spoke to a concern of his in the DEIR but declined to elaborate on the specifics once he understood that the letter that he had submitted that details his concerns is a part of the record and will be responded to in the Final EIR. Please refer to Letter 9 in this Final EIR for that letter and the accompanying responses.

Comment 1-6: Mayor Magnusson

This is a procedural comment and does not address the adequacy of the DEIR.

Comment 1-7: Vice Mayor Yorde

The commenter states that he would like the Secret Ravine Flood Plain Restoration Feasibility Study incorporated into the planning of the proposed project. The proposed project has been planned and designed to not preclude the ability of the Placer County Flood Control and Water Conservation District (PCFCWCD) to implement floodplain restoration activities if in fact the Vista Oaks/Highlands Parcel A sites are selected by the PCFCWCD as locations for floodplain restoration activities. It should be noted that the

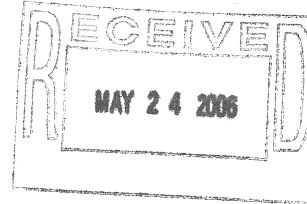
PCFCWCD submitted a comment letter (Letter 4) on the Vista Oaks/Highlands Parcel A Subdivision Projects EIR indicating that they are proposing to restore the floodplain and provide regional stormwater detention within the Parcel A portion of the Vista Oaks project site. The PCFCWCD letter also requested that the City continue to coordinate with them regarding any construction/improvements proposed by the City or developer within Vista Oaks parcel A which could conflict with the proposed floodplain restoration project. To further the ability of the PCFCWCD to implement their floodplain restoration efforts on the Vista Oaks project site, the letter also requested that the City provide for the possibility of a flood and conservation easement to be granted to the PCFCWCD for the purpose of their project. To that end, it is anticipated (pending the decision-making process) that the future ownership and maintenance responsibility for Vista Oaks parcel A area will be with the City of Rocklin, and if and when the PCFCWCD desires the aforementioned flood and conservation easement, the City will be able to grant such an easement. Should the ownership come under a different entity such as a Homeowner's Association or conservancy, the City will condition the project so that such an easement will be provided by those entities.

Letter 2



PLACER GROUP
P.O. BOX 7167, AUBURN, CA 95604

May 24, 2006



Attn: Sherri Abbas
Planning Services Manager
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677

Ladies and Gentlemen:

RE: Comments on Vista Oaks and Highlands Parcel A Subdivision Projects Draft Environmental Impact Report (DEIR)

2-1

Thank you for the opportunity to comment on the Vista Oaks (VO) and Highlands Parcel A (HPA) Subdivision Projects (DEIR). While supportive of the City's general efforts to comply with the California Environmental Quality Act (CEQA), we have grave concerns regarding the objectivity of the overall study of the impacts associated with the VO and HPA projects, or lack thereof.

2-2

We are concerned about the legitimacy of semi-combining two projects, yet throughout the DEIR treating them separately, if/when it appears to work to the advantage of the project(s). The analysis of the two projects are often separated, studied independently, yet seemingly considered together in other instances (Conclusions leading to "less-than-significant"). Either this is one project, to be analyzed under CEQA as a whole, or it is two separate projects, each with its own merits, levels of significance, required mitigation measures, and as such, should have separate Environmental Impact Reports. Please decide which it will be and recirculate accordingly.¹ If this is two separate projects, then the timeline for commenting should have been lengthened to accommodate the necessary additional study.

2-3

As we approached the monumental task of commenting on the three volumes comprising this DEIR, we assumed the lead agency would be making a good faith effort to analyze the impacts fairly and impartially. However, that assumption soon deteriorated, especially with regard to the Aesthetics section, which presented a most egregious, grossly misleading analysis. Anyone who travels eastbound I-80 regularly is extremely familiar with the gorgeous scenic vista of the project site from Highway 65 (south end) to the sound wall near Rustic Hills (west of the Rocklin Road interchange) on the south side of the freeway. No matter what one's definition of "subjective" is, the scenic views of the site provide the first and only unbroken scenic aesthetic "break" in over 40 miles of eastbound travel on I-80.

A most disturbing aspect of this DEIR analysis is its blatant dismissal of the aesthetics impacts by submitting supposed "existing conditions" photographs in an unashamed attempt to mislead the reader. The photos were taken from the westbound lanes (opposite side from the projects) at an angle that captures primarily the concrete center divider. We will address the

¹ CEQA: 15065. Mandatory Findings of Significance: (3) The project has possible environmental effects that are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Letter 2 cont'd

- 2-3
cont'd
- aesthetics impacts later in this comment document, but the City should know that this kind of deception sets a tone that includes, but is not limited to, adversarial responses, distrust of the public process, mockery of CEQA, and hints of a less-than-genuine impact analysis that carries over throughout the entire DEIR analysis. The City needs to be apprised that because of the severity of this transgression in particular, we cannot trust the integrity of the DEIR document to be complete or correct in its impacts analyses.
- 2-4
- Page 4.1-2—Hazards**
Apparently no mention is made of the inherent hazard that occurs when building a project and placing residences in the immediate proximity of a major interstate highway which routinely transports volatile gases and hazardous substances. Please analyze all potential impacts that occur when residential lots are proposed within 100' (or less) of an Interstate as well as to a heavily traveled onramp (Hwy 65). What are the "safe" distances that should be maintained between freeways, interchanges, and residences? How will the VO residences in lots 1 through 23 be impacted?
- 2-5
- How "pleasant" and/or safe will the park setting be adjacent to the freeway? How will exhaust, fumes, and toxic air pollutants from traffic on I-80 impact the future park occupants? Please analyze the feasibility, and more importantly, the safety, of having a park (Parcel E Future Park) bounded by a major national interstate freeway with regard to exhausts and air quality. Please focus on daily exhausts as well as air pollution/toxins from eastbound I-80 during stop-and-go commute hours on regional "bad air" days, and extra air quality impacts from the Hwy 65 on ramp acceleration exhausts.
Please consider the much more realistic, safe, and logical plan to remove lots 1 through 23 from the project.
- 2-6
- Page 4.2-1—Land Use**
The site description ("predominantly of grassland and oak woodland") ignores or inadvertently omits riparian woodlands, wetlands, and possibly other elements. Please provide a more accurate description of the site.
- 2-7
- Page 4.2-12 states that five open space parcels will be included, one or more of which will be a predominantly passive park with a trail system. However, these are merely "anticipated" and not secured. How will the passive park construction with its amenities be funded? How will the funding for management in perpetuity be funded?
- 2-8
- Please determine the open space percentage compliances with the VO project and then with the HPA project. Are both projects in compliance with Rocklin requirements, or are they only in compliance when considered as one?
- 2-9
- Page 4.2-13 refers to "...and maintenance of privately controlled common open space..." Please expand and explain where any privately controlled open space will occur. If homeowners are expected to protect open space along Secret Ravine, or wetlands, or any other environmentally sensitive area, this is unacceptable. Such arrangements have **not** been successful, have resulted in gross environmental deterioration, and should not be allowed. It is stated in the DEIR that "such arrangements have been acceptable in the past when mechanisms for funding of ongoing maintenance are established." What are the plans for funding mechanisms? How will they be established (ordinance? HOA edict? Voluntary?) When will they be established? What happens when the funding and/or the maintenance fails? Will the City of Rocklin provide back up compliance enforcement and maintenance? How will that be insured and how will the City fund it? Please explain and recirculate the information for public comment.
- 2-10
- The conclusion on page 4.2-15 that VO would meet the General Plan Policies objectives is an exaggeration. Although the Land Use section is rife with "Therefore..." preceded by attempts to justify the projects' elements, this does not constitute an approval, a right, or an entitlement to degrade the existing environment and should not be considered as an excuse to ignore the proposed project's adverse impacts to the environment. Even with the exaggerated logic, the fact that only with the amendments will the project be in compliance and

Letter 2 cont'd

- 2-10
cont'd
- meet objectives speaks volumes as to its negative impacts. Please address all negative environmental impacts regardless of their supposed compliance with policies. Since "amendments" seem to be a method to gain entitlements, turn about should also be fair play: Please consider amendments to lesson the zoning, to establish no-build and open space zones, and prohibit a proposed project in any area where environmental impacts will occur, regardless of the zoning. "Avoidance" is a legitimate solution to the negative, significant environmental impacts.
- 2-11
- Page 4.2-16 states that there are no incompatibility issues with surrounding land uses. However, incompatibility goes further than General Plans and Ordinances. Please address compatibility with stream flows, wetlands, meadows, slopes, run off, viewsheds, and other environmental impacts. Compatibility standards are not meant to be interpreted as compatibility with the lowest common denominator. If mistakes were made on previous projects, a compatibility element would give carte blanche to environmental degradation. The compatibility element is not meant to be used as leverage to avoid mitigation for environmental impacts. Please do not use "compatibility" as the excuse to further degrade the project site and use the most repeated word in this section, "Therefore" followed by "the project would have a less-than-significant impact..." Regardless of the compatibility, please analyze land use in context of the environmental impacts as required by CEQA.
- 2-12
- Page 4.3-1—Aesthetics**
- An inadequate analysis is one thing, but as mentioned previously, the presentation in this section of the DEIR sets new standards for deception. CEQA describes aesthetic resources in terms of scenic vistas, scenic resources, and the existing visual character or quality of the project site. However, the bulk of the analysis of the VO project is focused on a set of photo simulations that are deceptive "existing condition" photos and seem to form the basis of the entire faulty and erroneous conclusions. To perpetuate the erroneous assumptions, it is stated that motorists "...experience only a small window of visibility of the project site due to high travel speeds in the highway corridor, and thus changes made to the viewing experience of motorists by the proposed projects are not considered substantially adverse." (Page 4.3-6) The truth is that this "small window" is a little over ½ mile in length, and is the first scenic break in an otherwise 40-mile stretch of freeway characterized primarily by concrete, steel, and big box buildings. If a poll were taken and the project site described, most residents and commuters would easily be able to reference the site due to its scenic qualities. True, as stated, it is not a destination, but as a sight, it is most welcome and looked forward to by most travelers.
- Please look at the enclosed photos (Exhibit A and Exhibit B) taken through the windows of an automobile traveling the speed limit showing the scenic aesthetic qualities of the site enjoyed from the freeway. Please explain how the DEIR Figure 4.3-6, "Existing View of Project Site from Location 2," in anyway presents an accurate, honest view of the site. Please drive the ½ miles of east bound I-80, view the site and then recirculate the DEIR with an accurate, realistic Aesthetics analysis.
- Appendix J does provide some site photographs (Figure 2) which are more accurate in their depiction of the aesthetics; however, the discussion in that Appendix pertains to contamination issues.
- Why were the "existing condition" photos taken from the westbound lanes where the concrete center divider blocks most of the view? Please prepare an accurate, truthful analysis of the Aesthetics impacts and follow CEQA.²
- 2-13
- It is mentioned that the proposed 14' sound walls will not cause a substantially adverse visual impact because sound walls currently exist in the vicinity of the project site. CEQA requires analysis of the change from the existing conditions. Currently, the project does not have 14' sound walls. Thus, there is an impact and it must be analyzed. Please explain

² CEQA, Section 15064: (5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts.

Letter 2 cont'd

- 2-13
cont'd
- how something as obtrusive and offensive as the existing sound wall can possibly justify the claim that there is no aesthetic impact? Using the proposed sound wall scheme shown in Figure 4.3-4, please require mitigation for the imposition of such a depressing monstrosity on the millions of travelers along I-80 in either direction.
- 2-14
- It is mentioned that the VO project will remove some of the trees that are currently visible, and "therefore" the trees will not exist (as if that justifies the claim of "therefore...less-than-significant impact" would result and no mitigation is required). Please explain the logic behind: Removing the trees to degrade the scenic view enough so that there will be no trees to see so the scenic view will be diminished anyway so no mitigation is required.
- 2-15
- Page 4.3-19 cites the tree removal impacts, as usual, with the dismissive, "Therefore...less-than-significant..." and no mitigation required. The VO project will remove over 38% of the trees; the HPA will remove 23%. To attempt to avoid full mitigation by claiming some of the trees would die anyway is a blatant avoidance of mandatory mitigation measures. A tree is a tree is a tree; if it isn't dead, on the ground, it is a tree that must be counted and mitigated adequately. Even if the tree is completely dead, it should be valued for its habitat for birds and other species, and require proper mitigation for removal. Since 38% of the VO project trees and 23% of the HPA project trees are to be compliance with the mitigation required by the Rocklin Oak Tree Preservation Ordinance and other policies must be enforced. Why aren't these mitigation mandates being enforced as they were intended?
- 2-16
- Page 4.3-21 dismisses the increased light and glare impacts with the usual "Therefore...less-than-significant..." and no mitigation required mantra. It is immaterial whether the area surrounding the 123 project acres is "mostly developed and lit" or not; it doesn't matter if there is no substantial difference between the existing lighting and the new lighting. CEQA requires an analysis of the impact on the existing conditions. Right now, the 123 acres of rolling hillsides are dark, and not encumbered with night light. The analysis must be completed; the impacts to wildlife habitat and/or the surrounding area must be studied; and the public must be provided the opportunity to comment on the impacts. But more importantly, adequate and appropriate mitigation measures must be imposed. This requirement has not been conducted as it should be. Please explain why the admitted change is not being studied and mitigated. Please do make the appropriate and adequate analysis and recirculate for public comment.
- 2-17
- Page 4.3-21 attempts to create an impression that since all of Rocklin is being urbanized, the "Therefore...less-than-significant..." and no mitigation required mantra is again invoked. The attempt to justify this position references the 1990 General Plan EIR (a 16-year old document that is constantly being amended) and incorrectly tries to relieve the project proponents of their rightful obligation to mitigate for the impacts. Mitigation measures can and should include, but not be limited to, contribution to a mitigation bank for purchase of other remaining rural areas or passive recreational areas in Rocklin. A major regional project, the Dry Creek Greenway, provides innumerable opportunities for mitigation. Why aren't viable mitigation measures required?
- 2-18
- Page 4.4—Hydrology**
It appears that part of the lots in VO are in the flood plain. Please explain how this is justifiable. Please do not allow any private lot/land boundaries to extend within the flood plain zones.
- 2-19
- With regard to flood plain issues, Appendix L of Appendix E implies a safety condition with "house pad areas proposed for development to be above the floodplain." It is not just the house pad area—it's the entire lot area with flood stage run off that should be analyzed. Please study the impacts of run off quality into the creek with the increase in impervious surfaces.
Although we have not come across the analysis by the usual regulatory agencies that suggest setbacks and buffers from creeks, especially creeks that are habitat to Central Valley Steelhead and Salmon, we know from previous projects that 100 to 200 feet set backs or buffers are recommended. In the Low Impact Development principles, 100 to 200 feet set backs would be recommended for a creek as important and critical to the entirety of the Dry Creek

Letter 2 cont'd

- 2-19
cont'd
- ▲ Watershed. Please require setbacks of at least 200 feet and/or justify any setbacks less than 200 feet.
- 2-20
- Appendix M does not prescribe the BMP. The statement "... some or all of the following methods may be utilized depending on the final design of facilities;" does not give the public any substantial mitigation measure to study. Furthermore, to state that the array of BMP possibilities will work "if maintained properly..." does not satisfy CEQA's requirements. To state, "The Contractor will be required to monitor and maintain all BMP's during construction to ensure they function properly" does not describe the specific methods, corrective measures, nor penalties for non compliance. Please provide this information and circulate for public review.
- 2-21
- Sediment issues are mentioned in the NOP comments from EPA, but are not fully analyzed. Sediment can degrade and devastate fishery/habitat immensely—not only in the rich immediate vicinity, but further down stream for miles. Please conduct more thorough analysis of the sediment potential, its impacts, and require strong mitigation measures to ensure zero tolerance into the creek(s).
- 2-22
- Page 4.6—Biological Resources**
Except for the Special Status reference on page 4.6-33, no further mention is made of White-tailed Kite sightings in the VO and HPA areas. From informal conversation with residents, kites have been observed on or near the sites. Please analyze their presence, whether migratory, nesting, or foraging and allow public comment. Where they are mentioned as a potential (page 4.6-67) along with other raptors, the mitigation presents a problem in that avoiding nesting sites for a short period is almost akin to a take. These raptors often, if not always, return to the same nests. To say that the nest shall be monitored until it "... is no longer used..." is an inadequate mitigation measure. Please require more stringent mitigation measures in protecting all nests of raptors and/or other migratory species.
- 2-23
- There is reference to reptiles and various snakes, but no mention of rattle snakes. At least their presence should be recognized even if they are not of special status. Their presence can be an indicator of other species.
- 2-24
- Page 4.6-39: City of Rocklin Oak Tree Ordinance and subsequent summary of the guidelines relating to the 20% removal threshold should include all surveyed trees on the VO and HPA sites. The fact is that the VO project will remove 38% of the oaks (760 out of 1989), and the HPA project will remove 23% (208 out of 914). The mitigation requirements must be based on the total losses.
- 2-25
- The exclusion of "dead or dying" trees from the 20% threshold presents a problem; dying is NOT dead. In fact, the NOP (page 6) stated that the arborist recommended the removal of trees because they "are in failing health and/or possess poor structures which may create a hazard in a developed environment..." This is very different from "dead trees." Dying oaks or those in failing health, as well as dead oaks, as previously mentioned, have value and must be included in the threshold percentage for mitigation. Please do so and circulate for public comment.
- 2-26
- In Appendix O, why was the arborist requested to remove the non-oak species that were previously included in an inventory? A heritage oak is important, but a heritage cedar or other specie is also a natural resource. Please complete a survey of all trees and release that information to the public for analysis.
- 2-27
- With all due respect to the arborist, whether or not mitigation is to be required is not or should not be within the jurisdiction of an outside consultant. Mitigation should be determined by the lead agency and/or the public. The so-called "non-mitigative arborist recommended removal" deny the public's right to comment, suggest, and participate in the DEIR process, as required by CEQA. Nevertheless, beyond that, as mentioned before, a failing tree is not a dead tree and must be counted not only in the inventory but also in the removal count for mitigation purposes.
- 2-28
- Recent litigation regarding dead trees (as interpreted by the defendants, the USFS) vs damaged trees (as interpreted by the plaintiffs) ruled in favor of "damaged." In fact, some trees

Letter 2 cont'd

- 2-28
cont'd
- declared “dead” miraculously came back to life a year later. Of course, the trees referenced in this DEIR have not been impacted or “killed” by fire; nevertheless, a premature evaluation and a death sentence with no mitigation are unacceptable.
- 2-29
- Page 4.6-56-57: The detailed monitoring program that will be developed is welcome, but as a mitigation measure, it is a plan to plan—it does not provide the reader with anything substantial to analyze. We are pleased that “corrective recommendations” shall be included, but we need to know what those are in order to weigh their appropriateness or lack thereof. Please provide information on the monitoring plan (funded by whom, bonded by whom, penalties for lack of compliance, etc.) and recirculate for public comment.
- 2-30
- Page 4.6-61: Mitigation Measure(s) may reduce the magnitude of the impacts, but to remain significant and unavoidable is unacceptable. As an alternative, we would recommend that lots 1 through 23 on the west side of Secret Ravine be eliminated, thus eliminating the need for an emergency bridge. The possibility of a developer-financed footbridge would lessen the impacts substantially and should be considered.
- 2-31
- Page 6-1—Alternatives Analysis**
We support, with modification, alternative 4, “Proposed Projects Without Vista Oaks Phase I and Bridge” as well elimination of lots 53, 24 thru 33, and 70 thru 79, 99, and 100. The elimination of these lots and bridge would still provide access via China Garden Road to the open space, would allow for reasonable development, would eliminate the necessity for the monstrous sound wall, and would more adequately protect the creek as well as other natural resources on the sites. Please consider these alternatives as viable and superior.
- 2-32
- Unless we overlooked it, we see no reference to the Dry Creek Greenway Regional Vision Plan. Any project that is impacting any creek or tributary of the Dry Creek Watershed at the least should include participation in the regional plan—if not fully planned and designed, then at least as mitigation. Why is there no reference to the Dry Creek Greenway? Please provide an analysis of providing elements of the Dry Creek Greenway and incorporate it into this (these) project(s).
- Thank you for considering the comments and views expressed.

