

RESOLUTION NO. PC-2022-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF ROCKLIN RECOMMENDING APPROVAL OF A MITIGATED NEGATIVE
DECLARATION OF ENVIRONMENTAL IMPACTS

Estia at Rocklin (GPA2021-0001, Z2021-0001, PDG2021-0002, DR2021-0012, DL2021-0004) and
University Commercial (DR2022-0002, U2022-0001 and DL2022-0001)

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

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

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

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

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

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

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

Section 4. The statements of overriding considerations adopted by the City Council when approving the City of Rocklin General Plan Update are hereby readopted for the purposes of this mitigated negative declaration and the significant identified impacts of this project related

to aesthetics, air quality, traffic circulation, noise, cultural and paleontological resources, biological resources, and climate change and greenhouse gases.

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

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

Section 7. Upon approval of the Project by the City Council, the environmental coordinator shall file a Notice of Determination with the County Clerk of Placer County and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of section 21152(a) of the Public Resources Code and the California Code of Regulations, Title 14, Division 6, Chapter 3 (“CEQA Guidelines”) adopted pursuant thereto.

PASSED AND ADOPTED this ___ day of _____, 2022, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

Gregg McKenzie, Chairperson

ATTEST:

Terry Stemple, Secretary



ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF ROCKLIN
3970 Rocklin Road
Rocklin, California 95677
(916) 625-5160

ATTACHMENT 1

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST

Estia at Rocklin (GPA2021-0001, Z2021-0001, PDG2021-0002, DL2021-0004 and DR2021-0012) and University Commercial (DR2022-0002, U2022-0001 and DL2022-0001)

**Northwest corner of the intersection of University Avenue and Sunset Boulevard, east of State Route 65, in the City of Rocklin
APN 017-276-007**

May 7, 2022

PREPARED BY:

David Mohlenbrok, Environmental Coordinator, (916) 625-5162

CONTACT INFORMATION:

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

APPLICANT/OWNER:

The property owners are Joseph Mohamed, Trustee of the Joseph Mohamed, Sr. and Shirley M. Mohamed Charitable Remainder Unitrust II. The applicants are Jeff Pemstein with Towne

Development of Sacramento, Inc. (Estia at Rocklin) and Jeff Thompson with Morton & Pitalo, Inc. (University Commercial).

SECTION 1. INTRODUCTION

A. Purpose of an Initial Study

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

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

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

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

B. Document Format

This Initial Study is organized into five sections as follows:

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

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

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

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

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

C. CEQA Process

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

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

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

SECTION 2. INITIAL STUDY SUMMARY AND DETERMINATION

A. Summary Information

Project Title:

Estia at Rocklin and University Commercial

Lead Agency Name and Address:

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

Contact Person and Phone Number:

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

Project Location:

The project site is located at the northwest corner of the intersection of University Avenue and Sunset Boulevard, east of State Route 65, in the City of Rocklin. The Assessor's Parcel Number is APN 017-276-007.

Project Sponsor's Name:

The property owners are Joseph Mohamed, Trustee of the Joseph Mohamed, Sr. and Shirley M. Mohamed Charitable Remainder Unitrust II. The applicants are Jeff Pemstein with Towne Development of Sacramento, Inc. (Estia at Rocklin) and Greg Bardini with Morton & Pitalo, Inc. (University Commercial).

Current General Plan Designation: Business Professional (BP)

Proposed General Plan Designation for Estia at Rocklin: 20 +/- acres of Medium High Density Residential (MHDR)

Proposed General Plan Designation for University Commercial: No change requested (10 +/- acres of Business Professional (BP) to remain)

Current Zoning: Planned Development Commercial (PD-C)

Proposed Zoning for Estia at Rocklin: 20 +/- acres of Planned Development Residential, 10 dwelling units/acre (PD-10)

Proposed Zoning for Estia at Rocklin: No change requested (10 +/- acres of Planned Development Commercial (PD-C) to remain)

Description of the Projects:

The Estia at Rocklin project is a request for approval of General Plan Amendment, Rezone, and General Development Plan Amendment to convert a 20 +/- acre portion of the existing 30 +/- acre site from Business Professional (BP) and Planned Development Commercial (PD-C) to Medium High Density Residential (MHDR) and Planned Development Residential, 10 dwelling units/acre (PD-10), a Design Review to approve the site design, parking, landscaping and architecture of a 181-unit single-story apartment home community on 20 +/- acres, and a Tentative Parcel Map to create two lots consistent with the zone boundary change (a 20 +/- acre lot and a 10 +/- acre lot). The Estia at Rocklin project would include parking and landscaping as well as indoor and outdoor amenities such as a gym, meeting space and swimming pool.

The University Commercial project is a request for approval of a Tentative Parcel Map, Design Review and Conditional Use Permit entitlements to create a 10 +/- acre retail commercial site consisting of a 4-story, 78,416 +/- square foot (sf) hotel, a 3,700 +/- sf convenience store/gas station with 6 fueling stations, a 2,500 sf +/- quick serve restaurant with drive-through, a 2,200 sf +/- quick serve restaurant with drive-through, a 7,700 sf +/- in-line retail shop, a 7,800 sf +/- in-line retail shop, a 9,900 sf +/- daycare facility, and an outdoor gathering space with enhanced paving, seating and enhanced landscaping.