Sincerely,



Marilyn Jasper, Chair

Exhibit II

Letter 2 cont'd



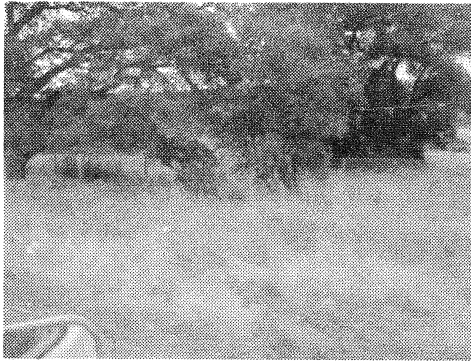
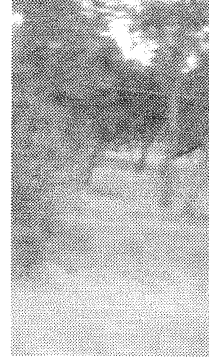
Small portion of project site depicting large, natural scenic viewshed, as seen from eastbound I-80 lanes, after over 40 miles of soundwalls, commercial, and sprawling development.

EXHIBIT D

Letter 2 cont'd



Eastbound I-80
VO Viewshed



East Bound I-80's extremely serene viewshed introducing the beauty of Rocklin upon exiting Roseville as well as the beginning of the foothills. The Vista Oaks' site will destroy the sensation of open space and high visual qualities, experienced and viewed by hundreds of thousands of I-80 travelers. To construct a 14' sound wall is an unacceptable assault on the public.

Letter 2: Sierra Club (May 24, 2006)

Comment 2-1:

This is an introductory comment and does not address the adequacy of the DEIR.

Comment 2-2:

The City determined that a combined EIR would be appropriate for the Vista Oaks and Highlands Parcel A subdivisions due to the adjacencies of the two projects and the overall similarity of anticipated environmental impacts. This is appropriate as the CEQA guidelines indicates that when an individual project commits a lead agency to a larger project, the EIR must address itself to the scope of the larger project. The construction of one subdivision apart from the other would likely commit the City to the construction of the second subdivision, therefore, to have separated the projects would constitute project segmentation, which is not allowed under CEQA.

Although addressed in one EIR, each project was analyzed on its own merits and project-specific impacts and mitigation measures were determined where appropriate. In some instances, due to the adjacencies of the projects and the similarities of anticipated impacts as noted above, the impact and mitigation discussions apply to both projects. Where the projects differed and potential environmental impacts were specific to one project or the other, the impact and mitigation discussion was tailored to the particular project. With respect to the comment regarding extending the timeline because of two projects, there is no provision in CEQA that requires an extended comment period if multiple projects are covered in one EIR.

Comment 2-3:

The pictures included in the Aesthetics chapter, notably Figure 4.3-6, the Existing View of Project Site from Location 2 were taken at a distance to provide a more broad and panoramic view and to present a more comprehensive approach to analyzing the aesthetic impacts in regard to views from the highway as experienced by traveling motorists. The pictures were a tool to help represent what the project site looks like from a traveling motorist's perspective, but they were not intended to show all of the characteristics of the project site. As discussed on page 4.3-6 of the DEIR, the photographs in the Aesthetics chapter are intended to best represent the most visible public views of the project site which are from the northern side of the sites along Interstate 80. It should be noted that the project site can be viewed by drivers on both the east and west bound lanes on Interstate 80, and therefore it was determined that photographs which contain views that include both the east and west bound lanes were necessary and thus included in the DEIR. The pictures provided by the commenter afford other views of the project site that are not represented by the existing pictures in the DEIR and best represent the views as seen from the eastbound lanes of Interstate 80. Other photographs provided in the Aesthetics chapter represent different viewpoints of the project site, but do not include the center divide as prominently as in Figure 4.3-6 as noted by the commenter.

Comment 2-4:

The State Route 65 (SR65) onramp onto Interstate 80 (I-80), which is situated on the far western boundary of the proposed project site, is a gradual, graded onramp that meets Caltrans safety standards. The proposed project would not construct any residential units within 100 feet of this onramp (see Figure 4.7-2 of the DEIR). Additionally, the stretch of I-80 between the Rocklin Road exit and the SR65 onramp is relatively flat and straight and does not present any notable design-related hazards.

As an interstate highway, it is recognized that I-80 includes vehicles transporting hazardous materials. However, there are strict Federal, State, and to some degree local (County and City) laws and regulations relating to the handling, transporting and storage of hazardous materials that must be complied with by those who are involved in such activities. These laws and regulations are intended to eliminate or at least minimize the potential for hazardous material accidents, and in the event of a hazardous materials accident, the rules and regulations are intended to minimize the size and scope of a potential accident and provide appropriate direction for responding to such an incident.

Notwithstanding the rules and regulations related to the transport of hazardous materials discussed above, though the proposed project would extend an existing frontage road and add residential units in close proximity to I-80, the proposed project would also include the construction of a masonry sound wall. This sound wall would also serve as a physical barrier between the freeway and the residential units by and be an obstacle to vehicles potentially leaving the freeway.

The City does not have any specific rules, regulations and policies related to siting residential uses in proximity to the freeway, nor are there any such rules and regulations at the State and Federal levels. Because lots 1-23 of the Vista Oaks project are subject to a General Plan Amendment and Rezone, it will ultimately be up to the decision-makers to determine if placing residential units in that location can occur or not. The DEIR did include a project alternative that would eliminate lots 1-23 that are proposed adjacent to the freeway.

Comment 2-5:

It is recognized that a park site in close proximity to a freeway is likely to have higher levels of localized criteria pollutants (such as carbon monoxide) and higher levels of toxic air contaminants associated with vehicles compared to sites more distant from a freeway.

While carbon monoxide concentrations might be higher in close proximity to the freeway, Placer County as a whole is an attainment area for carbon monoxide which means that carbon monoxide levels are below federal and state standards.

Ozone is the primary pollutant for which the region is classified as being in non-attainment status by federal and state standards. However, ozone is a regional pollutant that is formed in the atmosphere and the concentrations of such are not affected by proximity to a freeway.

Toxic Air Contaminants (TACs) impacts were identified as potentially significant in the Draft EIR, and mitigation measures were also identified to reduce the impact to a less than significant level. Risk from toxic air contaminants is highly dependent on wind patterns as well as source strength and distance from the source. Estimates of health risks from traffic on I-80 performed as part of the Roseville Rail Yard Study found risks on the southeast side of I-80 (where the proposed project is located) were less than risks on the northwest side of I-80, based on wind data from Roseville. Due to effects of toxic air contaminants from freeways, state law requires air pollution studies when new schools are to be located within 500 feet of a freeway. However, the siting of residences, playgrounds and parks has no such requirements and these uses can typically be found adjacent to freeways.

In response to the commenter's suggestion that lots 1 through 23 be removed from the project, the DEIR did include analysis of such an alternative.

Comment 2-6:

As stated on page 4.2-1 of the Land Use chapter, the focus of said chapter is to describe the project's land use background and the proposed project's consistency with existing land use designations and policies. The Project Description chapter contains a brief description of the project setting and environmental attributes, and a full discussion of the biological setting of the project sites can be found in the Biological Resources chapter of the DEIR.

Comment 2-7:

The use of the word "anticipated" in this sense was referring directly to the nature of the passive park, not to the existence of the open space and/or park parcels. Nonetheless, the open space and/or park sites that are shown on the project's tentative subdivision map will either be required to be dedicated to the City or a non-profit land management entity, or will remain the responsibility of a Homeowner's Association (HOA), through project conditions of approval. Maintenance and management of the open space and/or park sites will be funded by including the cost of the maintenance and management efforts into a Community Facilities District (CFD) if maintained by the City, or into a HOA funding mechanism or an endowment fund if maintained by a Homeowner's Association. At this time, subject to changes made during the decision-making process, it is anticipated for the Vista Oaks project that parcels A, B and E would be dedicated to the City as public open space and would be maintained by the City, and parcels C and D would be owned and maintained by a Homeowner's Association. It is also anticipated that the open space parcels on the Highlands Parcel A project would be dedicated to, and maintained by, the City of Rocklin.

Comment 2-8:

The commenter references “open space percentage compliances” as requirements of the City of Rocklin, but the Open Space Conservation and Recreation Element of the City of Rocklin General Plan does not include any specific open space ratios beyond those included in Policy 7 of the Open Space and Conservation Action Plan. Policy 7 states that projects are required to include five acres of park area per thousand persons. The proposed projects were evaluated for impacts to Recreation as part of the Initial Study and a conclusion of less than significant was reached because of the recreational facilities and the payment of park and recreation fees that the projects will provide. For informational purposes and as noted on pages 3-12 and 3-18 of the DEIR, 64 percent of the Vista Oaks site and 75.9 percent of the Highlands Parcel A site would remain open space.

Comment 2-9:

The Vista Oaks project includes five open space parcels, and the Highlands Parcel A project includes four open space parcels. As noted in response to comment 2-7 above, the disposition of these open space parcels will occur in one of the following manners: the parcels will be required to be dedicated by the developer to the City or a non-profit land management entity, or they will remain the responsibility of a Homeowner’s Association. The maintenance and management of these open space parcels will be funded by including the cost of the maintenance and management efforts into a Community Facilities District (CFD), an HOA funding mechanism, or an endowment fund. The ownership and maintenance responsibilities of the open space parcels will be established in the project conditions of approval. At this time, it is anticipated for the Vista Oaks project that parcels A, B and E would be dedicated to the City as public open space and would be maintained by the City, and parcels C and D would be owned and maintained by a Homeowner’s Association. It is also anticipated that the open space parcels on the Highlands Parcel A project would be dedicated to, and maintained by, the City.

If the ownership and/or maintenance of the open space parcels goes to an HOA or non-profit land management entity and in the event one of those entities fails to perform, the project will be required to allow for the City to perform the maintenance activities and assess (lien) the cost to the specific entity. Additionally, the City will require that the HOA or non-profit land management agency prohibit the modification or deletion of any City conditions of approval and also prohibit the termination of the entity in its entirety, without the consent of the City. These requirements and the enforcement thereof are dictated by project conditions of approval and the Rocklin Municipal Code.

Comment 2-10:

Per Section 15125 of the CEQA Guidelines, the Land Use chapter discusses any inconsistencies between the proposed project and applicable General Plans, regional plans, zoning designations and policies. This information is presented so that the public

and the decision-makers understand the inconsistencies of the project as proposed by the applicants/developers. Ultimately, the decision-makers will determine if the identified inconsistencies can be “corrected” through the granting of the requested entitlements that contain amendments to General Plan land use designations and zoning on the project sites.

In response to the portion of the comment regarding the consideration of amendments to lessen or avoid environmental impacts, the DEIR included an Alternatives Analysis chapter that included alternatives to the proposed project that would avoid or substantially lessen any of the significant impacts of the proposed project.

Comment 2-11:

As discussed above, the Land Use chapter analyzes inconsistencies between the proposed project and applicable General Plans, regional plans, zoning designations and policies. The impact discussion referred to by the commenter addresses compatibility/incompatibility issues with existing or planned surrounding land uses and concludes that because the surrounding land uses are primarily residential with similar densities, the projects have a less than significant impact relating to land use compatibility. The “compatibility” of the proposed project with stream flows, wetlands, meadows, slopes, run off, viewsheds and other environmental impacts are required to be addressed in specific chapters of the DEIR, but not in the land use chapter. Other chapters of the DEIR, notably biological resources, hydrology/water quality and aesthetics, analyze these potential impacts.

Comment 2-12:

The commenter notes that the conclusions in the impact discussion regarding the obstruction of views of the project site from Interstate 80 (I-80) are faulty and erroneous. Although the site does possess some scenic qualities as noted by the commenter, the site is not identified or formally recognized by the City, Caltrans or any other governmental agency having jurisdiction over the area as a scenic site, vista or corridor. While views of the site will be altered with the proposed project, such alteration is considered not to be substantial enough to warrant the identification of a significant impact. This conclusion is supported by the discussion in the DEIR that notes that the view corridor of the project site that is most visible to the public is along I-80 and that traveling motorists, who would be the primary viewers of that portion of the project site, would only experience a small window of visibility of the project site due to high travel speeds.

Please refer to Response to Comment 2-3 for a response regarding the photographs provided in the DEIR.

Comment 2-13:

Impacts related to the sound walls are addressed in Impact 4.3I-1 on page 4.3-8 of the DEIR. The findings in the DEIR state that the proposed sound walls would be consistent

with the existing sound walls along the Interstate 80 (I-80) corridor and that as discussed in Response to Comment 2-12 above, the proposed project site is not identified or formally recognized by the City, Caltrans nor any other governmental agency having jurisdiction over the areas as a scenic site, vista or corridor. The existing 14' tall sound wall that is adjacent to the project site is called out because the proposed new sound walls will connect to and be designed to match the existing 14' tall sound wall which will result in a continuation of the planned urbanization adjacent to the freeway as already experienced by motorists traveling along the I-80 corridor and other freeways and highways in the region. Although the DEIR determined that the proposed project would have impacts related to the views from Interstate 80, the DEIR did not find these impacts to be significant. Because the impact was not identified as significant, mitigation measures were not required.

Comment 2-14:

The comment is likely addressing either Impact 4.3I-1 which discusses the alteration of degradation of the visual character and quality of the area, and/or Impact 4.3I-2 which discusses the degradation of the visual character or quality of the project site as a result of tree removal. The impact discussions noted above both identify and disclose that if the project were to be implemented, some trees that are currently existing and visible in the photosimulation figures would be removed by the projects and would no longer be visible. As noted in impact discussion 4.3I-2, the level of degradation of the visual character of the project site as a result of tree removal was determined to be less than significant. The less than significant impact conclusion was reached because the projects would: preserve approximately 67 percent of the oak trees, comply with the City's Oak Tree Preservation Ordinance requiring the replacement of trees or payment into the Oak Tree Preservation Fund, and also involve the addition of ornamental trees in the landscaping of the residences.

While the proposed removal of trees did not warrant the identification of a significant aesthetic impact, the removal of trees was identified as a significant impact in the biological resources chapter and mitigation measures were identified.

Comment 2-15:

Please refer to Response to Comment 2-14 above that provides a distinction between aesthetic impacts associated with tree removal and biological impacts associated with tree removal.

In response to the portion of the comment regarding dead trees, the City's Oak Tree Preservation Guidelines and associated Ordinance note that mitigation is not required for the removal of a dead, dying or diseased oak tree on undeveloped property. Specifically, item F, 1, a of Section 17.77.050 of the City's Oak Tree Preservation Ordinance states that "If the director determines that the oak tree is dead, dying or diseased to such an extent or in such a manner that the tree poses a risk of injury to persons or property, the oak tree removal permit shall be issued. No mitigation shall be required for removing a

dead, dying or diseased tree from an undeveloped property.” The Ordinance was written in such a way because it was felt that the number of trees that are considered to be in the dead, dying or diseased category was not that substantial in the overall tree inventory of the City, and that it was not appropriate to require compensation for the removal of a tree that was dead, dying or diseased.

The determination of the significance of impacts is based upon the standards of significance that are noted in the beginning of each impact and mitigation discussion section. The standards of significance are derived from adopted goals, policies, rules and regulations. Specifically, the applicable standard of significance when it comes to tree removal is if a conflict with adopted environmental policies and goals of the community where the project is located (such as a tree preservation policy or ordinance) would or could occur. In this case the adopted environmental policy is the City’s Oak Tree Preservation Ordinance. Because, as noted earlier, the City’s Oak Tree Preservation Ordinance does not require mitigation for dead and dying trees, the lack of mitigation in the DEIR for dead and dying trees is considered to be consistent with, and not in conflict with, the City’s Oak Tree Removal policy.

Comment 2-16:

The commenter notes that the light and glare from developments surrounding the project site are immaterial. The proposed project site is currently subject to light and glare produced by surrounding developments as well as from nighttime traffic on Interstate 80. Impact 4.3I-4 addresses the site specific impacts related to the increase in light and glare and as stated in that impact discussion, while the level of light would represent a change from the existing condition, it would not introduce lighting unlike that which already exists at other residences and subdivisions in the vicinity. Typical residential lighting would not significantly impact neighboring properties. Though the proposed project would introduce a new source of light and glare to the project site, this light and glare would be consistent with neighboring land uses and would not be expected to result in a “substantial increase” in light and glare which could affect daytime and nighttime views.

Cumulative impacts related to the addition of light and glare, which take into account the full buildout of the project in concert with existing and other future developments in the region, were found to result in a significant and unavoidable impact (see Impact 4.3I-6). Should the proposed project be approved, the City would be required to prepare and adopt a Statement of Overriding Considerations regarding these cumulative impacts to light and glare, similar to what the City did for its’ General Plan. The General Plan EIR identified cumulative adverse aesthetic impacts (including light and glare) as significant and unavoidable, and the City of Rocklin adopted Findings of Fact and a Statement of Overriding Considerations in recognition of this impact.

Comment 2-17:

The comment raises a general concern about the need for, and perceived lack of mitigation in the DEIR. The DEIR includes the identification of feasible mitigation

measures where significant impacts are identified. CEQA Guidelines Section 15126.4 provides guidance on the consideration and discussion of mitigation measures and notes that mitigation measures are not required for effects which are not found to be significant, that there must be an essential nexus (i.e., connection) between the mitigation measure and a legitimate governmental interest, and that the mitigation measure must be “roughly proportional” to the impacts of the project. The DEIR followed this and other guidance from the CEQA Guidelines in the identification of mitigation measures.

It should also be noted that as part of the City’s General Plan EIR that examined the growth and development of the City as envisioned in the General Plan, the Rocklin City Council has previously identified cumulative significant air quality, biological resources, and visual resources impacts as unavoidable consequences of urbanization, despite the implementation of mitigation measures, and has adopted a statement of overriding considerations for these impacts.

Comment 2-18:

As noted in Impact 4.4I-2 and illustrated on Figures 4.4-3, 4.4-4 and 4.4-5, the 100-year floodplain is not within any proposed residential lot. Phase 1 of the Vista Oaks project includes lots that are adjacent to, but not within, the 100-year floodplain. The proposed projects do include permanent open space lots that contain Secret Ravine Creek and its’ associated 100-year floodplain, but again, these lots do not contain residences.

Comment 2-19:

Appendix L of Appendix E in the DEIR shows that all lots for the proposed project are outside of the 100-year floodplain. Impact 4.4I-2 provides a more in depth discussion of the exposure of future and adjacent residents to hazards associated with a 100-year flood event. The impacts of runoff quality into the creek with the increase in impervious surfaces are addressed in Impact 4.4I-1, Impacts related to change in peak stormwater flows, and in Impact 4.4I-4, Impacts related to degradation of water quality.

In response to the portion of the comment regarding creek setbacks and buffers, Item 1 from the Action Plan for the Open Space, Conservation and Recreation Element of the City of Rocklin General Plan states that “The City will apply open space designations to all lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage, and to areas consisting of riparian habitat. The City will designate a buffer area greater than 50 feet for perennial streams when it is determined that such a buffer area is necessary to adequately protect drainage and habitat areas. In designating these areas as open space, the City is preserving natural resources and protecting these areas from development.” The need for a buffer area larger than 50 feet was determined to not be necessary and the proposed projects meet the City’s policy requirements and have no obligation to provide larger buffers/setbacks from the creek.

Comment 2-20:

It is assumed that the comment is referring to the adequacy of the implementation of Mitigation Measure 4.4MM4(a) pertaining to the degradation of water quality.

As stated in the mitigation measure, the BMPs and BATs will be incorporated into the project designs based upon the finalized site-specific hydrologic conditions that will accompany the project's final improvement plans. The mitigation measures include a list of BMPs and BATs that could potentially be implemented and specifies that the BMP and BAT maintenance mechanisms would be required and that mechanisms to maintain the BMP and BATs be included in the conditions of approval and on the final improvement plans. Pages 4.4-8 through 4.4-10 of the DEIR provide a listing of BMPs/BATs that are minimum requirements to be complied with during construction activities. Beyond that listing, the specific BMPs/BATs that a project will have to comply with are not determined at this stage of project development. The identification of specific BMPs and BATs will occur as part of the projects' Stormwater Pollution Prevention Plan that is required to be prepared prior to any grading or construction activities. The final selection of BMPs and BATs will be subject to review by the City; this process will include the City's review of the project's Improvement Plans and final drainage reports that are consistent with the project as approved. The preparation of the final drainage reports and project Improvement Plans are deferred until such time after the project is approved so as to ensure that any changes to the project that are made during the decision-making process are incorporated into the project's final design and associated drainage studies.

With respect to monitoring and maintaining the BMPs, the City is required to adopt a program for monitoring the mitigation measures which it has imposed on a project to mitigate or avoid significant environmental impacts. If the proposed projects are approved by the City of Rocklin, the approval must also include a Mitigation Monitoring Plan (MMP). The intent of the MMP is to establish a method for properly and successfully implementing a project's mitigation measures. The MMP will be used by City staff to ensure compliance with mitigation measures while the project is being developed. The City will routinely inspect a project site to see if the BMPs and BATs that have been required of a project are being implemented properly; the frequency of these inspections will increase prior to and after storm events. If non-compliance with the specified BMP and BAT measures becomes an issue, then the developer/contractor are notified of the problem by the City via a Notice to Comply. If non-compliance remains an issue after the issuance of a Notice to Comply, then the City will issue a Stop Work Order on the project and notify the California Regional Water Quality Control Board (CRWQCB) of the violations. At that point, the CRWQCB would investigate the situation and if non-compliance continued, penalties and/or fines could then be assessed at a State level.

It should also be noted that the mitigation measures related to the BMPs and BATs specify that mechanisms to maintain the BMPs and BATs shall be identified in the project conditions of approval and on improvement plans.

Comment 2-21:

Impact 4.4I-3 includes a discussion of impacts related to construction-phase erosion. The impact discussion includes a series of mitigation measures, such as the preparation of a Stormwater Pollution Prevention Plan (SWPP), that are designed to reduce impacts related to construction-phase erosion and sedimentation to a less than significant level. Also, Impact 4.4I-4 includes a discussion of the degradation of water quality as a result of urban runoff. The impact discussion includes a mitigation measure which ensures that a series of BMPs and BATs shall be incorporated into the project design. The implementation of these BMPs and BATs would reduce impacts related to the degradation of water quality to a less-than-significant level.

Comment 2-22:

As noted by the commenter, discussion of the white-tailed kite occurs on page 4.6-33 of the DEIR. This discussion acknowledges that a white-tailed kite was observed foraging in the project vicinity during surveys conducted in February of 2003. The white-tailed kite was also noted in Table 4.6-2 on page 4.6-16 of the DEIR as a species with a high potential for occurrence on the project sites and one that was observed in the area. The white-tailed kite is not listed as a State or Federal endangered or threatened species, but it is considered to be a State Fully Protected Species. While the white-tailed kite is designated as a State Fully Protected Species, such designation does not afford the same protections as an endangered and/or threatened species. However, white tailed kites are afforded protection through the California State Fish and Game Code as a raptor species. Specifically, Section 3503.5 of said code states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”

To address the potential presence of nesting raptor species on the project site, including the white-tailed kite, the DEIR identified mitigation measures 4.6MM-13 that require the completion of a pre-construction breeding season survey. The mitigation measure allows for the removal of a tree in which a raptor is nesting when the nest is determined by a qualified biologist to no longer be in use, and this mitigation measures is considered to be adequate. Although it is known that some raptors (including white-tailed kites) frequently return to the same nest each year, these species do have the ability to relocate and build new nests as necessary, and in fact there are situations where nest trees naturally fall and raptors must relocate their nesting activities.

Comment 2-23:

Rattlesnakes are likely to inhabit the site; however, rattlesnakes are a common species and are not analyzed individually under the CEQA process.

Comment 2-24:

The City's Oak Tree Preservation Guidelines and associated Ordinance note that mitigation is not required for the removal of a dead, dying or diseased oak tree on undeveloped property. Specifically, item F, 1, a of Section 17.77.050 of the City's Oak Tree Preservation Ordinance states that "If the director determines that the oak tree is dead, dying or diseased to such an extent or in such a manner that the tree poses a risk of injury to persons or property, the oak tree removal permit shall be issued. No mitigation shall be required for removing a dead, dying or diseased tree from an undeveloped property." Because mitigation is not required for dead, dying or diseased trees, those trees that are determined by a professional arborist to fall within such a category are excluded from the 20% threshold calculation.

The determination of the significance of impacts is based upon the standards of significance that are noted in the beginning of each impact and mitigation discussion section. The standards of significance are derived from adopted goals, policies, rules and regulations. Specifically, the applicable standard of significance when it comes to tree removal is if a conflict with adopted environmental policies and goals of the community where the project is located (such as a tree preservation policy or ordinance) would or could occur. In this case the adopted environmental policy is the City's Oak Tree Preservation Ordinance. Because, as noted earlier, the City's Oak Tree Preservation Ordinance does not require mitigation for dead and dying trees, the lack of mitigation in the DEIR for dead and dying trees is considered to be consistent with, and not in conflict with, the City's Oak Tree Removal policy.

Comment 2-25:

Please refer to Response to Comments 2-15 and 2-24 above.

Comment 2-26:

The arborist was requested to remove the non-oak species that were previously included in an inventory because the inventory's purpose was to identify the oak trees that were present on the project sites, consistent with the requirements of the City of Rocklin's Oak Tree Preservation Guidelines. Non-oak tree species are not required to be inventoried, nor does their removal require mitigation, under the City's Oak Tree Preservation Guidelines. Although most of the trees on the project sites are oak trees, it is recognized that other tree species do exist on the project sites and have some biological benefit. To that end, the planned removal of trees in the riparian woodland areas of the project sites was identified as significant and unavoidable impact in the DEIR, despite the implementation of mitigation measures that would reduce the magnitude of the impact.

Comment 2-27:

As noted in the DEIR on page 4.6-53, the arborist-recommended removals (non-mitigative) consist of trees that in the professional opinion of the arborist are diseased

and/or structurally unsound oaks that may constitute a safety hazard to future residents in the project vicinity. Per Section 17.77.050 of the City's Oak Tree Preservation Ordinance, a property owner may apply for an oak tree removal permit for dead, dying or diseased trees on undeveloped lots. The application process includes submitting a professional arborist report that assesses the type, size, and condition of the oak trees which is reviewed by the City. It is then up to the City to determine if the oak tree is dead, dying or diseased to such an extent or in such a manner that the tree poses a risk of injury to persons or property. If the determination is such, then the oak tree removal permit shall be issued, but no mitigation shall be required for removing a dead, dying or diseased tree from an undeveloped property. If the City determines that the oak tree is not dead, dying or diseased, then mitigation would be required.

The short-term impacts to native oak trees discussion (Impact 4.6I-6) and the arborist's inventory report includes the same information regarding the non-mitigative trees as the information that is provided for mitigative trees (those trees requiring mitigation), such as tree species, size, location and health. This information is given so as to provide the public with a meaningful opportunity to participate in the CEQA process.

With regard to the portion of the comment regarding counting dead and dying trees for mitigation purposes, as noted above and in Response to Comment 2-25, the City's Oak Tree Preservation Guidelines and associated Ordinance note that mitigation is not required for the removal of a dead, dying or diseased oak tree on undeveloped property.

Comment 2-28:

The City relies upon the expertise of professional certified arborists in making determinations as to whether oak trees are dead, dying and/or diseased. If an oak tree is determined by the arborist to be in this category, the likelihood of the tree "coming back to life" and becoming a healthy tree is very minimal and as such, the City's Oak Tree Preservation Guidelines and associated Ordinance state that no mitigation is required for the removal of a dead, dying or diseased oak tree on undeveloped property.

Comment 2-29:

Pages 4.6-56 and 57 of the DEIR contains mitigation measure 4.6-MM8a. As stated in mitigation measure 4.6-8MM8a, the extent of specific mitigation measures would be determined by the California Department of Fish and Game (CDFG). If the CDFG determines that a Streambed Alteration Agreement (SAA) would be necessary, additional mitigation measures would be applied to the proposed project; these measures may include the bulleted list on page 4.6-56 of the DEIR. Because it is up to the CDFG to determine the necessity of the SAA, the DEIR cannot speculate as to what site-specific measures would be required by the CDFG. However, as the mitigation measure states, the applicant would be required to mitigate this impact by complying with the Clean Water Act as administered by the U.S. Army Corps of Engineers, under Section 404 of the Clean Water Act and under Sections 1600-1607 of the California Fish and Game Code as administered by the CDFG. The monitoring plan would be compiled in compliance with

the Public Resources Code Section 21081.6. The City will ensure that the project applicant satisfies the above-stated requirements prior to the approval of Improvement Plans. Violations of the requirements of the Clean Water Act and the California Fish and Game Code would be addressed by the U.S. Army Corps of Engineers and the California Department of Fish and Game, respectively.

Comment 2-30:

The Alternatives chapter of the DEIR includes a discussion of two no bridge alternatives (see pages 6-11 and 6-13 of the DEIR). Similar to the commenter's point, the DEIR notes that the no bridge alternatives would have fewer overall environmental impacts, including impacts to biological resources.

Comment 2-31:

The commenter expresses support for the Proposed Project Without Vista Oaks Phase 1 and Bridge Alternative as well as the elimination of a number of lots beyond the reductions already included in this alternative. This comment does not address the adequacy of the DEIR.

Comment 2-32:

The Dry Creek Greenway Regional Vision Plan is a policy and project recommendation document that provides guidance and direction for the future design, implementation, and management of the Dry Creek Greenway. The Dry Creek Greenway is envisioned as a regional resource for recreation, habitat, water quality, floodwater conveyance, and alternative transportation.

The Dry Creek Greenway Regional Vision Plan is currently not adopted by Placer County, but is intended for consideration and adoption by the County of Placer in the near future. The City of Rocklin has not adopted the Dry Creek Greenway Regional Vision Plan. Because the Dry Creek Greenway Regional Vision Plan EIR has not been certified and because the City of Rocklin has not adopted the Dry Creek Greenway Regional Vision Plan, the Vista Oaks and Highlands Parcel A projects are not subject to the mitigation measures in the Dry Creek Greenway Vision EIR.

The proposed Vista Oaks and Highlands Parcel A projects preserve riparian areas, provide for a park at the terminus of China Garden Road, and establish recreational trails roughly parallel to the creek that would form a link in a regional trail system. Therefore, the Vista Oaks and Highlands Parcel A projects appear to be generally consistent with the development patterns and facilities envisioned in the Dry Creek Greenway Vision Plan, although the plan was not formally incorporated into the projects.

Letter 3

MIWOK MAIDU United Auburn Indian Community of the Auburn Rancheria

JESSICA TAVARES
CHAIRPERSON

JULIE HUFF
VICE CHAIR

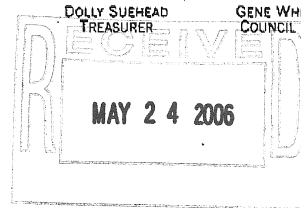
DAVID KEYSER
SECRETARY

DOLLY SUEHEAD
TREASURER

GENE WHITEHOUSE
COUNCIL MEMBER

May 23, 2006

Sherri Abbas
Planning Services Manager
3970 Rocklin Road
Rocklin, CA 95677



Subject: Comment Letter on Vista Oaks and Highlands Parcel A Subdivisions Project

Dear Ms. Abbas,

3-1 Thank you for the opportunity to comment on the proposed Vista Oaks and Highlands Parcel A Subdivisions Project Draft Environmental Impact Report (EIR). The United Auburn Indian Community (UAIC) is composed of Miwok and Maidu Indians with an ancestral territory encompassing Placer and Nevada Counties, and surrounding areas. We are concerned about projects that may impact sites that have cultural and religious importance to us. We have reviewed the Cultural Resources section of the Draft EIR as well as the appendices and have the following comments.

3-2

- Mitigation measure 4-10MM-1b discusses erecting fencing around the eligible prehistoric components of CA-PLA-515/H and the ridge-top component of prehistoric site Highlands #2. We suggest including a 6-meter (20-foot) buffer zone around each site's boundaries within the fencing.

3-3

- We understand that the isolated bedrock mortars present onsite are not considered significant, but these sites have cultural value to our Tribe and we request that they are avoided during development or physically relocated to a protected area.

3-4

- If previously unidentified prehistoric features, artifacts, human remains, or other Native American constituents are discovered during development of the proposed project, the UAIC wishes to be notified immediately.

3-5

- We would also like to open a dialog regarding the potential return of excavated prehistoric or ethnographic materials from this site to the Tribe. We currently have no facility to house cultural materials, but may consider developing a facility in the future.

Please contact our environmental consultant, Dr. Shelley McGinnis, of Analytical Environmental Services, at (916) 447-3479 if you have any questions.

Sincerely,

Greg Baker, Tribal Administrator

Tribal Office • 575 Menlo Drive, Suite 2 • Rocklin, CA 95785 • (916) 663-3720 • FAX (916) 663-3727

Letter 3: Greg Baker, Tribal Administrator for the United Auburn Indian Community of the Auburn Rancheria

Comment 3-1:

This is an introductory comment and does not address the adequacy of the DEIR.

Comment 3-2:

The site survey conducted by Peak and Associates included a detailed study of the project area which identified the boundaries of the site in question. Mitigation measure 4.10MM1b requires that the location of the placement of fencing around the site be determined by a qualified archaeologist. The archaeologist will determine the adequate size of a buffer area where the fence is to be located, and the buffer may or may not be sized to include the 20-foot buffer as the comment suggests. The request for the 20-foot buffer can certainly be passed on to the project representatives, their archaeologist, and the decision-makers, but such a size was not specified in the mitigation measure and is therefore not a requirement of the project.

Comment 3-3:

As the commenter notes, the discussion of Impact 4.10I-1 notes that the Bedrock Mortar (PA-89-33) and the Bedrock Mortar Station (VO-2) were not determined to contain cultural deposits or further research potential. However, the commenter's request will be forwarded to the appropriate decision-making bodies.

Comment 3-4:

Mitigation measure 4.10MM4a includes a provision for the notification of an appropriate Native American representative in the event of the discovery of a previously unknown cultural resource, but does not specify notification of the United Auburn Indian Community. In response to the comment, Mitigation Measure 4.10-MM-4a will be changed to the following:

4.10MM-4a If during construction outside of the areas designated as CA-PLA-515/H, Highlands #2, or AF-31-67-H, the project applicant, any successor in interest, or any agents of contractors of the applicant or successor discovers a cultural resource that could qualify as either an historical resource or a unique archaeological resource, work shall immediately stop within 100 feet of the find, and both the City of Rocklin and an appropriate Native American representative, including but not limited to the United Auburn Indian Community, shall be immediately notified per Southeast Rocklin Circulation Element policy 47. Work within the area surrounding the find (i.e., an area created by a 100-foot radius emanating from the location of the

find) shall remain suspended while a qualified archaeologist, retained at the applicant's expense, conducts an onsite evaluation, develops an opinion as to whether the resource qualifies as either a historical resource or a unique archaeological resource, and makes recommendations regarding the possible implementation of avoidance measures or other appropriate mitigation measures. Based on such recommendations, as well as any input obtained from the Native American representative(s), ~~Indian Community~~ within 72 hours (excluding weekends and State and federal holidays) or its receipt of notice regarding the find, the City shall determine what mitigation is appropriate. At a minimum, any Native American artifacts shall be respectfully treated and offered to the Native American representative(s) ~~Indian Community~~ for permanent storage or donation, at the ~~Indian Community~~ Native American representative(s)'s discretion, and any Native American sites, such as grinding rocks, shall be respectfully treated and preserved intact. In considering whether to impose any more stringent mitigation measures, the City shall consider the potential cost to the applicant and any implications that additional mitigation may have for project design and feasibility. Where a discovered cultural resource is neither a Native American artifact, a Native American site, an historical resource, nor a unique archaeological resource, the City shall not require any additional mitigation, consistent with the policies set forth in Public Resources Code sections 21083.2 and 21084.1. A note requiring compliance with this measure shall be indicated on construction drawings and in construction contracts for the review and approval of the Engineering Division prior to any grading or construction activity.

The above changes are added for clarification purposes and do not alter conclusions contained within the DEIR.

Comment 3-5:

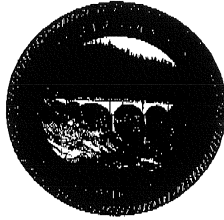
This comment does not address the adequacy of the DEIR; however the comment is noted and will be forwarded to the appropriate decision-making bodies and the property owner who currently has ownership rights to any prehistoric or ethnographic materials found on the project site.