For more detail, please refer to the Project Description set forth in Section 3 of this Initial Study.

Surrounding Land Uses and Setting:

The project site is located to the north of Sunset Boulevard, to the west of University Avenue and to the east of State Route 65 (SR-65). To the north of the project site is undeveloped land designated as Mixed Use (MU) and farther north is land designated as Recreation/Conservation (R/C) containing a small pond. To the east is William Jessup University and some undeveloped land owned by William Jessup University that is designated as Light Industrial. To the south is Sunset Boulevard and with the Atherton Tech Center Business Park located beyond, and to the west is the northbound Sunset Boulevard on-ramp to SR-65, SR-65 itself, and partly developed land within unincorporated Placer County beyond.

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

- Rocklin Engineering Division approval of Improvement Plans
- Rocklin Building Inspections Division issuance of Building Permits
- Placer County Water Agency approval of construction of water facilities
- South Placer Municipal Utility District approval of construction of sewer facilities
- Placer County Air Pollution Control District approval of dust control plan
- Regional Water Quality Control Board issuance of Section 401 certification/waste discharge requirements
- U.S. Army Corps of Engineers issuance of Section 404 permit
- U.S. Fish and Wildlife Service Section 7 consultation/Biological Opinion

B. Environmental Factors Potentially Affected:

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

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

C. Determination:

On the basis of this Initial Study:

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



David Mohlenbrok
Community Development Department Director

May 7, 2022

Date

SECTION 3. PROJECT DESCRIPTION

A. Project Location

The project site is comprised of one undeveloped parcel located northwest of the intersection of Sunset Boulevard and University Avenue and east of SR-65, within the City of Rocklin. The site is located approximately 875 feet to the east of State Route (SR) 65 and is adjacent to undeveloped land to the north, William Jessup University to the east, the office and light industrial business to the south, and SR-65 to the west. The Assessor's Parcel Number is 017-276-007 (Please see Attachment A, Vicinity Map).

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

B. Description

The Estia at Rocklin project is a request for approval of General Plan Amendment, Rezone, and General Development Plan Amendment to convert a 20 +/- acre portion of the existing 30 +/- acre site from Business Professional (BP) and Planned Development Commercial (PD-C) to Medium High Density Residential (MHDR) and Planned Development Residential, 10 dwelling units/acre (PD-10), a Design Review to approve the site design, parking, landscaping and architecture of a 181-unit single-story apartment home community on 20 +/- acres, and a Tentative Parcel Map to create two lots consistent with the zone boundary change (a 20 +/- acre lot and a 10 +/- acre lot). The Estia at Rocklin project would include parking and landscaping as well as indoor and outdoor amenities such as a gym, meeting space and swimming pool. Other project amenities include a patio at the community center, a dog park, pet washing ports, and car washing stations.

Along University Avenue and the University Commercial project site, there will be a six-foot concrete masonry unit (CMU) wall, and as a buffer to SR-65, an eight-foot CMU wall is required as determined by the project's noise study. Access to the project will be provided by an entrance on University Avenue that is proposed for northbound left and southbound right turn ingress movements and southbound right turn egress movement, and a more southerly driveway on University Avenue at the University Commercial project site which leads to an entrance at the south side of the Estia project site that is proposed to be signalized to allow for full turn movements.

The University Commercial project is a request for approval of a Tentative Parcel Map, Design Review and Conditional Use Permit entitlements to create a 10 +/- acre retail commercial site consisting of a 4-story, 78,416 +/- square foot (sf) hotel, a 3,700 +/- sf convenience store/gas station with 6 fueling stations, a 2,500 sf +/- quick serve restaurant with drive-through, a 2,200

sf +/- quick serve restaurant with drive-through, a 7,700 sf +/- in-line retail shop, a 7,800 sf +/- in-line retail shop, a 9,900 sf +/- daycare facility, and an outdoor gathering space with enhanced paving, seating and enhanced landscaping. Access to the project will be provided by an entrance on University Avenue as well as an entrance on Sunset Boulevard.

SECTION 4. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

Section 15168 sets forth the legal requirements for preparing a "program EIR" and for reliance upon program EIRs in connection with "[l]ater activities" within the approved program. (See *Citizens for Responsible Equitable Environmental Development v. City of San Diego*

Redevelopment Agency (2005) 134 Cal.App.4th 598, 614-617.) The General Plan EIR was a program EIR with respect to its analysis of impacts associated with eventual buildout of future anticipated development identified by the General Plan. Subdivision (c) of section 15168 provides as follows:

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

Consistent with these principles, this Initial Study serves the function of a “written checklist or similar device” documenting the extent to which the environmental effects of the proposed project “were within the scope of the program EIR” for the General Plan. As stated below, the City has concluded that the impacts of the proposed project are “within the scope” of the analysis

in the General Plan EIR. Stated another way, these “environmental effects of the [site-specific project] were within the scope of the program EIR.” Where particular impacts were not thoroughly analyzed in prior documents, site-specific studies were prepared for the project with respect to impacts that were not “within the scope” of the prior General Plan EIR analysis. These studies are hereby incorporated by reference and are available for review during normal business hours at the Rocklin Economic and Community Development Department, 3970 Rocklin Road, Rocklin, CA 95677 and can also be found on the City’s website under Planning Department, Current Environmental Documents. The specific studies are listed in Section 5, References.