FROM : Placer County Flood Control

FAX NO. : 530 886 3531

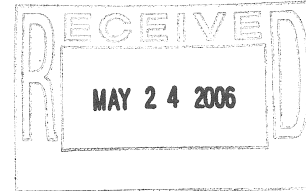
May,

Letter 4



**PLACER COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

Ken Grehm, Executive Director
Brian Keating, District Engineer
Andrew Darrow, Development Coordinator



May 24, 2006

Sherri Abbas, Planning Services Manager
Community Development Department
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677

RE: Vista Oaks and Highlands Parcel A Subdivisions / Draft EIR

Sherri:

- 4-1 We have reviewed the Draft EIR (DEIR) dated April 2006 for the proposed subdivisions and have the following comments.
1. The proposed pedestrian/emergency access bridge (Bridge Alternative C) and associated fill within the Secret Ravine floodplain appears to have insignificant impacts on 100-year WSELs at the Vista Oaks upstream project boundary.
- 4-2 2. Locating Bridge Alternative C at Station 9770 is acceptable to the Placer County Flood Control District (District). This bridge location corresponds to an area of minimal proposed excavation within the District's proposed Secret Ravine Floodplain Restoration Project.
- 4-3 3. Based on the District's Secret Ravine Floodplain Restoration Project feasibility study (dated August 2003), the District is proposing to restore the floodplain and provide regional stormwater detention within a portion of Parcel A of the Vista Oaks development. The District requests that the City continue to coordinate with the District regarding any construction/improvements proposed by the City or developer within Vista Oaks Parcel A which could conflict with the proposed floodplain restoration project.
- 4-4 4. The District requests that the floodplain portion of the open space designation of Vista Oaks Parcel A be consistent with the District's proposed Secret Ravine Floodplain Restoration Project and provide for the possibility of a flood and conservation easement granted to the District for the purpose of our project.

Please call me at (530) 745-7541 if you have any questions regarding these comments.

A handwritten signature in black ink, appearing to read "Andrew Darrow".

Andrew Darrow, P.E.
Development Coordinator

d:\deltel\letters\c06-151.doc

cc: Ken Yorde, City of Rocklin
Ken Grehm, Executive Director

11444 B Avenue / Auburn, CA 95603 / Tel: 530/745-7541 / Fax: 530/745-3531

Letter 4: Andrew Darrow, Placer County Flood Control and Water Conservation District.

Comment 4-1:

The commenter agrees with the DEIR, stating that the Bridge Alternative C would have a less than significant impact on the 100-year floodplain.

Comment 4-2:

The commenter agrees with the DEIR, stating that locating Bridge Alternative C at Station 9770 is acceptable; this location corresponds to an area of minimal excavation within the Secret Ravine Floodplain Restoration Project.

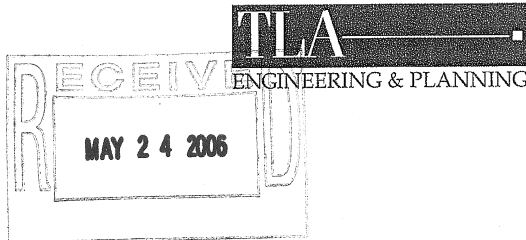
Comment 4-3:

The commenter requests continued coordination regarding improvements proposed by the City or developer within a portion of the Vista Oaks parcel A. The City will continue such coordination.

Comment 4-4:

The commenter requests that the floodplain portion of the open space designation of Vista Oaks parcel A be consistent with the Secret Ravine Floodplain Restoration Project and that the possibility of a flood and conservation easement to be granted to the Placer County Flood Control and Water Conservation District be provided. The floodplain portion of the project site is consistent with the Secret Ravine Floodplain Restoration Project. Per Response to Comment 1-7 above, it is anticipated (pending the decision-making process) that the future ownership and maintenance responsibility for Vista Oaks parcel A area will be with the City of Rocklin, and if and when the PCFCWCD desires the aforementioned flood and conservation easement, the City will be able to grant such an easement.

Letter 5



May 24, 2006

Ms. Sharri Abbas
Planning Services Manager
City of Rocklin Planning Department
3970 Rocklin Road
Rocklin, CA 95677

Subject: Public Review - Vista Oaks and Highlands Parcel A DEIR – SCH 2003042169

Dear Ms. Abbas:

5-1

Our written comments are limited to a factual clarification of information presented on page 4.10-18 of the DEIR. Under the subheading "Senate Bill (SB) 18" the DEIR provides a cursory discussion about the requirements of SB 18. Senate Bill 18 was codified as Government Code §§ 65352.3 and 65562.5. Neither the Vista Oaks nor the Highlands Parcel A projects are subject to the provisions of Government Code §§ 65352.3 and 65562.5.

Applications for General Plan Amendments for both projects were deemed complete, either directly by the city, and/or under the provisions of Government Code § 65943 (a) and (b) prior to March 1, 2005. These facts are indicated within the administrative records for both projects and we would be happy to demonstrate this to the city.

5-2

Taking directly from the Tribal Consultation Guidelines published by the Governor's Office of Planning and Research and cited in the subject DEIR:

In the case of an applicant-initiated plan proposal, if the local government accepts a complete application (as defined in Government Code §65943) on or after March 1, 2005, the proposal is subject to Government Code §65352.3.

Conversely, applications accepted as complete pursuant to Government Code § 65943 (a) and (b) before March 1, 2005 (such as the Vista Oaks and Highlands Parcel A projects) are not subject to Government Code § 66532.3.

Please prepare a factual correction reflective of the information presented above for inclusion in the Final EIR.

Thank you for the opportunity to review and comment on the subject draft EIR. We appreciate the city's careful consideration of these projects.

Sincerely,

Brad Shirhall

Letter 5: Brad Shirhall, TLA Engineering and Planning

Comment 5-1:

The discussion of SB18 on page 4.10-18 does not indicate that the City has or has not deemed the project applications complete; the discussion does note that the City of Rocklin will contact the Native American Heritage Commission and request consultation, and in fact the City has already done so. The commenter is correct in noting the provisions of SB18 with respect to the requirements for consultation based on the completeness of an application.

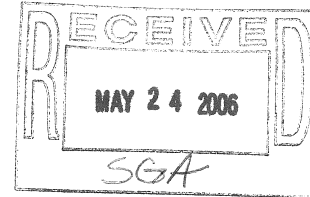
Comment 5-2:

The comment reaffirms the statement in Comment 5-1.

Letter 6

South Placer Municipal Utility District

P.O. Box 45 – 3671 Taylor Road
LOOMIS, CALIFORNIA 95650
Phone (916) 652-5877



May 24, 2006

City of Rocklin
Community Development Department
3970 Rocklin Road
Rocklin, CA 95677


Attention: Mr. David Mohlenbrok

Subject: Vista Oaks and Highlands Parcel A Subdivision
Draft E.I.R.
(SCH #2003042169)

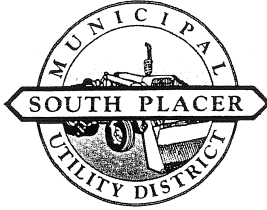
Dear Mr. Mohlenbrok:

- 6-1 The previous comments made by the District under correspondence dated January 13, 2005 (copy attached) remain appurtenant to the above project(s).
- 6-2 In connection with the development of the project(s) and the construction of the bike trail, the District will continue to pursue efforts for the installation of a sewer across Highlands A and a portion of Vista Oaks along the bike trail alignment. This will provide for the relocation of the existing sewer that traverses the rear yards of properties in Rustic Hills, and for the District's future abandonment of the sewer and creek crossing.
- 6-3 The mitigation measures for environmental impacts associated with the sewer installation are expected to be the same as those for the construction of the bike trail. Nevertheless, the District will take the lead for the installation of the sewer and tier off of the Vista Oaks/Highlands A document with another CEQA review for mitigation measures that may be specific to the sewer.

Sincerely,


Richard R. Stein
Project Administrator

RRS:jag



South Placer Municipal Utility District

P.O. Box 45 - 3671 Taylor Road
LOOMIS, CALIFORNIA 95650
Phone (916) 652-5877

January 13, 2005

City of Rocklin
Community Development Department
3970 Rocklin Road
Rocklin, CA 95677

Attention: David Mohlenbrok

Subject: Notice of Preparation
Vista Oaks and Highlands Parcel A Subdivisions
Draft E.I.R.

Dear Mr. Mohlenbrok:

The above property is within the service area of the South Placer Municipal Utility District, and is eligible for sewer service.

All sewer service which the District may hereafter provide to said lands or any portion thereof will be subject to all ordinances, resolutions, rules and regulations, taxes, charges, fees, and assessments of the SPMUD which may now or hereafter be in effect.

The design and construction of all on-site and off-site facilities which may be required as a result of this project 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.

The District has under consideration the relocation of a portion of a trunk sewer to the south side of Secret Ravine Creek that would cross Highlands Parcel A and a portion of the Vista Oaks Project. The proposed alignment of the sewer follows the potential trail location. The District would like to work with the city so that the E.I.R. does not preclude this possibility.

This letter does not constitute a reservation of capacity in the District's sewage treatment facilities, nor does it constitute the assumption of a utility obligation to said lands or any portion thereof by the District.

The District may be rendered unable to provide sewer service to said lands due to prohibitions or restrictions which may be imposed upon it by federal, state, county or local regulatory agencies having jurisdiction or due to conditions caused by an Act of God. Prohibitions and/or restrictions

City of Rocklin
January 13, 2005
Page – 2

may be imposed at the Roseville Regional Wastewater Treatment Plant on the plant's capacity; this may also impact the District's ability to accept new applications for sewer service for the project.

This letter shall be of no force or effect after the expiration of 365 calendar days from the date hereof, but may at the discretion of the District, be renewed or extended upon application of the developer/owner of the land referred to herein or their agent.

All non residential development within SPMUD is subject to the requirements of the City of Roseville Industrial Waste Pretreatment Program in accordance with Ordinance 14.26 of the Roseville Municipal Code.

Sincerely,



Richard R. Stein
Project Administrator

RRS:jag

Letter 6: Richard Stein, South Placer Municipal Utility District

Comment 6-1:

The comment and attached letter dated January 13, 2005 states that the development of on- and off-site sewer facilities must conform to the Standard Specifications of the South Placer Municipal Utility District (SPMUD) and that SPMUD is considering relocating a portion of a trunk sewer line to the south side of Secret Ravine, along the Highlands Parcel A site and a portion of the Vista Oaks site along the bike trail alignment. The attached letter states that SPMUD may tier off of the Vista Oaks and Highlands Parcel A DEIR if they choose to relocate the sewer line to this location. The comment does not address the adequacy of the DEIR and further response is not necessary.

Comment 6-2:

The comment relates to the future development of sewer lines across Highlands Parcel A and a portion of the Vista Oaks sites along the bike trail alignment and does not address the adequacy of the DEIR.

Comment 6-3:

The comment relates to the possible future relocation of a sewer line across Highlands Parcel A and a portion of the Vista Oaks sites and does not address the adequacy of the DEIR.

MAY.23'2006 12:50

Letter 7



11464 B Avenue, Auburn, CA 95603 • (530) 889-7130 • Fax (530) 889-7107
www.placer.ca.gov/apcd Thomas J. Christofk, Air Pollution Control Officer

MEMORANDUM

TO: Maywan Krach, Administrative Clerk
FROM: Brent Backus, APCD
DATE: May 17, 2006
SUBJECT: Comments on Vista Oaks & Highlands Parcel A

The District has the following comments on the above document:

- 7-1
1. Please note that the Sacramento Valley Air Basin is in non-attainment with the State 24 hour and annual standard and non-attainment with the PM2.5 annual standard. In addition, the Sacramento Valley Air Basin is classified as a moderate non-attainment area for the Federal PM10 standard.
- 7-2
2. Add to mitigation measure 4.8MM-2a, "The applicant shall have a pre-construction meeting for grading activities for 20 or more acres to discuss the construction emission/dust control plan with employees and/or contractors and the District is to be invited. The applicant shall suspend all grading operations when fugitive dusts exceed District Rule 228 Fugitive Dust limitations. An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate compliance to Rule 228, Fugitive Dust. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they shall be controlled as to not to exceed District Rule 228 Fugitive Dust limitations."
- 7-3
3. Reword mitigation measure 4.8MM-2-c to read," The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The project shall provide a plan for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. The District should be contacted for average fleet emission data. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. Contractors can access the Sacramento Metropolitan Air Quality Management District's web site to determine if their off-road fleet meets the requirements listed in this measure.
- http://www.airquality.org/ceqa/Construction_Mitigation_Calculator.xls

MAY.23.2006 12:01

Letter 7 cont'd

- 7-4 4. Delete mitigation measures 4.8MM-2e and 4.8MM-2f.
- 7-5 5. Please add these additional mitigation measures: Minimize idling time to 5 minutes for all diesel-power equipment and; Use California Air Resources Board (CARB) diesel fuel for all diesel-power equipment.
- 7-6 7. Please reword the second bullet in mitigation measure 4.8MM-5a to read, "The project shall implement an offsite mitigation program, coordinated through the Placer County Air Pollution Control District, to offset the project's long-term ozone precursor emissions. The project offsite mitigation program must be approved by PCAPCD. The project's offsite mitigation program provides monetary incentives to sources of air pollutant emissions within the projects' air basin that are not required by law to reduce their emissions. Therefore, the emission reductions are real, quantifiable and implement provisions of the 1994 State Implementation Plan. The offsite mitigation program reduces emissions within the air basin that would not otherwise be eliminated.
- In lieu of the applicant implementing their own offsite mitigation program, the applicant can choose to participate in the Placer County Air Pollution District Offsite Mitigation Program by paying an equivalent amount of money into the District program. The actual amount of emission reductions needed through the Offsite Mitigation Program would be calculated when the project's average daily emissions have been determined."
- Please note that the cost effectiveness per ton does change and thus the buy down is not calculated at the time of the EIR. The cost effectiveness per ton is now at \$14, 3000/ton.
- 7-7 8. Please delete the second bullet in mitigation measure 4.8MM-5b and replace with, " Only natural gas/propane fireplace appliances are allowed." All projects in the Sacramento Valley Air Basin are being conditioned with this mitigation measure due to the fact the Sacramento Valley Air Basin is a non-attainment area for the State PM10 standard and the State PM2.5 annual standard. In addition, the EPA is lowering the PM 2.5 24 hour standard.

C:\Temp\Memo-City of Rocklin-Vista Oaks & Highlands Parcel A\DEIR.doc

Letter 7: Brent Backus, Placer County Air Pollution Control District

Comment 7-1:

The commenter notes the status of air quality standards in the Sacramento Valley Air Basin. Although not noted in the comment, it is presumed that the first part of the comment pertains to PM-10 standards. This information will be added to the Existing Air Quality section on page 4.8-4 of the DEIR. The text is hereby changed as follows:

Western Placer County, which is a part of the Sacramento Valley Air Basin, is classified as a “severe” non-attainment area for Federal ozone standards, ~~and non-attainment for State ozone, non-attainment for State 24 hour and annual PM10 standards and non-attainment with the PM2.5 annual standard.~~ In addition, the Sacramento Valley Air Basin is classified as a moderate non-attainment area for the both Federal and State PM10 standards.

The above changes are added for clarification purposes and do not alter the conclusions contained in the DEIR.

Comment 7-2:

The Placer County Air Pollution Control District asks that the following be added to Mitigation Measure 4.8MM-2a from the Air Quality chapter of the DEIR. The following text is hereby added onto Mitigation Measure 4.8MM-2a at the bottom of page 4.8-11:

The applicant shall have a pre-construction meeting for grading activities for 20 or more acres to discuss the construction emission/dust control plan with employees and/or contractors and the District is to be invited. The applicant shall suspend all grading operations when fugitive dusts exceed District Rule 228 Fugitive Dust limitations. An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate compliance to Rule 228, Fugitive Dust. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas, they shall be controlled as not to exceed District Rule 228 Fugitive Dust Limitations.

The above changes are added for clarification purposes and do not alter conclusions contained within the DEIR.

Comment 7-3:

The Placer County Air Pollution Control District requests a change in Mitigation Measure 4.8MM-2c. The mitigation measure is hereby changed as follows:

4.8MM-2c *The prime contractor shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all of the heavy-duty off-road equipment (50 horsepower or greater) that will be used for an aggregate of 40 or more hours for the construction project. The project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The project shall provide a plan for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average of 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. The District should be contacted for average fleet emission data. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. As a resource, the Placer County Air Pollution Control District suggests contractors can access the Sacramento Metropolitan Air Quality Management District's web site to determine if their off-road fleet meets the requirements listed in this measure.*

<http://www.airquality.org/ceqa/Constructionmitigationcalculator.xls>

~~*Prior to groundbreaking, the applicant/developer shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all heavy duty off road equipment (50 horsepower or greater) that will be used in the aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, shall conduct initial Visible Emissions Evaluations on all heavy duty equipment on the inventory list. Vehicles used in construction on site shall comply with the standards for on and off road heavy duty vehicle engine emission opacities as defined in California Code of Regulations, Title 13, sections 2180-2194.*~~

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

Comment 7-4:

The Placer County Air Pollution Control District requests that Mitigation Measures 4.8MM-2e and 4.8MM-2f be removed. The mitigation measures are hereby changed as follows:

~~4.8MM-2e Construction contracts shall stipulate that at least 20% of the heavy duty off-road equipment included in the inventory be powered by CARBV-certified off-road engines, as follows:~~

- ~~• 175hp-750hp 1996 and newer engines~~
- ~~• 100hp-174hp 1197 and newer engines~~
- ~~• 50hp-99hp 1998 and newer engines~~

~~4.8MM-2f Construction contracts shall require the use of emulsified diesel fuel and/or particulate matter traps for off-road heavy-duty diesel equipment to reduce nitrogen oxide emissions.~~

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

Comment 7-5:

The Placer County Air Pollution Control District requests that two mitigation measures be added. The following mitigation measures are hereby added as follows:

4.8MM-2e Idling time on the project site shall be limited to five (5) minutes for all diesel power equipment.

4.8MM-2f Diesel fuel certified by the California Air Resources Board (CARB) shall be used for all diesel-powered equipment.

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

Comment 7-6:

The Placer County Air Pollution Control District requests that the second bullet of Mitigation Measure 4.8MM-5a be reworded. The second bullet of Mitigation Measure 4.8MM-5a is hereby replaced with the following:

- The project shall implement an offsite mitigation program, coordinated through the Placer County Air Pollution Control District (PCAPCD), to offset the project's long-term ozone precursor emissions. The project offsite mitigation program must be approved by the PCAPCD. The project's offsite mitigation program provides

monetary incentives to sources of air pollutant emissions within the project's air basin that are not required by law to reduce emissions. Therefore, the emission reductions are real, quantifiable and implement provisions of the 1994 State Implementation Plan. The offsite mitigation program reduces emissions within the air basin that would not otherwise be eliminated.

In lieu of the applicant implementing their own offsite mitigation program, the applicant can choose to participate in the Placer County Air Pollution Control District Offsite Mitigation Program by paying an equivalent amount of money into the District program. The actual amount of emission reduction needed through the Offsite Mitigation Program would be calculated when the project's average daily emissions have been determined.

~~Because the project cannot implement sufficient on-site measures to reduce long-term operational impacts, the project shall implement or participate in the PCAPCD's offsite mitigation program to reduce emissions to the extent feasible. The off-site mitigation program is currently based on a fee of \$13,600 per ton of ROG or NOx to be offset, calculated on the basis of a 180-day ozone season. Based on the URBEMIS 2002 results shown in Table 4.8-3, the estimated offset fee would be \$16,646 and \$5,360 for the Vista Oaks development and Highlands Parcel A development, respectively.~~

The above changes are added for clarification purposes and do not alter the conclusions contained within the DEIR.

Comment 7-7:

The commenter suggests that a mitigation measure in the DEIR be replaced with a more restrictive measure and that all projects in the Sacramento Valley Air Basin are being conditioned with this mitigation measure.

The City respectfully disagrees with the assertion by the PCAPCD that all projects in the Sacramento Valley Air Basin (SVAB) are being conditioned with such a measure. The PCAPCD has no jurisdictional power to condition projects with such a measure, nor do they have responsibilities over the entire SVAB.

As has been noted in the past, the City is concerned about the equities associated with requiring a ban on fireplace appliances other than natural gas/propane. Because the City has not imposed such a restriction on other developers in the past and has no control over whether other jurisdictions in the SVAB implement such a ban, the City is concerned that the project would be put at a competitive disadvantage when home buyers are seeking residences with a fireplace appliance other than natural gas/propane. The City considers such a result inequitable, and prefers an even-handed approach that treats similarly

situated people similarly. The City would consider such solutions if they are implemented on a regional basis, rather than on a limited project basis.

Letter 8

VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISIONS ENVIRONMENTAL IMPACT REPORT PUBLIC COMMENT HEARING

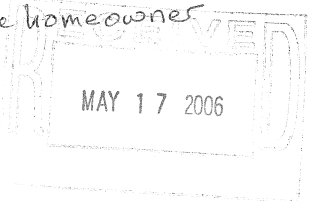
COMMENT FORM

To be added/corrected on our mailing list and to document the author of comments received, please provide the following information. Thank you.

Name: DARREL DAVIS
Address: 5376 Hidden Glen Dr. Rocklin
Phone: 916 624-0176
Organization: SECRET RAVIDE ESTATES

Please provide us with your written comments on the EIR by **5:00 pm, May 24, 2006.**

- 8-1 1. HAS A TRAFFIC IMPACT STUDY FOR GREENBRAE, SOUTHSIDE RANCH RD, EL DON, AND MONUMENT SPRINGS DRIVE BEEN DEVELOPED AND ANALYZED? RESULTS, if any?
- 8-2 2. HAS THE CONSTRUCTION OF A BRIDGE FROM THE PROPOSED SITES TO CHINA GARDEN RD BEEN CONSIDERED - NOT JUST AN EMERGENCY ACCESS BRIDGE? China Garden Rd. seems to be better suited for the traffic increase and flow.
- 8-3 3. Are roads planned to access Secret Ravine Pkw. from the south - southeast end of the proposed developments
- 8-4 4. Why not connect Keller Ct to Greenbrae Rd w/ a bridge.
- 8-5 5. What is the economical impact on the homeowner at Monument Springs & Hidden Glen Dr. by changing the bridge direction from the original proposal
(Prior to mailing this form, please fold form so that address on back is clearly visible, and attach necessary postage)
- 8-6 → also the aesthetic impact for the homeowner



Letter 8: Darrel Davis, Resident

Comment 8-1:

As shown in Table 4.7-7 and 4.7-8 on pages 4.7-34 and 4.7-35 of the DEIR, respectively, the traffic impact study includes figures and information related to Greenbrae Road and El Don Drive. Impacts related to Southside Ranch Road and Monument Springs Drive were not included in the traffic impact study nor in the Transportation and Circulation chapter of the DEIR because DKS Transportation Consultants determined that the proposed projects would have a negligible effect on these roadways.

Comment 8-2:

The comment addresses the construction of a bridge from the proposed project area to China Garden Road. The proposed projects include a pedestrian/bike bridge that would also serve as emergency vehicle access. A non-emergency access bridge was not considered with these projects because it was not proposed by the applicants/developers and such a connection is not envisioned in the City's overall circulation plan. A non-emergency access bridge was not considered as an alternative to the projects in the DEIR because such an alternative was not considered to result in the elimination or reduction of an environmental impact that would have been created by an emergency access bridge, as EIR alternatives are required to do by CEQA. A non-emergency access bridge would be higher and wider than the proposed bridge according to the City Engineer, and would likely have generated similar, if not greater, impacts than that of an emergency access bridge.

It should be noted that a bridge connection from Monument Springs Drive to Greenbrae Road is envisioned as part of the City's Circulation Element and is part of a previously approved project called Granite Lakes Estates. The bridge is currently being designed and is scheduled for construction in the Spring of 2007.

Comment 8-3:

As illustrated in Figure 4.7-2 on page 4.7-3 of the DEIR, the proposed projects would provide a connection to Secret Ravine Parkway via Scarborough Drive in the City of Roseville.

Comment 8-4:

In an attempt to minimize impacts to Secret Ravine Creek, the proposed projects do not include any more bridges and creek crossings than are necessary for regular and emergency access to the project sites. Additionally, the City's Circulation Element of the Rocklin General Plan and the associated Circulation System Exhibit in said Element, which provide a plan for the transportation and transit services and facilities necessary to serve the development of the City, do not envision such a roadway connection. This is also reflected in the Southeast Rocklin Circulation Element.

As noted in Response to Comment 8-2 above, there is a planned bridge connection between Monument Springs Drive and Greenbrae Road.

Comment 8-5:

Based upon City staff's discussion with the commenter at the public hearing on the DEIR, the comment appears to be addressing a bridge associated with the Granite Lakes Estates project which has been approved, is nearly under construction and had its own EIR; the comment does not apply to the proposed projects and the associated DEIR. Nonetheless, in accordance with CEQA Guidelines, the Vista Oaks and Highlands Parcel A Subdivisions DEIR (and the Granite Lakes Estates EIR) addresses physical environmental impacts associated with the development of the proposed projects and does not focus on financial impacts unless they would result in the expansion of urban blight. The proposed project is not expected to result in the spread of urban blight and therefore, financial impacts were not addressed in the DEIR. However, this comment will be forwarded to the appropriate decision-making bodies.

Comment 8-6:

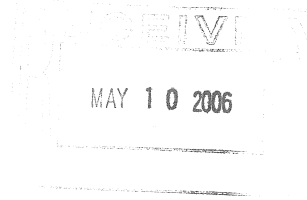
Based upon City staff's discussion with the commenter at the public hearing on the DEIR, the comment appears to be addressing a bridge associated with the Granite Lakes Estates project which has been approved, is nearly under construction, and had its own EIR that addressed the aesthetic impacts of that project's bridge; the comment does not apply to the proposed projects and the associated DEIR. Nonetheless, aesthetic impacts related to the development of the proposed projects on adjacent residences are discussed in Impact 4.3I-3 on pages 4.3-20 and 21 of the DEIR.

Letter 9

May 8, 2006

Ms. Sherri Abbas
Planning and Services Manager
3970 Rocklin Road
Rocklin CA, 95677

CC:
Mayor George Magnuson &
Rocklin City Council Members



RE: Draft Environmental Impact Report for the Vista Oaks and Highlands Parcel A Subdivisions

Dear Madam:

9-1

I am a Rocklin resident located in the Woodside area north of and across I-80 from the proposed Vista Oaks and Highlands project area. I am writing to you to provide comments on the Draft EIR "Noise" Section (Section 4.9). I continue to be concerned that mitigation measures related to noise are not being adequately addressed for existing residents.

9-2

In Section 4.9 of the Draft EIR, it is stated that a sound wall will be constructed to a height of 14-feet along the south side of I-80. It is specified that the sound wall is required to comply with the *City of Rocklin's General Plan Element* "acceptable noise levels" of 45 dB indoors, and 60 dB outdoors (henceforth "General Plan Element acceptable noise levels"). It is further implied from the data in Table 4.9-5 that the wall must be built to a height of 14-feet, rather than lesser heights such as 10-feet, to reduce the sound level by 1-2 dB to 60 dB in the project area. This information draws to attention that it is considered important both to the developer and the City of Rocklin to implement measures to reduce sound 1-2 dB if necessary to comply with the General Plan acceptable noise levels in the proposed project area.

9-3

By contrast, the Draft EIR does not reflect equal considerations for the existing, older residential area to the north of I-80 (the Woodside area). In Section 4.9I-3, "Impacts related to traffic noise refraction off sound walls for residences to the north and south of I-80" the following is stated:

In theory, if 100 percent of the incident traffic noise were reflected perfectly off of the proposed noise barrier, without being absorbed or diffused, the total traffic noise level increase at the receiver after being reflected would be approximately 1-2 dB.

Actually, a doubling of sound intensity would result in a 3 dB increase in sound intensity level on the decibel scale, and so it appears that the author of the Draft EIR is only mentioning 1-2 dB due to their assumption of noise attenuation due to interaction with the wall and distance traveled. The Draft EIR states that this refracted noise requires no mitigation, and alludes to

Letter 9 cont'd

Page 2 of 2

May 8, 2006

9-3
cont'd

its insignificance even though noise levels in this amount are considered sufficient to justify a 14-foot wall rather than a lower wall for the proposed project.

The Draft EIR conclusion that this refracted noise requires no mitigation misses an important point: the older Woodside area north of I-80 from the proposed project is not likely to have any lower noise levels currently than those measured across I-80 in the project area, and which are described in the Draft EIR as requiring mitigating measures to be in line with the General Plan acceptable noise levels. The important point is that unless noise levels in the Rocklin Woodside area can be demonstrated to be within the General Plan acceptable noise levels even after the proposed project might be built, then no portion of the proposed project should be commenced that would increase noise levels in the Woodside area by any amount. Therefore, I urge the City of Rocklin to *not* approve of the proposed project or its Draft EIR until and unless noise level compliance with the General Plan is given the same priority in the older Rocklin Woodside residential area as in the proposed new development. To this end, appropriate remedial actions may include:

9-4

- Prior to commencement of the proposed project, noise level measurements in the Woodside area and in exterior yards bordering I-80 must be taken to demonstrate compliance with the General Plan acceptable noise levels, even if the proposed project would increase noise levels by 3dB; and / or
- Require the developer to investigate and use sound barrier materials and designs that can be demonstrated to *not* increase sound levels in the Woodside area by any amount (even 1 dB); and / or
- Prior to commencement of the proposed project, require the construction of a similar wall (equal height and materials) along the north side of I-80 across from the proposed project.

Thank you for your careful attention to this matter.

Sincerely,



Jeff Kuypers
3625 Woodglade Court
Rocklin, CA 95677

¹ X = the noise level in dB = 10 log (I₁ / I₀), where I₁ = the noise intensity level of interest and I₀ = the reference noise intensity level, usually taken to be the minimum intensity audible to an average person. If you want to see what the impact on X (in dB) would be if you double I₁, this could be determined by letting "I₂" = 2 * I₁, and calculating delta X as follows: delta X = [10 log (I₂ / I₀)] - [10 log (I₁ / I₀)] = 10 [log (I₂ / I₀) - log (I₁ / I₀)] = 10 log (I₂ / I₁) = 10 log 2 = 3 (dB). [Note: log a - log b = log a/b]

Letter 9: Jeff Kuypers, Resident

Comment 9-1:

This is an introductory comment and does not address the adequacy of the DEIR.

Comment 9-2:

The commenter is correct. The specified 14-foot tall sound wall is based upon the project complying with the exterior noise level criterion of 60 dB Ldn for residential uses. The City of Rocklin does provide a conditional noise level criterion of up to 65 dB Ldn for residential uses. The City could decide to only require the project to comply with a noise level criterion somewhere between 60 dB and 65 dB Ldn. However, because feasible mitigation which would allow the proposed project to limit noise levels at the proposed project site to at or below 60 dB is available, the City does not consider the conditional noise level of 65 dB Ldn to be necessary.

The data in Table 4.9-5 represents what height level of a sound wall is necessary to reduce the noise levels to at or below 60 dB. As noted above, the objective for residential development is to meet the 60 dB standard, and in this case, meet that standard by including a sound wall as a mitigation measure. The emphasis and importance is on meeting the 60 dB standard, not to reduce noise levels by 1-2 dB as suggested by the commenter.

Comment 9-3:

The exterior noise level criteria contained in the City of Rocklin General Plan Noise Element are applied to new residential development. The Woodside area is an existing residential development. However, the EIR does have an obligation to determine if a significant impact occurs at the Woodside area. Therefore, the test of significance is whether or not the proposed project will result in a significant increase in noise levels at adjacent residential uses. The noise analysis for the proposed project determined that the increase in traffic noise levels at the Woodside area, due to reflections of noise off of the proposed project's sound wall, would be no more than 2 dB Ldn. Because the standard of significance used to determine such an impact is whether the project would "create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project" and because a 2dB increase in noise levels is considered to be less than perceptible, the conclusion reached in the DEIR was that the increase in noise levels related to noise refraction off sound walls was a less than significant impact.

The DEIR's purpose is to disclose impacts from the proposed projects. While it is recognized that the data presented in the DEIR shows that the Woodside area will be exposed to noise levels above the 60 dB standard, the role of the DEIR is to characterize the existing environment and assess potential changes created by the projects. The DEIR analysis shows that the sound wall associated with the proposed projects would further increase noise levels in the Woodside community above 60 dB, but the analysis also

shows that the increase in noise levels created by the proposed projects would be imperceptible, and thus a less than significant conclusion was made.

Comment 9-4:

Please refer to Response to Comment 9-3 above for a discussion about the DEIR's purpose regarding assessing impacts created by the proposed projects and for a discussion about the standard of significance that was used to evaluate the proposed projects' potential environmental impacts. Although the Woodside area is exposed to noise levels that are above the City's standards, the proposed projects do not increase those noise levels in an amount that is perceptible to the human ear and thus the impact was determined to be less than significant.

With regard to the portion of the comment where certain remedial actions were suggested, CEQA Guidelines Section 15126.4 provides guidance on the consideration and discussion of mitigation measures and notes that mitigation measures are not required for effects which are not found to be significant.

Letter 10



Community Development
311 Vernon Street
Roseville, California 95678-2649

May 30, 2006

City of Rocklin Planning Department
3970 Rocklin Road
Rocklin, CA 95677-2720
Attn: Sherri Abbas, Planning Services Manager

Subject: Vista Oaks and Highlands Parcel A Subdivision projects (SCH# 2003042169)

Dear Ms. Abbas:

Thank you for the opportunity to review and comment on the draft Environmental Impact Report (EIR) for the subject project. The City of Roseville has reviewed the draft EIR and offers the following comment:

1. Within the two developments, in areas where the proposed bicycle trails are near City of Roseville bicycle trails, connection with Roseville trails should be made, to provide for a regional approach.

Thank you for consideration of this comment. Should you have any questions, please don't hesitate to contact Kelly Casanova (746-1252) with the Roseville Parks and Recreation Department, or Mike Dour (746-1300), Bikeway Manager with the Transportation Division of the Roseville Public Works Department.

Sincerely,

Mark Morse
Environmental Coordinator

cc: Kelly Casanova
Mike Dour

10-1

Letter 10: Mark Morse, City of Roseville

Comment 10-1:

The City of Roseville requests that the City of Rocklin work to connect the bike trails on the project site to the existing bike trails in neighboring Roseville. The cities of Rocklin and Roseville have met previously regarding possible trail connections in vicinity of the projects and both projects include the provision of a bike/pedestrian trail, with the Vista Oaks project providing a connection that will link the cities. Figure 3-6 on page 3-13 of the DEIR depicts the trail connection that will occur between Rocklin and Roseville.

Letter 11



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

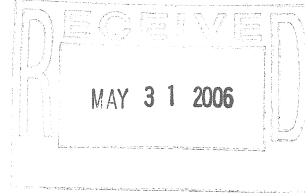


Sean Walsh
Director

May 25, 2006

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

Subject: Vista Oaks and Highlands Parcel A Subdivision Projects
SCH#: 2003042169



Dear David Mohlenbrok:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 24, 2006, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse

11-1

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
 State Clearinghouse Data Base**

Letter 11 cont'd.

SCH# 2003042169
Project Title Vista Oaks and Highlands Parcel A Subdivision Projects
Lead Agency Rocklin, City of

Type EIR Draft EIR
Description The proposed Vista Oaks subdivision occupies two parcels totaling approximately 93 acres and would result in the construction of 100 single family residences on 23 acres and the dedication of 60.9 acres of open space. The proposed Highlands Parcel A subdivision occupies one parcel totaling approximately 30 acres and would result in the construction of 20 single family residences on 5.8 acres and the dedication of 22.9 acres of open space. Both projects include bicycle and pedestrian trails and a bicycle/pedestrian/emergency access bridge would be built over Secret Ravine Creek as part of the Vista Oaks project.

Lead Agency Contact

Name David Mohlenbrok
Agency City of Rocklin
Phone (916) 625-5160 **Fax**
email
Address 3970 Rocklin Road
City Rocklin **State** CA **Zip** 95677

Project Location

County Placer
City Rocklin
Region
Cross Streets China Garden Road, Monument Springs Drive, I-80, SR-65 off-ramp to I-80
Parcel No. 046-010-007, 046-020-003, 046-101-006
Township **Range** **Section** **Base**

Proximity to:

Highways I-80, SR-65
Airports
Railways UPRR
Waterways Secret Ravine Creek, Boardman Canal
Schools Rocklin ES, Sierra College
Land Use Currently vacant / Planned Development 1.5 and 0.83 du/ac (PD-1.5, PD-0.83) Open Area (OA) / Low Density Residential (LDR), Rural Residential (RR), Recreation-Conservation (R-C)

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Office of Emergency Services; Department of Health Services; Department of Fish and Game, Region 2; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 3; Air Resources Board, Transportation Projects; Office of Historic Preservation

Date Received 04/10/2006 **Start of Review** 04/10/2006 **End of Review** 05/24/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 11: Terry Roberts, California State Clearinghouse

Comment 11-1:

This comment confirms that the DEIR was submitted to the State Clearinghouse for the public review period ending May 24th, 2006.