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

B. Significant Cumulative Impacts; Statement of Overriding Considerations

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

1. Air Quality:

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

2. Aesthetics/Light and Glare:

Development in the City and the South Placer region as a whole will result in substantial degradation of the existing visual character, the creation of new sources of substantial light and glare and cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare.

3. Traffic and Circulation:

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

4. Noise

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

5. Cultural and Paleontological Resources

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

6. Biological Resources

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

7. Climate Change and Greenhouse Gases

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

C. Mitigation Measures Required and Considered

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

D. Evaluation of Environmental Checklist:

- 1) A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each

question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers take account of the whole action involved, including off-site as well as on-site elements, cumulative as well as project-level impacts, indirect as well as direct impacts, and construction as well as operational impacts.
- 3) If a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant.
- 4) Answers of “Less than Significant with Mitigation Incorporated” describe the mitigation measures agreed to by the applicant and briefly explain how they reduce the effect to a less than significant level. Mitigation measures and supporting explanation from earlier EIRs or Negative Declaration may be cross-referenced and incorporated by reference.
- 5) Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or negative declaration, and the City intends to use tiering. All prior EIRs and Negative Declarations and certifying resolutions are available for review at the Rocklin Economic and Community Development Department. In this case, a brief discussion will identify the following:
 - a) Which effects are within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and whether such effects are addressed by mitigation measures based on the earlier analysis; and
 - b) For effects that are “Less than Significant with Mitigation Measures Incorporated,” the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

E. Environmental Checklist

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres would change the existing visual nature / character of the project site and area. The development of the project site would create new sources of light and glare typical of urban development. As discussed below, impacts to scenic vistas or viewsheds would not be anticipated.

Prior Environmental Analysis:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Significance Conclusions:

a. Scenic Vista - No Impact. While vacant or mostly vacant areas have a natural aesthetic quality, there are no designated scenic vistas within the City of Rocklin or Planning Area. Alteration of the vacant and undeveloped project site through the construction of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres would change the visual quality of the project site and surrounding area. However, since there are no designated scenic vistas, no impact would occur in this regard.

b. Scenic Highway – No Impact. The City of Rocklin does not contain an officially designated state scenic highway. State Route 65 (SR 65) borders the western portion of the City and is nearby the project site, but it is not considered a scenic highway. Likewise, Interstate 80 (I-80) traverses the

eastern portion of the City but does not have a scenic designation. Therefore, the proposed projects and the development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would not substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway and no impacts are anticipated in association with damage to scenic resources within a state scenic highway.

c. Visual Character – *Less than Significant Impact.* The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would result in the construction of structures which would alter the aesthetics of the project site and its surroundings.

Per Public Resources Code section 21071 (a) (2), the City of Rocklin is considered to be an urbanized area because although its population is less than 100,000 persons, the population of Rocklin and not more than two contiguous incorporated cities (the cities of Roseville and Lincoln) combined equals at least 100,000 persons. The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres would be of consistent height and scale with surrounding existing development including the nearby William Jessup University school campus and dormitory facilities and the Atherton Tech Center Business Park, and anticipated future development of other surrounding vacant properties; there are no unusual development characteristics of these proposed projects which would introduce incompatible elements or create aesthetic impacts not considered in the prior EIR. Existing buildings in the area include one- and two-story office buildings, one-story light industrial warehouse buildings and three-story dormitory and multi-story school facility buildings associated with William Jessup University. These buildings and the anticipated future development of buildings within the nearby and adjacent light industrial and mixed use land use designations are collectively all of similar size and scale to the proposed projects.

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

The change in the aesthetics of the visual nature or character of the site and the surroundings is consistent with the surrounding existing development and the future development that is anticipated by the City's General Plan. As noted above, the General Plan EIR concluded that development under the General Plan will result in significant unavoidable aesthetic impacts and

Statements of Overriding Consideration were adopted by the Rocklin City Council in regard to these cumulative impacts. The proposed projects at this site does not result in a change to the finding because the site would be developed with typical urban uses that are consistent and compatible with surrounding existing and anticipated future development.

d. Light and Glare – *Less than Significant Impact.* The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would result in the construction of structures which would alter the aesthetics of the project site and its surroundings.

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

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

II. AGRICULTURE AND FORESTRY RESOURCES

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Significance Conclusions:

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

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

As discussed below, a residential and retail commercial development of this type would not be expected to create objectionable odors.

Prior Environmental Analysis:

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

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Project Level Environmental Analysis:

The firm of RCH Group, a Sacramento area consulting firm with recognized expertise in air quality, prepared an Air Quality and Greenhouse Gas Emissions Technical Report for the proposed Estia and University Commercial projects. The report, dated February 9, 2022, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that RCH Group has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the RCH report.

The site plan for the University Commercial project has been modified since the Air Quality and Greenhouse Gas Emissions Technical Report dated February 9, 2022 was completed. The original commercial site plan included the following:

- 104-room hotel – 151,000 square feet
- Fitness Center – 18,000 square feet
- Retail – 15,600 square feet
- Quick Serve Restaurant – 3,500 square feet
- Gas Station with 16 fueling positions and 2,660 square foot convenience store.

The revised commercial site plan includes the following:

- 123-room hotel – 78,416 square feet
- Daycare – 9,900 square feet
- Retail – 15,500 square feet
- Quick Serve Restaurant – 4,700 square feet
- Gas Station with 12 fueling positions and 3,700 square foot convenience store.

Overall the revised commercial plan results in a reduction of 78,144 square feet of building space and four gas station fueling positions compared to the original site plan. RCH Group prepared a memo dated April 26, 2022 addressing the revised commercial site plan and how it may impact the conclusions of the February 2022 report. RCH found that for construction air quality impacts and operational air quality impacts the reduction in building square footage would result in lower air quality emissions and the conclusions of the February 2022 report for those subject areas would not change. Therefore, the results presented below from the February 2022 report are considered to be conservative.

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

Construction Emissions

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

the vicinity of the site, until all construction has been completed, construction is a potential concern because the proposed project is in a non-attainment area for ozone and PM.

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

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

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

MAXIMUM UNMITIGATED CONSTRUCTION EMISSIONS (lbs/day)			
	Reactive Organic Gases (ROG)	Nitrous Oxides (NOx)	Inhalable Particulate Matter (PM₁₀)
Maximum Daily Emissions	59.9	39.6	21.4
Placer County Air Pollution Control District (PCAPCD) Significance Thresholds	82	82	82
Exceedance of PCAPCD Threshold	NO	NO	NO

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

Operational Emissions

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

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

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

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

MAXIMUM UNMITIGATED OPERATIONAL EMISSIONS (lbs/day)			
	Reactive Organic Gases (ROG)	Nitrous Oxides (NOx)	Inhalable Particulate Matter (PM₁₀)
Maximum Daily Emissions	36.1	30.9	33.1
Placer County Air Pollution Control District (PCAPCD) Significance Thresholds	55	55	82
Exceedance of PCAPCD Threshold	NO	NO	NO

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

Cumulative Air Quality

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

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

The PCAPCD recommends using the region’s existing attainment plans as a basis for analysis of cumulative emissions. If a project would interfere with an adopted attainment plan, the project

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

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

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

Significance Conclusions:

a. and b. Conflict with or obstruct implementation of the applicable air quality plan, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard – *Less Than Significant Impact.* The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would result in construction and operational activities that would generate air quality emissions.

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

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

The Ozone Attainment Plan demonstrates how existing and new control strategies would provide the necessary future emission reductions to meet the Clean Air Act (CAA) requirements, including the NAAQS. It should be noted that in addition to strengthening the 8-hour ozone NAAQS, the United States Environmental Protection Agency (USEPA) also strengthened the secondary 8-hour ozone NAAQS, making the secondary standard identical to the primary standard. The SVAB remains classified as a severe nonattainment area with an attainment deadline of 2027. On October 26, 2015 the USEPA released a final implementation rule for the revised NAAQS for ozone to address the requirements for reasonable further progress, modeling and attainment demonstrations, and reasonably available control measures (RACM) and reasonably available control technology (RACT). On April 30, 2018 the USEPA published designations for areas in attainment/unclassifiable for the 2015 ozone standards. The USEPA identified the portions of Placer County within the SVAB as nonattainment for the 2015 ozone standards. Due to the designation of the SVAB as nonattainment for the 2015 standards, the PCAPCD will work with other regional air districts to prepare a new ozone SIP for the revised 2015 standards.

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

PCAPCD THRESHOLDS OF SIGNIFICANCE		
POLLUTANT	CONSTRUCTION THRESHOLD (LBS/DAY)	OPERATIONAL THRESHOLD (LBS/DAY)
ROG	82	55
NO _x	82	55
PM ₁₀	82	82

Source: PCAPCD, 2017.

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

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

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

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

c. Sensitive Receptors – *Less than Significant Impact.* The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would result in construction and operational activities that would generate air quality emissions that could potentially impact sensitive receptors.

Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, childcare centers, playgrounds, retirement homes, convalescent homes, hospitals and medical clinics. The development of a 181-unit single story apartment home community and a daycare center at this project site involves the development of residential uses; thus, the project would introduce sensitive receptors to the

area. Residential areas are considered to be more sensitive to air quality conditions than commercial and industrial uses because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. The nearest existing sensitive receptor to the project site is William Jessup University across University Avenue, however, since it is a university, sensitive populations (i.e., children, the elderly, etc.) are not expected to be present for long periods of time. With the exception of the William Jessup University student housing, there are no residences within 2,000 feet of the project site.