Letter 12



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Sean Walsh
Director

June 15, 2006

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

Subject: Vista Oaks and Highlands Parcel A Subdivision Projects
SCH#: 2003042169

Dear David Mohlenbrok:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on May 24, 2006. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

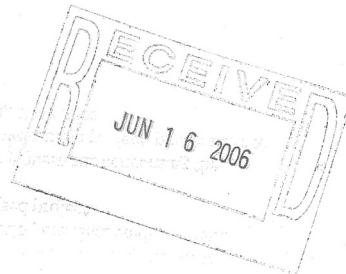
The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2003042169) when contacting this office.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency



1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter 12 Cont.

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791



JUN 9 2006

David Mohlenbrok
City of Rocklin
3970 Rocklin Road
Rocklin, California 95677

Vista Oaks and Highlands Parcel A Subdivision Projects
State Clearinghouse (SCH) Number: 2003042169

Staff for the Department of Water Resources has reviewed the subject document and provides the following comments:

Portions of the proposed project may be located within a regulated stream over which The Reclamation Board has jurisdiction and exercises authority. If the project includes any "channel reconfiguration" that was not previously permitted, new plans must be submitted. Section 8710 of the California Water Code requires that a Board permit must be obtained prior to start of any work, including excavation and construction activities, within floodways, levees, and 10 feet landward of the landside levee toes. A list of streams regulated by the Board is contained in the California Code of Regulations, Title 23, Section 112. The application and Title 23 regulations can be found on the Reclamation Board's website at www.recbd.ca.gov.

Section 8(b)(2) of the Regulations states that applications for permits submitted to the Board must include a completed environmental questionnaire that accompanies the application and a copy of any environmental documents if they are prepared for the project. For any foreseeable significant environmental impacts, mitigation for such impacts shall be proposed. Applications are reviewed for compliance with the California Environmental Quality Act.

Section 8(b)(4) of the Regulations states that additional information, such as geotechnical exploration, soil testing, hydraulic or sediment transport studies, biological surveys, environmental surveys and other analyses may be required at any time prior to Board action on the application.

You may disregard this notice if your project is outside of the Board jurisdiction. For further information, please contact me at (916) 574-1249.

Sincerely,

Mike Mirmazaheri, Chief
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814



12-1

Letter 12: Mike Mirmazaheri, California Department of Water Resources

Comment 12-1:

The potential need for the projects to obtain Reclamation Board permits was noted on page 3-24 of the DEIR. Such a need was recognized because Reclamation Board permits are required for projects that may affect flood control facilities or designated floodways on Board regulated streams. In the case of the proposed projects, Secret Ravine is designated as a Reclamation Board regulated stream and therefore, the projects will need to obtain the proper Reclamation Board permits, as necessary.

4. MITIGATION MONITORING PLAN

4. MITIGATION MONITORING PLAN

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan for the Vista Oaks and Highlands Parcel A Subdivision project. The Plan includes a description of the requirements of the California Environmental Quality Act and a compliance checklist. The projects as approved include mitigation measures. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the applicant.

COMPLIANCE CHECKLIST

The Mitigation Monitoring Plan (MMP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Environmental Impact Report for the Vista Oaks and Highlands Parcel A Subdivision project prepared by the City of Rocklin. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the Environmental Impact Report prepared for the proposed project.

The Vista Oaks and Highlands Parcel A Subdivision project Environmental Impact Report presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the projects. Mitigation is defined by CEQA as a measure which does one or more of the following:

- Avoids the impact altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project.
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of

construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Rocklin. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Rocklin will be responsible for ensuring compliance.

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City Community Development Department and will be thoroughly familiar with permit conditions and the MMP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field-monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by the attached table, the inspector will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Ensuring contractor knowledge of and compliance with the MMP.
- Verifying the accuracy and adequacy of contract wording.
- Having the authority to require correction of activities that violate mitigation measures. The inspector shall have the ability and authority to secure compliance with the MMP.
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Rocklin.
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

MITIGATION MONITORING PLAN

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance. All mitigation measures apply to both the Vista Oaks and Highlands Parcel A Subdivision projects unless stated otherwise.

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
4.4 Hydrology and Water Quality				
4.4I-3 Impacts related to construction-phase erosion.	<p><i>4.4MM-3a Prior to any grading or construction activities, the applicant shall obtain a General Construction Activity Stormwater Permit as part of the National Pollutant Discharge Elimination System (NPDES) permit process from the Regional Water Quality Control Board. The permit is required to control both construction and operation activities that may adversely affect water quality. The applicant shall also prepare a Stormwater Pollution Prevention Plan (SWPPP) that describes the site, erosion and sediment controls using Best Management Practices (BMPs) and Best Available Technologies, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control. Typical BMPs that could be used during construction of the proposed projects include, but are not limited to the following:</i></p> <ul style="list-style-type: none"> • <i>Temporary facilities such as straw wattles and sandbags may be used during construction. Temporary</i> 	Public Works Director	Prior to grading or construction activities	

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	<p><i>facilities will capture a majority of the siltation resulting from construction activities prior to discharging into existing natural channels. In addition, they will trap possible fuel and oil spills from construction equipment to prohibit contamination of surface flows or groundwater. The construction contractor would be required to monitor and maintain all BMPs during construction to ensure they function properly.</i></p>			
	<p><i>4.4MM-3b Prior to any grading or construction activities, the applicant shall comply with the provisions of Attachment 4 of the City's Stormwater Permit to the satisfaction of the Public Works Director. These provisions shall also be applicable to the limited graded lots on Phase 1 of the Vista Oaks project site.</i></p>	Public Works Director	Prior to grading or construction activities	
	<p><i>4.4MM-3c Work shall be scheduled to minimize construction activities in "high-risk" areas and the amount of active disturbed soil areas, during the rainy season (October 15 through May 1). "High-risk</i></p>	City Engineer	During construction	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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	<p><i>areas” include those areas within 50 feet of the USGS water courses, 100-year floodplains, regulated wetlands, and where slopes exceed 16 percent. Unless specifically authorized by the City Engineer or his designees during the rainy season, the developer shall not schedule construction activities in the “high-risk areas” or schedule to have more area of active disturbed soil area than can be managed in conformance with the regulations of the City of Rocklin, the Water Quality Control Board, or any other agency having jurisdiction in this area.</i></p>			
<p>4.4I-4 Impacts related to degradation of water quality.</p>	<p><i>4.4MM-4a Appropriate Best Management Practices (BMPs) and Best Available Technologies (BATs) shall be incorporated into project design to reduce urban pollutants in runoff, consistent with goals and standards established under federal and State non-point source discharge regulations (NPDES permit) and Basin Plan water quality objectives. Storm water runoff BMPs selected from the Storm Water Quality Task Force, the Bay Area Storm Water Management Agencies</i></p>	<p>City Engineer</p>	<p>Prior to approval of improvement plans</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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	<p><i>Association <u>Start at the Source – Design Guide Manual</u>, or equally effective measures shall be identified prior to final design approval.</i></p> <p><i>To maximize effectiveness, the selected BMPs shall be based on finalized site-specific hydrologic conditions, with consideration for the types and locations of development. Mechanisms to maintain the BMPs shall be identified in the conditions of approval and on improvement plans. Typical BMPs and BATs that could be used at the proposed projects include, but are not limited to, the following:</i></p> <ul style="list-style-type: none"> <i>• Application of appropriate signage to all storm drain inlets indicating that they outlet to the natural drainageways;</i> <i>• Installation of Educational Tributary Signs that identify waterways at street and trail locations that are visible to pedestrians. Signs should contain information such as water body name, elevation, latitude and longitude, salmon spawning habitat,</i> 			

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	<p><i>and distance to Pacific Ocean in miles.</i></p> <ul style="list-style-type: none"> • <i>Application of a street sweeping program to remove potential contaminants from street and roadway surfaces before they reach drainages;</i> • <i>Minimize sources of concentrated flow by maximizing use of natural drainages to decelerate flows, collect pollutants and suspended sediment;</i> • <i>Placement of velocity dissipaters, rip-rap, and/or other appropriate measures to slow runoff, promote deposition of waterborne particles, and reduce the erosive potential of storm flows;</i> • <i>Prompt application of soil protection and slope stabilization practices to all disturbed areas;</i> • <i>Creation of storage basins consisting of depressed areas, usually lined, that are sized to hold storm runoff and settle out material (the facility usually has a type of outlet device that is above the bottom of the basin or a small rip-rapped berm over which the treated water can flow);</i> 			

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	<ul style="list-style-type: none"> • <i>Creation of a below-ground storage basin consisting of vertical or horizontal corrugated metal or HDPE pipes sized to allow the volume of water required to be treated to percolate into the ground;</i> • <i>Use of fossil filters consisting of small filters that are placed like troughs around the inside top drain inlets or at ditch outlets; and</i> • <i>Use of rock-lined ditches, which are surface ditches that are lined with rock, with or without filter material, with the rock lining material designed to allow water to filter into the ground.</i> <p style="text-align: center;"><i>Selected BMPs shall be noted on the Improvement Plans submitted by the applicant for the proposed projects.</i></p>			
	<p><i>4.4MM-4b Project construction shall be restricted within 100 feet of Secret Ravine Creek or the Aguilar Road tributary to the dry months of the year (i.e., May through October).</i></p>	City Engineer	During Construction	
	<p><i>4.4MM-4c Provisions for the maintenance and</i></p>			

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	<i>periodic inspection of permanent facilities outside of the public right-of-way (e.g. sand/oil separators, filters, and other BMPs/BATs) shall be provided for in the Covenants Conditions and Restrictions (CC&Rs) of the Homeowners' Association (HOA). These provisions would include periodic inspection, cleaning, and the replacement of filter materials by the HOA, as necessary to retain the integrity of the BMPs.</i>	City Engineer	During Construction	
4.4I-6 Cumulative impacts related to degradation of water quality.	<i>Implement Mitigation Measures 4.4MM-3a and -3b and 4.4MM-4a.</i>	See MM 4.4MM-3a,3b and 4.4MM-4a through 4c.	See MM 4.4MM-3a,3b and 4.4MM-4a through 4c	
4.5 Geology				
4.5I-1 Impacts related to slope stability.	<i>4.5MM-1 Prior to the approval of Improvement Plans, geotechnical studies shall be completed for anticipated development of the major roads, to evaluate soil and rock conditions to provide allowable gradients for cut and fill slopes as well as appropriate construction techniques. The studies shall be submitted for the review</i>	City Engineer	Prior to approval of improvement plans which shall occur prior to any grading	

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	<p><i>and approval of the City Engineer.</i></p> <p><i>The developer shall submit Improvement Plans for the review and approval of the City Engineer prior to any grading on the project site. The City Engineer's review shall include but not be limited to the following:</i></p> <ul style="list-style-type: none"> <i>• Fill placed on slopes steeper than a 6:1 slope gradient (horizontal to vertical), shall be provided with a base key at the toe of the fill slope. The base key shall extend approximately two feet (vertically) into firm material. Fill slopes constructed on the site are expected to be stable if they are constructed on gradients no steeper than 2:1 (horizontal to vertical) and are provided with a base key.</i> <i>• Cut slopes in surficial soil or stream deposits shall not exceed a 2:1 gradient. Cut slopes in underlying rock may be stable at gradients up to 1.5:1 depending on the degree of cementation, groundwater seepage, and the orientation of fractures.</i> 			

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4.5I-4 Impacts related to groundwater seepage.	4.5MM-4 <i>Prior to any grading or construction activities, the City Engineer shall review the plans to ensure they indicate that if shallow ground water exists at the time of proposed grading, subdrainage shall be installed in advance of the grading operations to de-water soils within the depth of influence of grading to the extent reasonable. A qualified geologist and/or geotechnical engineer shall estimate the configuration and design of the subdrain systems during exposure of field conditions at the time of or immediately before construction. The contractor may also recommend an alternative which may be mutually agreed upon by the City Engineer and Public Works Director.</i>	City Engineer and Public Works Director	Prior to any grading or construction activities.	
4.5I-5 Impacts related to foundation support/expansive soil.	4.5MM-5 <i>Prior to the approval of the Improvement Plans or Final Map, the developer shall submit a design-level soil investigation for the review and approval of the City Engineer and Building Official that evaluates soil and rock conditions, particularly the potential for expansive soils. The professional engineer that prepared the soil investigation shall</i>	City Engineer and Building Official	Prior to approval of Improvement Plans or Final Map	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>recommend appropriate roadway construction and foundation techniques and other best practices that are to be implemented by the project during construction. These techniques and practices shall address expansive soils or other geological concerns requiring remediation, including but not limited to:</i></p> <ul style="list-style-type: none"> • <i>Recommendations for building pad and footing construction;</i> • <i>Use of soil stabilizers or other additives; and</i> • <i>Recommendations for surface drainage.</i> 			
4.5I-6 Impacts related to soil erosion.	<i>Implement Mitigation Measure 4.4MM-3a through -3c.</i>	See Mitigation Measure 4.4MM-3a through 3c	See Mitigation Measure 4.4MM-3a through 3c	
4.5I-7 Impacts related to shallow bedrock/rock excavatability.	<p><i>4.5MM-7 If blasting activities are to occur in conjunction with the improvements, the contractor shall conduct the blasting activities in compliance with state and local regulations. The contractor shall obtain a blasting permit from the City of Rocklin prior to commencing any on-site blasting activities. The permit application shall include a description of the work to</i></p>	City of Rocklin Police Department and Fire Department	Mitigation Measures noted on implement prior to commencement of any on-site blasting activities	

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	<p><i>be accomplished and a statement of the necessity for blasting as opposed to other methods considered including avoidance of hard rock areas and safety measures to be implemented such as use of blast blankets. The contractor shall coordinate any blasting activities with police and fire departments to insure proper site access and traffic control, and public notification including the media, nearby residents, and businesses, as determined appropriate by the Rocklin Police Department. Blasting specifications and plans shall include a schedule that outlines the time frame in which blasting will occur in order to limit noise and traffic inconvenience. A note to this effect shall be included on the project's Improvement Plans.</i></p>			
4.6 Biological Resources				
4.6I-2 Impacts to special-status animal species.	<p><i>4.6MM-2a If construction is proposed by the developer during the breeding season (February-August) of special-status migratory bird species, the project applicant, in consultation with the City of Rocklin and CDFG, shall conduct a pre-construction migratory bird survey of the project site during the same calendar</i></p>	Community Development Department and CDFG	Prior to construction, if construction occurs between February and August	

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	<p><i>year that construction is planned to begin. The survey shall be conducted by a qualified biologist in order to identify active nests of any special-status bird species on the project sites. The results of the survey shall be submitted to the Community Development Department. If active nests are not found during the pre-construction survey, further mitigation is not required. If active nests are found, an adequately sized temporary non-disturbance buffer zone shall be determined based on CDFG consultation, shall be established around the active nest. Intensive new disturbances (e.g., heavy equipment activities associated with construction) that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March 1 and September 1. Any trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January).</i></p> <p>4.6MM-2b <i>Although surveys are not required, if a horned lizard is observed on the site,</i></p>	City Engineer	During	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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	<p><i>work shall cease in the area until the lizard can be moved to a safe location consistent with CDFG regulations. The above shall be completed for the review and approval by the City Engineer.</i></p> <p><i>4.6MM-2c A pre-construction survey for western pond turtle shall be conducted by a qualified biologist prior to any grading or construction activity, to determine presence or absence of this species in the project site. If construction is planned after April 1st, this survey shall include looking for turtle nests within the construction area. If northwestern pond turtles are not found within the project site, no further mitigation is required. If juvenile or adult turtles are found within the proposed construction area, the individuals shall be moved out of the construction site with technical assistance from CDFG. If a nest is found within the construction area, construction shall not take place within 30 meters (100 feet) of the nest until the turtles have hatched.</i></p> <p><i>If a turtle is observed on the site, work</i></p>	City Engineer	<p>construction activities</p> <p>Prior to any grading or construction, but no earlier than one year before the start of construction.</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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	<p><i>shall cease in the area until the turtle can be moved to a safe location consistent with CDFG regulations. The above shall be completed for the review and approval by the City Engineer. The survey shall be valid for one year; if construction does not take place within one year of the survey, a new survey shall be conducted.</i></p>			
	<p><i>4.6MM-2d Although surveys are not required, if a yellow-legged frog is observed on the site during the construction phase, work shall cease in the area until the frog can be moved to a safe location consistent with CDFG regulations. The above shall be completed for the review and approval by the City Engineer.</i></p>	City Engineer	During construction	
	<p><i>4.6MM-2e A pre-construction protocol-level survey for western spadefoot toad shall be conducted by a qualified biologist prior to any grading or construction activity, to determine presence or absence of this species on the project sites. The survey shall be conducted in accordance with all applicable CDFG guidelines. If western spadefoot toads are not found within the project site, no further mitigation is</i></p>	City Engineer and CDFG	Prior to grading or construction activities, but no earlier than one year before start of construction	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
 MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>required. If juvenile or adult spadefoot toads are found within the proposed construction area, the individuals shall be moved out of the construction site with technical assistance from CDFG. If spadefoot toad eggs are found within the construction area, construction shall not take place within 30 meters (100 feet) of the nest until the toads have hatched.</i></p> <p><i>If a spadefoot toad is observed on the site, work shall cease in the area until the frog can be moved to a safe location consistent with CDFG regulations. The above shall be completed for the review and approval of the City Engineer. The survey shall be valid for one year; if construction does not take place within one year of the survey, a new survey shall be conducted.</i></p>			
4.6I-4 Construction-related impacts to steelhead trout and Chinook salmon.	<p>Implement Mitigation Measure 4.4MM-4a through -4c in the Hydrology and Water Quality chapter of this EIR (Chapter 4.4) would mitigate potential impacts on the Vista Oaks and Highlands Parcel A sites. In addition, implementation of the following</p>	<p>See Mitigation Measures 4.4MM-4a through 4c</p>	<p>See Mitigation Measures 4.4MM-4a through 4c</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>mitigation measures would reduce bridge construction impacts from the proposed projects to <i>less-than-significant levels</i>.</p> <p>The following mitigation measures are identified for the Vista Oaks project.</p> <p><i>4.6MM-4a Prior to any grading or construction activities; the proposed bridge shall be designed to be consistent with Southeast Rocklin Circulation Element policies 16 through 38, 41, and 44, and in consultation with the CDFG so as to ensure year-round passage of steelhead and Chinook through the area. The bridge shall be designed so that it traverses the creek in a manner that does not in any way impede its current flow.</i></p> <p><i>4.6MM-4b Per Southeast Rocklin Circulation Element policy 25, once the precise location of any creek crossing is determined, the construction zone (corridor) shall be flagged to allow easy identification. Heavy equipment shall be operated only within this designated corridor.</i></p>	<p>City Engineer and CDFG</p> <p>City Engineer</p>	<p>Prior to grading or construction activities</p> <p>During construction activities</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>The following mitigation measures are identified for the Vista Oaks and Highlands Parcel A projects.</p> <p><i>4.6MM-4c Per Southeast Rocklin Circulation Element policy 28, construction within or along the channel shall be restricted to the time period selected by the CDFG, typically July 1 – September 30, the period in which there is very little water in the channel and in which movement of steelhead and Chinook salmon within the project area is expected to be minimal. Steelhead or salmon redds downstream from the site are not likely to be adversely affected, directly or indirectly, if construction occurs during this time. Furthermore, impacts to the movement of anadromous fishes through the project area should be minimal during this time.</i></p> <p><i>4.6MM-4d Debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material shall not be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the State. Per Southeast Rocklin Circulation Element policy 20, a siltation</i></p>	<p>City Engineer and CDFG</p> <p>City Engineer and the Public Works Inspector</p>	<p>During construction</p> <p>During construction</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>and erosion and control program for stream crossing areas shall be designed and implemented prior to construction to the satisfaction of the City Engineer, and the Public Works inspector shall monitor ongoing construction activities to assure compliance. In addition, the project shall comply with the requirements of the Streambed Alteration Agreement and shall institute Best Management Practices (BMPs) as identified in the agreement, and in the project's stormwater management plan. The mitigation measures above shall be completed for the review and approval of the City Engineer.</i></p>			
<p>4.6I-5 Operational impacts to water quality and special-status fish from stormwater runoff.</p>	<p><i>Implement Mitigation Measure 4.4MM-4a through -4c.</i></p>	<p>See Mitigation Measures 4.4M-4a through 4c</p>	<p>See Mitigation Measures 4.4M-4a through 4c</p>	
<p>4.6I-6 Short-term impacts to native oak trees.</p>	<p><i>4.6MM-6a Prior any grading or construction activities, for oak trees six inches in diameter or greater that are to be removed, the project applicant shall comply with provisions of the City of</i></p>	<p>Community Development Director</p>	<p>Prior to grading or construction activities and the removal of any oak trees</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
 MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>Rocklin Tree Ordinance (Chapter 17.77 of the Rocklin Municipal Code (Ordinance 676) and policy 37 of the Southeast Rocklin Circulation Element, payment of fees and/or replacement of trees. Some of the requirements include but are not limited to the replacement of trees or payment of an in-lieu fee for the removal of oak trees (The City of Rocklin Oak Tree Preservation Guidelines) and that trees to be retained near the construction alignment of any road shall be fenced in accordance with the Oak Tree Ordinance to prevent access by heavy equipment. Prior to the removal of any oak trees, the project applicant shall obtain a tree permit from the City, which will include provisions for replacing lost trees. All replacement trees shall be of a 15-gallon size and shall be planted on residential lots and open space areas. The plan shall specify monitoring requirements including required inspections for at least a five-year period. The above shall be done for the review and approval of the Community Development Director.</i></p>			