Emissions of carbon monoxide (CO) would result from the incomplete combustion of carbon-containing fuels such as gasoline or wood and are particularly related to traffic levels. Local mobile-source CO emissions near roadways are a direct function of traffic volume, speed and delay. Transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. However, under specific meteorological conditions, CO concentrations near roadways and/or intersections may reach unhealthy levels at nearby sensitive land uses, such as residential units, hospitals, schools, and childcare facilities. Thus, high local CO concentrations are considered to have a direct influence on the receptors they affect. It should be noted that as older, more polluting vehicles are retired and replaced with newer, cleaner vehicles, the overall rate of emissions of CO for vehicle fleet throughout the State has been, and is expected to continue, decreasing. Therefore, emissions of CO would likely decrease from current levels over the lifetime of the project.

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

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

- Degrade the peak-hour level of service (LOS) on one or more streets at one or more intersections (both signalized and non-signalized) in the project vicinity from an

acceptable peak-hour Level of Service (LOS) (e.g., LOS A, B, C, or D) to an unacceptable peak-hour LOS (e.g., LOS E or F); or

- Substantially worsen an already existing unacceptable peak-hour LOS on one or more streets or at one or more intersections in the project vicinity. “Substantially worsen” includes an increase in delay at an intersection by 10 seconds or more when project-generated traffic is included (it should be noted that for purposes of CO analysis the threshold of significance is worse than LOS D, however for purposes of traffic analysis the City’s LOS threshold for acceptable operations is LOS C).

According to the air quality modeling performed in the RCH 2022 report for the development of the projects at this project site, operation of the project would result in maximum mobile source CO emissions of 192.17 lbs/day. Consequently, CO emissions related to operation of the project would be far below the 550 lbs/day screening threshold used by PCAPCD. Therefore, according to the PCAPCD’s screening methodology for localized CO emissions, the project would not be expected to generate substantial concentrations of localized CO emissions.

In addition to the CO emissions discussed above, Toxic Air Contaminants (TACs) are also a category of environmental concern. The California Environmental Protection Agency and California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (“2005 CARB Handbook”), published in 2005, provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC. High volume freeways/roadways, stationary diesel engines, and facilities attracting heavy and constant diesel traffic were identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. Health-related risks associated with DPM in particular are primarily associated with long-term exposure and associated risk of contracting cancer.

While the proposed projects do not include on-site operational activities that would expose sensitive receptors to substantial pollutant concentrations, it would locate future residents of the residential component nearby potential sources of DPM (SR-65). As noted in the PCAPCD’s 2017 *CEQA Air Quality Handbook (Chapter 6, Special Circumstances for a Project)*,

“Recently, the California Supreme Court ruled that lead agencies are not required by CEQA to analyze the impact of the existing environmental conditions on a project’s future users or residents unless the project will exacerbate the existing environmental hazards or conditions. Some lead agencies may limit their CEQA analysis of existing TAC source impacts on a proposed project’s new users, but the District maintains that siting new sensitive land uses within the vicinity of existing TAC source could cause potential health concerns. Specifically, if a project involves the purchase of a school site or the construction of a new elementary or secondary school, the project’s environmental document shall identify whether any existing TAC sources are around the proposed school site which would result in potential public health concerns, pursuant to Public Resources Code requirements. The District recommends that these

situations be analyzed and necessary measures be identified to reduce the potential health impacts through the lead agency's CEQA review process, or at least within their use permit structure. The District is available to work with lead agencies closely to identify existing TAC sources near the proposed project and provide any necessary assistance for its health risk assessment."

The proposed project does not involve the purchase of a school site or the construction of a new elementary or secondary school. For freeways and roads with high traffic volumes, Table 4-1 of the 2005 CARB Handbook recommends "Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day." Any project placing sensitive receptors within 500 feet of a major roadway or freeway may have the potential to expose those receptors to DPM. The edge of the nearest travel lane of State Route 65 (SR-65) is located approximately 160 feet west of the site at the closest point. The proposed project would site approximately 20 of the 181 residential units within 500 feet of the northbound lanes of SR-65 (the closest residential unit being approximately 225 feet from the northbound lanes of SR-65), while the community recreation center of the residential complex and the proposed daycare center of the commercial component would be greater than 1,000 feet away.

It is important to note that the 2005 CARB Handbook includes recommendations and does not establish regulatory standards of any kind. The 500-foot buffer between high-volume roadways and residences recommendation is based on studies published between 1997 and 2004. In 2017, CARB released a *Technical Advisory: Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* in April 2019 (*2017 Technical Advisory*). The *2017 Technical Advisory* indicates that statewide annual PM_{2.5} tailpipe emissions projections have decreased from approximately 50 tons per day in 2000 to approximately five tons per day in 2020.

Regulations such as CARB's Truck and Bus Regulation and Advanced Clean Truck Regulation have been adopted to reduce DPM emissions from on-road sources. CARB estimates that emissions of DPM in 2035 will be less than half of those in 2010, further reducing statewide cancer risk and non-cancer health effects.

Furthermore, the 2019 Building Energy Efficiency Standards, which became effective January 1, 2020, require minimum efficiency reporting value (MERV) 13, or equivalent, filters for heating/cooling and ventilation systems for low-rise residential buildings (three stories or less). According to the *2017 Technical Advisory*, a 2013 study found that achieving a substantial removal of ultrafine particulates (greater than 50 percent) requires higher efficiency filters (MERV 13 or higher) than those typically used in residences (page 37 of the *2017 Technical Advisory*). The proposed project's required compliance with the 2019 Building Efficiency Standards would ensure potential health impacts of the proposed residences within 5600 feet of SR-65 would be less than significant. Therefore, the project would not be subject to substantial DPM emissions associated with freeway traffic and risk levels from SR-65 would not expose new receptors to substantial health risk.

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

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

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

Based on the above discussion, the proposed residential and retail commercial projects would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

d. Odors – Less Than Significant Impact. Odors are generally regarded as an annoyance rather than a health hazard. Due to the subjective nature of odor impacts, the number of variables that

can influence the potential for an odor impact, and the variety of odor sources, quantitative methodologies to determine the presence of a significant odor impact do not exist. Certain land uses such as wastewater treatment facilities, landfills, confined animal facilities, composting operations, food manufacturing plants, refineries, and chemical plants have the potential to generate considerable odors. The proposed projects do not involve such land uses nor are they located near any such land uses. Although less common, emissions of DPM from heavy-duty diesel truck traffic could result in objectionable odors. While the proposed projects would increase the total amount of vehicle trips in the area, the increase in area vehicle activity would not necessarily create an increase in heavy-duty diesel truck traffic, because the traffic increase would mostly be a result of increased residential and retail commercial land uses. Residential and retail commercial land uses are not typically associated with heavy-duty diesel truck traffic, and thus the increase in daily trips attributable to residential and retail commercial land uses would mainly involve single passenger vehicles that are not typically considered to be sources of objectionable odors.

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

In addition, PCAPCD Rule 205, Nuisance, addresses the exposure of “nuisance or annoyance” air contaminant discharges, including odors, and provides enforcement of odor control. Rule 205 is complaint-based, where if public complaints are sufficient to cause the odor source to be a public nuisance, then the PCAPCD is required to investigate the identified source as well as determine an acceptable solution for the source of the complaint, which could include operational modifications to correct the nuisance condition. Thus, although not anticipated, if odor or air quality complaints are made upon the development of the proposed projects, the PCAPCD would be required to ensure that such complaints are addressed and mitigated, as necessary.

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would modify habitats through the removal of native and other plant materials on the project site and impacts to special status animal and plant species could occur due to their presence or potential presence on the project site. The project does not contain any oak trees, but based upon biological surveys, the project site includes seasonal wetlands and vernal pools.

Prior Environmental Analysis

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Project-Level Environmental Analysis:

The firm of Madrone Ecological Consulting, a Sacramento area consulting firm with recognized expertise in biological resources, prepared a Biological Resources Assessment report for the approximately 30-acre total project site. The report, dated February 15 2022, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Madrone Ecological Consulting has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Madrone Ecological Consulting report, which is summarized below.

Project Site Description:

The study area property encompasses approximately 34 acres and it is characterized by rocky and uneven terrain gently sloping to the northwest at elevations of 130-160 feet above mean sea level. In 2005-2006, a paved utility road was installed along the south and western boundaries of the parcel and a stockpile or rough building pad was placed in the southwest corner of the property. Culverts were installed along the utility road to ensure appropriate drainage, and a rock lined storm drainage feature is located along the southeast portion of this road, flowing to the City of Rocklin storm drain system. Surrounding properties are primarily commercial in nature, with William Jessup University located to the east and an office complex south of Sunset Boulevard. An undeveloped property and pond are located north of the project site.

The property is comprised primarily of annual grassland dominated by non-native annual grasses and forbs. The remainder of the project site is composed of seasonal wetlands, vernal pools, or has already been developed. There are no trees located on the project site. The study area contains approximately 0.585 acre of wetlands. Annual grasslands are interspersed with a number of vernal pools (0.456 acre) as well as two seasonal wetland swales (0.129) that flow north towards an unnamed off-site tributary to Pleasant Grove Creek. This off-site tributary exhibits intermittent hydrology in aerial photographs, and surface water is visible on photographs during the rainy season from approximately December to May.

Biological Assessment Overview

As part of the assessment of the project site's biological resources, queries of the California Natural Diversity Database (CNDDDB) of the California Department of Fish and Wildlife (CDFW) (including the project site and all areas within 5 miles of the project site), United States Fish and Wildlife (USFWS) species lists, Natural Resource Conservation Service (NRCS) soils survey, California Native Plant Society (CNPS) Inventory and other literature reviews were conducted to provide updated information on special-status plant and wildlife species within the project region. A biological site visit was made on September 29, 2021 to determine: 1) plant

communities present in the study area; 2) if existing conditions provided suitable habitat for any special-status plant or wildlife species, and 3) if sensitive habitats are present. Existing biological resources of the project site are summarized below, focusing on the potential for occurrence of special-status species and other sensitive resources.