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
MITIGATION MONITORING PLAN**

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	<p><i>4.6MM-6b If adequate locations cannot be found to replace all removed oak trees, then the remaining mitigation requirement may be met through payment into the existing City of Rocklin Tree Preservation Fund at the rate and formula specified in the City of Rocklin Municipal Code. Such payments shall be made prior to any grading or construction activities, with the review and approval by the Community Development Director.</i></p>	Community Development Director	Prior to grading or construction activities	
4.6I-7 Long-term impacts to native oak trees.	Implementation of Mitigation Measures 4.6MM-6a through -6b would reduce long-term impacts to native oak trees on the Vista Oaks and Highlands Parcel A project sites to a <i>less-than-significant</i> level.	See Mitigation Measure 4.6MM-6a and 6b	See Mitigation Measure 4.6MM-6a and 6b	
4.6I-8 Impacts to freshwater emergent wetland habitat.	<p><i>4.6MM-8a Prior to issuance of Improvement Plans, the City shall require the project applicant and/or any developers to mitigate impacts to ensure the avoidance of any net loss of seasonal wetlands and jurisdictional waters of the United States, or the bed, channel, or bank of any stream. Such avoidance may be achieved by implementing and complying with the provisions of the Clean Water Act, as administered by the U.S. Army Corps of</i></p>	City Engineer, CDFG, and ACOE	Prior to approval of Improvement Plans	

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 MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>Engineers (ACOE), under Section 404 of the Clean Water Act, and under Sections 1600-1607 of the California Fish and Game Code, as administered by the CDFG, which includes obtaining all required permits from the ACOE and entering into a Streambed Alteration Agreement with CDFG and complying with all terms and conditions of those permits and agreements. If CDFG determines that an SAA is warranted, the SAA may include conditions such as:</i></p> <ul style="list-style-type: none"> <i>• Protection and maintenance of the riparian, wetland, stream or lake systems to ensure a “no-net-loss” of habitat value and acreage. Vegetation removal shall not exceed the minimum necessary to complete operations.</i> <i>• Provisions for the protection of at-risk fish and wildlife resources that consider various life stages, maintain migration and dispersal corridors, and protect essential breeding (i.e., spawning, nesting) habitats.</i> <i>• Delineation of buffers along stream and wetlands to provide adequate</i> 			

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 MITIGATION MONITORING PLAN**

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	<p><i>protection to the aquatic resource. Grading or construction activities shall not be allowed within these buffers.</i></p> <ul style="list-style-type: none"> • <i>Placement of construction materials, soils, or fill such that they cannot be washed into a stream or lake.</i> • <i>Prevention of downstream sedimentation and pollution. Provisions may include but not be limited to oil/grit separators, detention ponds, buffering filter strips, silt barriers, etc. to prevent downstream sedimentations and pollution.</i> • <i>Restoration plans shall include performance standards such as the types of vegetation to be used, the timing of implementation, and contingency plans if the replanting is not successful. Restoration of disturbed areas shall utilize native vegetation.</i> <p><i>In order to comply with Public Resources Code Section 21081.6, a detailed monitoring program shall be developed for all mitigation conditions within the</i></p>			

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>SAA. The monitoring program shall include but not be limited to the following:</i></p> <ul style="list-style-type: none"> • <i>Specific criteria to measure the effectiveness of mitigation.</i> • <i>Annual monitoring for a minimum of five years. Annual written reports submitted to the lead agency and the DFG Sacramento Valley-Central Valley Sierra Region. The annual monitoring reports shall include corrective recommendations that shall be implemented in order to ensure that mitigation efforts are successful.</i> 			
	<p><i>4.6MM-8b Prior to any grading or construction activities, the project proponent shall apply for and obtain a permit from the ACOE. The project proponent shall comply with the terms and conditions of the permit.</i></p>	City Engineer and ACOE	Prior to any grading or construction activities	
	<p><i>4.6MM-8c Prior to any grading or construction activity, the applicant shall choose from the various options available to mitigate for the loss wetlands. Various options</i></p>	City Engineer, ACOE, CDFG, and USFWS	Prior to any grading or construction	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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	<p><i>include the following:</i></p> <ul style="list-style-type: none"> • <i>Mitigation credits in the amount specified by the ACOE, the CDFG, and/or the USFWS as applicable, may be purchased from a previously approved mitigation bank in the region. Such purchase would be approved by the appropriate agencies. This mitigation measure shall be implemented prior to any grading or construction activity, with the review and approval by the City Engineer.</i> • <i>Prior to any grading or construction activity, the applicant may construct replacement wetlands either on-site, or at an approved off-site location based on the mitigation ratio's determined through the permitting process, with the review and approval by the City Engineer. Adequate area shall be available on-site, along Secret Ravine Creek and/or within the 100-year floodplain, for seasonal wetland mitigation.</i> 		activities	

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 MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>In addition, a detailed wetland restoration plan shall be prepared in consultation with a qualified restoration biologist. This detailed wetland restoration plan shall provided for the replacement of lost wetland habitat area for replacement wetlands as well as the location of on-site restoration opportunities, complete with an analysis of the technical approach to create high quality wetlands.</i></p> <p><i>In the event that on or off-site wetlands are to be constructed, the project proponent shall comply with the recommendations and conditions contained in the ACOE permit.</i></p> <p><i>As discussed in the Hydrology and Water Quality chapter of this EIR, water quality in the wetland areas shall be protected using approved erosion control techniques during construction on the project site (see Mitigation Measure 4.4MM-4a). Urban runoff shall also be managed to protect water quality of the</i></p>			

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MITIGATION MONITORING PLAN**

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	<i>wetland areas.</i>			
4.6I-10 Impacts to northern volcanic mudflow vernal pools and vernal pool invertebrates.	<p>4.6MM-10a <i>Project design shall avoid vernal pool habitat if feasible. If avoidance is not feasible, prior to any grading or construction activities, a pre-construction protocol-level survey (2 years worth of surveying) shall be conducted on the project sites by a qualified biologist in order to identify the presence of any vernal pool-associated special-status plant or animal species on the project sites. The project applicant may choose the option of assuming the presence of vernal pool-special status plants and/or species rather than conducting a 2-year pre-construction protocol-level survey. Assuming the presence would include appropriate mitigation ratios and options. Furthermore, if the project applicant chooses to conduct surveys, the results of the surveys shall be submitted to CDFG and the Community Development Department for review.</i></p> <p>a. <i>If (during the 2-year pre-construction protocol-level</i></p>	Community Development Department and CDFG	Prior to approval of improvement plans and any grading or construction activities	

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 MITIGATION MONITORING PLAN**

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	<p><i>survey) special-status plant or animal species or both are determined not to occur on site, an off-site preservation/loss ratio of 2:1 shall be implemented.</i></p> <p><i>b. If (during the 2-year pre-construction protocol-level survey) any special-status species are displaced, a 3:1 mitigation ratio will be utilized. Mitigation requirements may be met through one of the following means, with the review and approval by the Community Development Director:</i></p> <ol style="list-style-type: none"> <i>1. The purchase of vernal pool preservation credits at an approved mitigation or conservation bank in the region;</i> <i>2. The purchase and set aside of acreage within or adjacent to an existing vernal pool preserve in the region. Preserves should be sufficiently large as to ensure</i> 			

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	<p><i>viability and manageability, and should include adequate natural uplands and buffer areas to prevent encroachment by adverse human activities. Preserves should be located as near as possible, have a similar hydrologic regime, and occur on the same soil type as those being lost, to conserve local genetic interactions and provide habitat for species important in these interactions; or</i></p> <p><i>3. Payment of fees into the Vernal Pool Mitigation Account established by the U.S. Fish and Wildlife Service and managed by the Center for Natural Lands Management.</i></p> <p><i>The vernal pools were identified in both of the wetland delineation reports previously referenced (Gibson & Skordal 1999, ECORP Consulting 2001). The delineation of these pools has been</i></p>			

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	<i>verified by the ACOE. Should it be documented, or assumed, that vernal pool fairy shrimp occur on this site, authorization for the take of these resources could be provided through an existing programmatic Section 7 consultation between the ACOE and USFWS which would include appropriate mitigation ratios and options.</i>			
4.6I-11 Impacts to special-status plants.	<p>4.6MM-11 <i>Prior any grading or construction activities, pre-construction protocol-level surveys shall be conducted by a qualified biologist on the portions of the project sites planned for development, in order to identify the presence of any of the special-status plant species identified in Table 4.6-1. Pre-construction protocol-level surveys shall be conducted during the appropriate blooming period (March-October) for all plant species to adequately ensure recognition of potentially-occurring species. Because the blooming period of all potentially-occurring plant species covers a wide range, a minimum of three focused rare plant surveys timed approximately one month apart are recommended from April through June to cover the peak</i></p>	Community Development Department and CDFG	Prior to grading or construction activities	

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	<p><i>blooming period. The results of the surveys shall be submitted to CDFG and the Community Development Department for review.</i></p> <p><i>If, as a result of the survey(s), special-status plant species are determined not to occur on the sites, further action shall not be required. If special-status plant species are detected on either site, locations of these occurrences shall be mapped with GPS and consultation with CDFG shall be initiated, and a mitigation plan shall be prepared based on the consultation. The plan shall detail the various mitigation approaches to ensure no net loss of plant species.</i></p>			
4.6I-12 Impacts to valley elderberry longhorn beetle (VELB)	<p><i>4.6MM-12a The City shall require the project applicant and/or any developers filing final maps to mitigate impacts to elderberry shrubs hosting the Valley Elderberry Longhorn Beetle by avoiding any net loss of such shrubs. Such avoidance may be achieved by entering into a formal consultation with the USFWS by obtaining the necessary take permit for VELB, and by taking all necessary steps required to comply with</i></p>	City Engineer and USFWS	Prior to approval of final maps	

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	<p><i>the take permit issued by USFWS for avoidance and replacement of elderberry shrubs consistent with USFWS guidelines.</i></p> <p><i>4.6MM-12b Prior to any grading or construction activities, elderberry shrubs on the project site shall be protected and incorporated into the landscape or open space areas, if feasible. Prior to the commencement of any grading or construction activities, the applicant shall place protective fencing around elderberry shrubs not scheduled for removal, creating a 100-foot buffer protection zone. All construction activities and equipment shall remain outside of the 100-foot buffer protection zone throughout the construction period. It should be noted that the 100-foot buffer protection zone may not be able to be provided in all instances during construction. The applicant shall consult with USFWS prior to construction to determine what measures shall be taken to reduce impacts of construction activities to the elderberry shrubs. In addition, construction activities shall be</i></p>	<p>City Engineer, USFWS</p>	<p>Prior to grading or construction activities and during construction</p>	

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	<p style="text-align: center;"><i>monitored by a qualified biologist.</i></p> <p>4.6MM-12c <i>If impacts to individual elderberry bushes cannot be avoided, the City will require mitigation consistent with the USFWS requirement for transplantation and/or replacement. Each elderberry stem measuring 1.0 inch or greater in diameter at ground level that is adversely effected (i.e., transplanted or destroyed) must be replaced with elderberry seedlings or cuttings at a ratio ranging from 2:1 to 5:1 (new plantings to affected stems) dependent on the presence/absence and density of beetle exit holes in the effected bush. The exact ratio and specific conditions related to the transplantation or replacement requirement would be determined through consultation with the USFWS.</i></p>	City Engineer and USFWS	During construction	
4.6I-13 Impacts to nesting raptors	<p>4.6MM-13a <i>Prior to any grading or construction activity, the project applicant, in consultation with the City of Rocklin and CDFG, shall conduct a pre-construction breeding-season survey (approximately February 15 through August 1) of the project site during the same calendar year that construction is planned to</i></p>	City Engineer and CDFG	Prior to grading or construction activities	

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	<p><i>begin. The survey shall be conducted by a qualified raptor biologist to determine if any birds-of-prey are nesting on or directly adjacent to the Proposed Project site.</i></p> <p><i>If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.</i></p> <p><i>A report shall be submitted to the City of Rocklin following the completion of the survey that includes, at the minimum, the following information:</i></p> <ul style="list-style-type: none"> <i>• A description of methodology including dates of field visits;</i> <i>• the names of survey personnel with resume;</i> <i>• a list of references cited and persons contacted;</i> <i>• and a map showing the location(s) of any raptor nests observed on the project site.</i> <p><i>If the above survey does not identify any nesting raptor species on the project site,</i></p>			

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	<p><i>further mitigation would not be required. However, should any raptor species be found nesting on the project site, the following mitigation measures shall be implemented.</i></p> <p><i>4.6MM-13b Prior to any grading or construction activities, the following mitigation measures shall be completed for the review and approval by the City Engineer. The project applicant, in consultation with the City of Rocklin and CDFG, shall avoid all birds of prey nest sites located in the project site during the breeding season while the nest is occupied with adults and/or eggs or young. The occupied nest shall be monitored by a qualified raptor biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a nondisturbance buffer zone around the nest site. The size of the buffer zone would be determined in consultation with the City and CDFG. Highly visible temporary construction fencing shall delineate the buffer zone.</i></p>	City Engineer and CDFG	<p>Prior to grading or construction activities</p> <p>Prior to removal</p>	

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	<p>4.6MM-13c <i>If the nest of any legally-protected species is located in a tree designated for removal, the removal shall be deferred until after August 30th, or until the adults and young are no longer dependent on the nest site, as determined by a qualified biologist.</i></p>	City Engineer	of any tree containing a nest of any legally protected species	
4.8 Air Quality				
4.8I-2 Impacts related to construction-generated air pollutants	<p>4.8MM-2a <i>Prior to groundbreaking, the applicant shall submit a dust control plan to the City Engineer and the Placer County Air Pollution Control District. This plan shall identify adequate dust control measures, including those in the "Mitigation for Air Quality Impacts" form, and otherwise comply with the mandates of the General Plan, including General Plan policies 49 through 52, and the Southeast Rocklin Circulation Element, including Southeast Rocklin Circulation Element policy</i></p> <p><i>The applicant shall have a pre-construction meeting for grading activities for 20 or more acres to discuss the construction emission/dust control plan with employees and/or contractors and the District is to be invited. The</i></p>	City Engineer and the Placer County Air Pollution Control District	Prior to groundbreaking	

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	<p><i>applicant shall suspend all grading operations when fugitive dusts exceed District Rule 228 Fugitive Dust limitations. An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate compliance to Rule 228, Fugitive Dust. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas, they shall be controlled as not to exceed District Rule 228 Fugitive Dust Limitations.</i></p> <p>The following additional mitigation measures, identified for the Vista Oaks and Highlands Parcel A projects, would reduce emissions from equipment and vehicle exhaust:</p> <p><i>4.8MM-2b Construction equipment exhaust emissions shall not exceed District Rule 202 <u>Visible Emission</u> limitations.</i></p> <p><i>4.8MM-2c The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50</i></p>	<p>City Engineer and the Placer County Air Pollution Control District</p> <p>Placer County Air Pollution Control District</p>	<p>During construction</p> <p>Prior to and during construction</p>	

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 MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>horsepower or greater) that will be used for an aggregate of 40 or more hours for the construction project. The project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The project shall provide a plan for approval by the District demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average of 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. The District should be contacted for average fleet emission data. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. As a resource, the Placer County Air Pollution Control Districts suggests contractors can access the</i></p>			

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
 MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p><i>Sacramento Metropolitan Air Quality Management District's web site to determine if their off-road fleet meets the requirements listed in this measure.</i></p> <p><i>http://www.airquality.org/ceqa/Construction_mitigation_calculator.xls</i></p> <p><i>4.8MM-2d Prior to groundbreaking, an enforcement plan shall be established in coordination with the Placer County Air Pollution Control District to weekly evaluate project-related on- and off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement.</i></p> <p><i>4.8MM-2e Idling time on the project site shall be limited to 5 minutes for all diesel power equipment.</i></p>	<p>Placer County Air Pollution Control District</p> <p>City Engineer</p>	<p>Prior to groundbreaking</p> <p>During Construction</p>	