Biological Communities

Three biological communities were identified on the project site: annual brome grassland, aquatic resources (seasonal wetlands and vernal pools) and developed. Vegetative cover is generally dominated by 31.3 +/- acres of non-native annual brome grassland habitat, followed by 1.8 +/- acres of developed land composed of a South Placer Municipal Utility District (SPMUD) access road/easement, and 0.585 acre of aquatic resources (seasonal wetland swales and vernal pools).

Special-Status Plant and Animal Species

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

Plants

Based on a review of the resource databases noted above and the specific habitat characteristics and soil types of the project site, there are six potentially occurring special-status plant species: Big-Scale Balsamroot, Dwarf Downingia, Legenere, Bogg's Lake Hedge-Hyssop, Ahart's Dwarf Rush, and Pincushion Navarretia. Suitable habitat for these species occurs within the grassland and vernal pool/wetland habitat. One rare plant survey was conducted in April 2021 covering the majority of the study area, and the remainder of the study area will be surveyed in 2022. None of these rare plants were observed during the April 2021 survey.

Wildlife

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

Special-Status Invertebrates – Three invertebrate species, Conservancy Fairy Shrimp, Vernal Pool Tadpole Shrimp and Vernal Pool Fairy Shrimp, have been identified as having a potential to occur on the project site. Multiple CNDDB occurrences and USFWS designated critical habitat of vernal pool fairy shrimp are recorded in the vicinity of the project site. The project site contains suitable habitat in the seasonal wetlands and complex of vernal pool features. To date, eight sampling events have occurred between November 2, 2021 and February 8, 2022. No special-status invertebrate species were observed during these sampling events, and none were detected during the 2021 dry season survey.

Foraging or Nesting Raptor/Passerine Species – A total of six bird species were identified as having the potential to occur on the project site. One species, white-tailed kite, had a high potential (foraging only) to occur on the site. Four species, Grasshopper sparrow, Burrowing owl, Swainson’s hawk (foraging only), and Loggerhead shrike (foraging only) had moderate potential to occur on the site. One species, Tri-colored blackbird, had a low potential to occur in a foraging capacity only.

Special-Status Mammals – There is no habitat present (no suitable trees or structures) for bat species within the project site and they are presumed absent from the project site.

Special-Status Amphibians – One amphibian species, Western spadefoot toad, has been identified as having a low potential to occur on the project site. The vernal pools onsite do not have a long enough hydro-period to support Western spadefoot breeding. However, a pond to the north of the site may support breeding; therefore, there is low potential for this species to disperse or forage through the study area. If present, tadpoles for this species would be detected during the wet season vernal pool branchiopod surveys.

Special-Status Reptiles – The western pond turtle was identified by the CNDDDB as occurring in the vicinity of the project site. An assessment of the project site concluded that there is no suitable aquatic habitat for the western pond turtle within 200 feet of the study area.

C. Hydrology and Jurisdictional Waters of the U.S.

The project site contains wetlands/waters that may be considered jurisdictional by the Army Corps of Engineers, the Regional Water Quality Control Board (RWQCB) or the California Department of Fish and Wildlife (CDFW). The project site has seasonal wetland swales and a series of vernal pools. These areas showed positive indicators of wetland soils, hydrology and vegetation. Of the approximately 0.585 acre of aquatic resources mapped within the study area, 0.585 acre will be impacted by the project.

D. Riparian Vegetation

The California Department of Fish and Wildlife (CDFW) asserts jurisdiction over riparian habitat under Section 1602 of the California Fish and Game Code. There is no creek or associated riparian habitat on the project site; therefore, no impacts are anticipated, and a Lake and Streambed Alteration Agreement from CDFW is not expected to be required.

Significance Conclusions:

a. Effect on Protected Species – Less Than Significant With Mitigation. The development of a 237-unit multi-family residential complex at this project site would result in the construction and operational activities that would directly result in physical disturbance of the project site and its biological resources.

Special-Status Plants

As noted above, six special-status plant species, Big-Scale Balsamroot, Dwarf Downingia, Legenere, Bogg's Lake Hedge-Hyssop, Ahart's Dwarf Rush, and Pincushion Navarretia were determined to have the potential to occur on the project site. A protocol level special-status plant survey was conducted for the majority of the study area on April 9, 2021 with negative results. However, a small area was added to the study area after the plant survey was completed. In addition, during subsequent surveys additional vernal pools were mapped and the seasonal wetland swales were extended north. Therefore, an additional special-status plant survey shall be conducted prior to the start of construction in the un-surveyed areas.