**TABLE 4-1: VISTA OAKS AND HIGHLANDS PARCEL A SUBDIVISION
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	<p>4.8MM-2f <i>Diesel fuel certified by the California Air Resource Board (CARB) shall be used for all diesel-powered equipment.</i></p> <p>4.8MM-2g <i>Open burning of removed vegetation shall be prohibited. Vegetative material shall be chipped or delivered to waste or energy facilities.</i></p>	<p>City Engineer</p> <p>City Engineer</p>	<p>During Construction</p> <p>During Construction</p>	
4.8I-3 Impacts associated with the release of Toxic Air Contaminants	<i>Implement Mitigation Measures 4.8MM-2b through 4.8MM-2g.</i>	See Mitigation Measures 4.8MM-2b through 4.8MM-2g	See Mitigation Measures 4.8MM-2b through 4.8MM-2g	
4.8I-5 Cumulative air quality impacts.	<p>4.8MM-5a <i>Prior to approval of Improvement Plans, the City Engineer shall ensure that the following measures are included in the improvement plans:</i></p> <ul style="list-style-type: none"> • <i>CC&R's shall encourage only electric or battery powered lawn mowers and landscape maintenance equipment at residences.</i> • <i>The project shall implement an offsite mitigation program, coordinated through the Placer County Air Pollution Control District, to offset the project's long-term ozone</i> 	City Engineer and PCAPCD	Prior to approval of Improvement Plans	

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	<p><i>precursor emissions. The project offsite mitigation program must be approved by PCAPCD. The project's offsite mitigation program provides monetary incentives to sources of air pollutant emissions within the projects' air basin that are not required by law to reduce emissions. Therefore, the emissions reductions are real, quantifiable and implement provisions of the 1994 State Implementation Plan. The offsite mitigation program reduces emissions within the air basin that would not otherwise be eliminated.</i></p> <p><i>In lieu of the applicant implementing their own offsite mitigation program, the applicant can choose to participate in the Placer County Air Pollution Control District Offsite Mitigation Program by paying an equivalent amount of money into the District program. The actual amount of emission reduction needed through the Offsite Mitigation Program would be calculated when the project's average daily emissions have been</i></p>			

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<i>determined.</i>			
	<p>4.8MM-5b <i>Prior to issuance of building permit, the Building Official shall ensure that the following measures are included:</i></p> <ul style="list-style-type: none"> • <i>Natural gas lines shall be stubbed out in residential backyards to reduce the use of charcoal briquettes and lighter fluid.</i> 	City Building Official	Prior to issuance of building permit	
	<p>4.8MM-5c <i>In addition to the mitigation measures listed above, the City shall ensure that all applicable source control measures from the PCAPCD Air Quality Attainment Plan that are under the direct control of the City of Rocklin are implemented in association with the project.</i></p>	City Engineer	During construction	
4.9 Noise				
4.9I-1 Construction-related impacts associated with temporarily increased noise levels at existing noise-sensitive land uses.	<p>4.9MM-1a <i>The applicant/developer shall include the following mitigation measures on the improvement plans to be approved by the City Engineer prior to the approval of the improvement plans or initiation of any grading or construction activity.</i></p>	City Engineer	Prior to approval of improvement plans or initiation of grading or construction activities	

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	<ul style="list-style-type: none"> • <i>As stated in the Southeast Rocklin Circulation Element policy 48, mufflers shall be installed on all equipment with high noise potential. The equipment shall be turned off when not in use; and</i> • <i>Equipment warm up areas, water tanks, and equipment storage areas shall be located in areas as far away from existing residences as is feasible.</i> <p><i>4.9MM-1b The project applicant shall comply with the City of Rocklin Construction Noise Compatibility 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.</i></p> <p><i>And,</i></p> <p><i>Implement 4.5MM-7, which requires a blasting permit and schedule. Obtaining a permit ensures the proper process for</i></p>	City Engineer	During Construction	

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	<i>notification when blasting, and also ensures that the blasting area is "covered" during blasting operations to muffle noise levels and minimize any overblast</i>			
4.9I-2 Traffic-related noise exceeding acceptable levels at proposed residential outdoor activity areas.	<p>The following mitigation measures are identified for the Vista Oaks project.</p> <p>4.9MM-2 <i>The applicant/developer shall include the following noise reduction measures on the improvement plans to be approved by the City Engineer prior to any grading or construction activities:</i></p> <ul style="list-style-type: none"> • <i>Phase I area: A property line barrier 14-feet high shall be required for the Phase I area along the south I-80 right-of-way (ROW) (north side of China Garden Road) in front of the first row of lots facing I-80 in order to meet the lower limit exterior noise level of 60 dB L_{dn}. The barrier shall connect with the existing 14-foot noise barrier to the east (as shown in Figure 4.9-3, Barrier B-1). In addition, the barrier shall extend approximately 300 feet to the west of lot #23 (west end of Parcel E park</i> 	City Engineer	Mitigation measure indicated on improvement plans prior to grading or construction activities, and constructed with subdivision improvements prior to occupancy of residences	

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	<p>site) to prevent sound flanking. Figure 4.9-4 shows barrier locations. The noise barrier shall be constructed in conjunction with the subdivision improvements, prior to the initiation of home construction. If revisions are made to the grading plan, then the noise analysis must be similarly revised.</p> <ul style="list-style-type: none"> • <u>Phase II area:</u> In order to reduce traffic noise levels to 69 L_{dn}, adjacent to the park site a noise barrier 6 feet in height shall be required to extend west of the terminus of the 14-foot barrier, which is required for the Phase I area (as shown in Figure 4.9-3, Barrier B-2). The noise barrier shall be extended 100 feet past the western terminus of the Phase I area. The noise barrier shall be constructed in conjunction with the subdivision improvements and completed prior to occupancy of residences. If revisions are made to the grading plan, then the noise analysis must be similarly revised. 			

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	<ul style="list-style-type: none"> • <i>Phase III area: In order to comply with the 60 dB L_{dn} exterior noise level standard for the Phase III area, a noise barrier shall be constructed along I-80 and the Highway 65 on-ramp to I-80 as shown in Figure 4.9-3 (Barrier B-3). The barrier shall be located at the ROW, and shall be 13 feet in height. The noise barrier shall be constructed in conjunction with the subdivision improvements and completed prior to occupancy of residences. If revisions are made to the grading plan, then the noise analysis must be similarly revised.</i> <p style="text-align: center;"><i>-OR-</i></p> <p><i>Within the Phase III site, patio barriers shall be constructed along the back yard lot lines of Lots 70 through 79, 99, and 100. The walls shall be placed between the outdoor activity areas and the I-80 (as shown in Figure 4.9-3, Barrier B-3a). The patio walls shall be made of materials that are at a density of at least 3.5 pounds per square foot, which may</i></p>			

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	<p style="text-align: center;"><i>include concrete block, pre-cast concrete, stucco, 16-gauge steel. Patio walls shall be constructed to 6 feet in height above each building pad elevation and shall not include unobstructed openings, but may include a solid door or gate to access additional backyard areas. Patio walls shall wrap around 2 feet on all ends. The noise barrier shall be constructed in conjunction with the subdivision improvements and completed prior to occupancy of residences. If revisions are made to the grading plan, then the noise analysis must be similarly revised.</i></p>			
<p>4.9I-4 Future traffic noise impacts on the interior noise threshold for residential uses.</p>	<p>The following mitigation measures are identified for the Vista Oaks project.</p> <p>4.9MM-4 <i>Prior to approval of the final map, the map shall indicate that all residences proposed within the Phase I area consist of a single-story design.</i></p> <p style="text-align: center;">-OR-</p> <p><i>As an alternative, the following construction requirements per the latest</i></p>	<p>City Engineer and Building Official</p>	<p>Prior to approval of final map</p>	

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	<p><i>edition of the Uniform Building Code shall be included in all residences within the Phase I area. The construction requirements are applicable to all second-floor facades with exposure to I-80.</i></p> <ul style="list-style-type: none"> • <i>Air conditioning or mechanical ventilation systems are installed so that windows and doors may remain closed.</i> • <i>Windows and sliding glass doors are mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications).</i> • <i>Exterior doors are solid core with perimeter weather-stripping and threshold seals.</i> • <i>Exterior walls consist of 3-coat stucco, wood siding with an underlayer of plywood sheeting, or brick veneer.</i> • <i>Glass in both windows and doors should not exceed 20% of the floor area in a room. For example, in a 10-foot by 10-foot room (10 x 10 = 100 square feet), there would be no more than 20 square feet of glass (20% x</i> 			

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	<p style="text-align: center;"><i>100 = 20).</i></p> <ul style="list-style-type: none"> • <i>Windows should have a Sound Transmission Classification (STC) rating of at least 35.</i> • <i>Roof or attic vents facing the noise source of concern shall be boxed.</i> 			
4.10 Cultural Resources				
4.10I-1 Impacts to known cultural resources as a result of construction activities.	<p>The following measure is identified for the Vista Oaks project:</p> <p><i>4-10MM-1a Prior to any grading or construction activity the applicant/developer shall retain a qualified archeologist to consult with the Community Development Director in preparing and implementing a data recovery program for historic site PA-89-32.</i></p>	Community Development Director	Prior to grading or construction activities	
	<p>The following measure is identified for the Highlands Parcel A project:</p> <p><i>4-10MM-1b Prior to any grading or construction activity, the Community Development Director shall ensure that the applicant/developer, in consultation with a qualified archeologist, erects orange construction fencing which fully encloses</i></p>	Community Development Director	Prior to grading or construction activities	

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	<p><i>the three eligible components of prehistoric site CA-PLA-515/H and the ridge-top component of the prehistoric site Highlands #2 in order to prevent vehicular and pedestrian access during construction. Placement of the fencing shall be determined by a qualified archaeologist. Either subsequent to or in place of the orange construction fencing, a six-foot high permanent fence designed to restrict pedestrian and vehicular access shall be placed around the perimeter(s), and a locked gate shall be installed in the same perimeter fencing. Placement and erection of the fencing shall be monitored by the archaeologist. In addition, the applicant/developer shall prepare a long-term resource management plan, which allocates responsibility for preservation in perpetuity, including but not limited to, fence maintenance, weed abatement, and shall identify funding sources and responsible parties. This plan shall be reviewed and approved by the Community Development Director prior to any grading or construction activity.</i></p>			

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	<p style="text-align: center;">- Or -</p> <p><i>If fencing and preservation are not considered feasible as determined by the City of Rocklin, prior to any grading or construction activity the applicant/developer shall retain a qualified archeologist to consult with the Community Development Director in preparing, adopting, and implementing a data recovery program for the three eligible components of prehistoric site CA-PLA-515/H and the ridge-top component of prehistoric site Highlands #2.</i></p> <p>4-10MM-1c <i>1) Because construction of the creek-side trail or road will impact the creek-side component of Highlands #2, archaeological test excavations shall be conducted adjacent to the bedrock milling station to determine if cultural deposits are present and if the location is then eligible for the California Register or qualifies as a “unique archaeological resource” under CEQA. Tests shall be conducted by a qualified archaeologist prior to any ground-disturbing activity in</i></p>	Community Development Department	Prior to ground-disturbing activities in the project area	

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	<p><i>the project area.</i></p> <p><i>2) If the creek-side component of Highlands #2 is eligible for the CRHR or qualifies as a “unique archaeological resource” under CEQA, then the Highlands #2 component shall be surrounded with orange construction fencing prior to any ground-disturbing activity on the project area (monitored by a qualified archaeologist) and the trail or road moved up hill (southward) to avoid this component of Highlands #2.</i></p> <p><i>- Or -</i></p> <p><i>If moving the trail or road southward to avoid this component of Highlands #2 is infeasible as determined by City staff, and the creek-side component of Highlands #2 is eligible for CRHR, the affected component of this archaeological site shall be buried with on-site soil, or, if off-site soil is necessary, it shall be chemically compatible soil. Burial shall occur prior to constructing the trail or road, and the burial shall be monitored by a qualified</i></p>			

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	<p><i>archaeologist. Once the direct burial is accomplished, construction of the trail or road over the ditch may proceed. Because the Highlands #2 component site is located within a federal botanical mitigation area for Valley elderberry longhorn beetle, other requirements may restrict the mitigation options.</i></p> <p><i>4-10MM-1d Intact segments of the historic ditch AF-31-67-H (CA-PLA-1211-H) shall be surrounded with orange construction fencing prior to any ground-disturbing activity on the project area (monitored by a qualified archaeologist) and the trail or road moved up hill (southward) to avoid AF-31-67-H.</i></p> <p style="text-align: center;"><i>-Or-</i></p> <p><i>If moving the trail or road southward to avoid the historic ditch is infeasible as determined by City staff, the ditch shall be surrounded with orange construction fencing (monitored by a qualified archaeologist) prior to any ground-disturbing activity on the project area until direct burial of the affected portions</i></p>	Community Development Department	During construction	

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<i>of the historic ditch with on-site soil is initiated. If off-site soil must be used, it shall be chemically compatible with the on-site soil. Once the direct burial is accomplished, construction of the trail or road over the ditch may proceed. In addition to placement of orange construction fencing, the archaeologist shall also monitor any direct burial.</i>			
4.10I-2 Impacts to potential paleontological resources as a result of construction activities.	<i>4.10MM-2a During the grading and trenching phases of the Vista Oaks and Highlands Parcel A project sites, a qualified project paleontologist shall monitor the sites in order to assess the potential for discovering paleontological resources. If the potential appears to be minimal as determined the qualified paleontologist, periodic monitoring may be made thereafter.</i>	Community Development Department and Qualified paleontologist	During grading and trenching phases	
	<i>4.10MM2b Heavy equipment operators shall be briefed by the project paleontologist to gain awareness of visual identification techniques in order to identify potential paleontological resources.</i>	Community Development Department and Qualified paleontologist	Prior to operation of heavy equipment	
	<i>4.10MM2c If any paleontological resources are</i>			

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	<p><i>discovered during construction activities, all work shall be halted in the vicinity of the find and the project paleontologist shall be consulted and the City's Community Development Director shall be notified. Upon determining the significance of the resource, the consulting paleontologist, in coordination with the City, shall determine the appropriate actions to be taken, which may include excavation. A note requiring compliance with this measure shall be indicated on construction drawings and in construction contracts for the review and approval of the Engineering Division prior to any grading or construction activity or approval of Improvement Plans.</i></p>	<p>Community Development Director and qualified paleontologist</p>	<p>During construction</p>	

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
4.10I-3 Increases in vandalism and artifact collecting as a result of additional residences in the immediate vicinity of valuable cultural resources.	Implementation of Mitigation Measures 4.10MM-1a and -1b.	See Mitigation Measures 4.10MM-1a and 1b	See Mitigation Measures 4.10MM-1a and 1b	
4.10I-4 Inadvertent discovery of unknown prehistoric or historic cultural resources, or the discovery of human remains, due to construction activity.	<i>4-10MM-4a If during construction outside of the areas designated as CA-PLA-515/H, Highlands #2, or AF-31-67-H, the project applicant, any successor in interest, or any agents or contractors of the applicant or successor discovers a cultural resource that could qualify as either an historical resource or a unique archaeological resource, work shall immediately stop within 100 feet of the find, and both the City of Rocklin and an appropriate Native American representative, including but not limited to the United Auburn Indian Community, shall be immediately notified per Southeast Rocklin Circulation Element policy 47. Work within the area surrounding the find (i.e., an area created by a 100-foot radius emanating from the location of the find) shall remain suspended while a qualified</i>	Community Development Department and City Engineer	Measure noted on construction drawings and in construction contracts prior to any grading or construction activity with implementation to occur during construction.	

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	<p><i>archaeologist, retained at the applicant's expense, conducts an onsite evaluation, develops an opinion as to whether the resource qualifies as either an historical resource or a unique archaeological resource, and makes recommendations regarding the possible implementation of avoidance measures or other appropriate mitigation measures. Based on such recommendations, as well as any input obtain from the Native American representative(s), within 72 hours (excluding weekends and State and federal holidays) or its receipt of notice regarding the find, the City shall determine what mitigation is appropriate. At a minimum, any Native American artifacts shall be respectfully treated and offered to the Native American representative(s) for permanent storage or donation, at the Native American Representative(s)'s discretion, and any Native American sites, such as grinding rocks, shall be respectfully treated and preserved intact. In considering whether to impose any more stringent mitigation measures, the City shall consider the potential cost to the applicant and any</i></p>			

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	<p><i>implications that additional mitigation may have for project design and feasibility. Where a discovered cultural resource is neither a Native American artifact, a Native American site, an historical resource, nor a unique archaeological resource, the City shall not require any additional mitigation, consistent with the policies set forth in Public Resources Code sections 21083.2 and 21084.1. A note requiring compliance with this measure shall be indicated on construction drawings and in construction contracts for the review and approval of the Engineering Division prior to any grading or construction activity.</i></p> <p><i>4-10MM-4b Should human remains be found, then the Coroner's office shall be immediately contacted and all work halted until final disposition is made by the Coroner. Should the remains be determined to be of Native American descent, then the Native American Heritage Commission shall be consulted to determine the appropriate disposition of such remains. A note requiring compliance with this</i></p>	<p>Placer County Coroner, City Engineer, and NAHC</p>	<p>Measure noted on construction drawings and in construction contracts prior to any grading or construction activity with implementation to occur during construction.</p>	

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	<i>measure shall be indicated on construction drawings and in construction contracts for the review and approval of the Engineering Division prior to any grading or construction activity.</i>			
Impacts and Mitigation Measures Identified in the Initial Study				
VII.h h. The proposed projects could potentially expose people or structures to wildland fires.	<p><i>VII-1. Prior to the recording of any final maps associated with the Vista Oaks or Highlands Parcel A projects, the Rocklin Fire Department shall ensure that the project applicant complies with mitigation measures, including but not limited to the following, to reduce impacts associated with fire hazards:</i></p> <ul style="list-style-type: none"> <i>• Adequate emergency vehicle access shall be provided to the open space areas as required by the Rocklin Fire Department. This issue shall be addressed prior to the approval of any tentative maps and be implemented with the improvement plans of the projects; and</i> <i>• An Open Space Management Plan shall be prepared by the project applicants and approved by the City of Rocklin prior to recording of any final maps for</i> 	Rocklin Fire Department	Prior to recording of Final Maps	

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	<p><i>the projects. The Open Space Management Plan shall include a Fuels Modification Plan. The Homeowners Association, within all open space parcels that are not dedicated to the City, must carry out implementation of the Open Space Management Plan.</i></p> <p>VII-2. <i>Prior to issuance of final building permits associated with the Vista Oaks or Highlands Parcel A projects, the Rocklin Fire Department shall ensure that the project applicant complies with mitigation measures, included but not limited to the following, to reduce impacts associated with fire hazards:</i></p> <ul style="list-style-type: none"> <i>• The projects shall comply with the provisions of the Uniform Fire Code, as adopted by the City of Rocklin and the Rocklin Municipal Code;</i> <i>• Where residential structures are developed, all portions of the exterior first floor shall be within one hundred fifty (150) feet of the public right-of-way. Structures not capable of meeting this requirement shall be considered a special hazard and fire sprinkler</i> 	Rocklin Fire Department	Prior to Issuance of Final Building Permits	

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	<p><i>systems shall be installed. This mitigation measure shall be implemented at the time of approval of building permits; and</i></p> <ul style="list-style-type: none"> • <i>The projects shall comply with the City of Rocklin construction tax.</i> 			