To address the project's potential impacts to special-status plants, the following mitigation measure, agreed to by the applicants, is being applied to both projects:

*IV.-1 Prior to any grading or construction activities, pre-construction protocol-level surveys shall be conducted by a qualified biologist on the portions of the project site that were not surveyed previously, in order to identify the presence of any of the following special-status plant species: Big-Scale Balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*), Dwarf Downingia (*Downingia pusilla*), Legenere (*Legenere limosa*), Boggs Lake hedge-hyssop (*Gratiola heterosepala*), Ahart's Dwarf Rush (*Juncus leiospermus* var. *ahartii*), and Pincushion Navarretia (*Navarretia myersii* ssp. *Myersii*). 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. Surveys shall be conducted in accordance with the "Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants (USFWS 2000)", the "Botanical Survey Guidelines of the California Native Plant Society (CNPS 2002)", and "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018)", or more recent protocols in use at that time. The results of the surveys shall be submitted to California Department of Fish & Game and the City of Rocklin for review.*

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, locations of these occurrences shall be mapped with GPS and consultation with California Department of Fish & Game 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.

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

The applicants are agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to special-status plant species to a less than significant level.

Special-Status Invertebrates

As noted above, three invertebrate species, Conservancy Fairy Shrimp, Vernal Pool Tadpole Shrimp, and Vernal Pool Fairy Shrimp, have been identified as having potential to occur on the project site. No federally-listed vernal pool branchiopods were detected during the 2021 dry season survey. If no federally-listed vernal pool branchiopods are found during the 2021-2022 wet season survey, then no further mitigation is required. To date, 8 sampling events have occurred between November 2, 2021 and February 8, 2022. No listed branchiopod species were observed during these sampling events. The USFWS survey guidelines for listed branchiopods allows for surveys to cease after 90-consecutive days of inundation. If aquatic features dry down prior to 90-days, the surveys are required to restart if the features refill during the wet season (October – June). The last sampling visit was on February 8, 2022, and at that time only one seasonal wetland swale within the study area had any water in it and it was less than 5% inundated. Due to the shallow/flashy nature of these pools, they are unlikely to remain inundated for 90 consecutive days through the sampling season, so if it rains in February through June 2022 and aquatic features become inundated, sampling will resume. If federally-listed vernal pool branchiopods are found during the remainder of the 2022 wet season, prior to any approval of grading permits, consultation with the USFWS regarding impacts to federally-listed vernal pool branchiopods from the proposed project will be completed. The project shall also obtain the appropriate take authorization (Section 7 Biological Opinion) from the USFWS prior to approval of grading permits as part of the 404 permit requirement included as Mitigation Measure IV.-6. The project applicant shall comply with all terms and conditions of the biological opinion including any mitigation requirements.

Foraging or Nesting Raptor/Passerine Species

As noted above, a total of six bird species were identified as having the potential to occur on the project site. One species, white-tailed kite, had a high potential (foraging only) to occur on the site. Four species, Grasshopper sparrow, Burrowing owl, Swainson's hawk (foraging only), and Loggerhead shrike (foraging only) had moderate potential to occur on the site. One species, Tri-colored blackbird, had a low potential to occur in a foraging capacity only.

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

IV.-2 The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 through September 15).

If tree and vegetation removal and/or project grading or construction activities would occur during the nesting season for raptors and migratory birds (February-September 1),

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

The survey shall include a targeted Swainson's hawk nest survey throughout all publicly accessible areas within a ¼ mile radius of the proposed construction area. If active Swainson's hawk nests are found within ¼ mile of the construction area, construction within ¼ mile of the nest will not commence until a qualified biologist determines that the young have fledged or it is determined that the nesting attempt has failed. If work within ¼ mile of the active nest is desired, the developer shall consult with the biologist and the City to determine if the nest buffer can be reduced and what (if any) additional nest monitoring may be necessary. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

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

If construction activities are scheduled to occur during the non-breeding season (September 2 – January 31), a survey is not required and no further studies are necessary.

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

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

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

IV.-3 Within the six (6) months prior to construction, the project biologist will search the CNDDDB and coordinate with CDFW regarding records that have been received but not entered into the database to determine the closest active nest to the project area. An active nest is

defined as a nest with documented Swainson's hawk use within the past 5 years. Depending on the distance from an active Swainson's hawk nest to the project area, the applicant shall mitigate for the loss of suitable Swainson's hawk foraging habitat by implementing one of the below measures:

- Active nest identified within 1 mile of the project area: One acre of suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed.*
- Active nest identified within 5 miles (but greater than 1 mile) of the project area: 0.75 acre suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed.*
- Active nest identified within 10 miles (but greater than 5 miles) of the project area: 0.5 acre suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed.*
- If there are no active nests within 10 miles of the project, no foraging habitat mitigation is required.*

The mitigation may be in the form of mitigation bank credits, conservation easements, fee title to an appropriate entity, or other land protection mechanism acceptable to the City. The location of the habitat area is encouraged, but not required to be within Placer County. Habitats located within the north half of the Central Valley, from the Stanislaus River to Redding shall be deemed acceptable. The applicant shall verify that this condition has been met to the satisfaction of the Community Development Director.

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

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

Special-Status Amphibians and Reptiles

As noted above, one amphibian species, Western spadefoot toad, has been identified as having a low potential to occur on the project site.

To address the project's potential impacts to Western spadefoot toad, the following mitigation measure, agreed to by the applicants, are being applied to both projects:

- IV.-4 A pre-construction nocturnal acoustic survey of all publicly accessible areas within 300 feet of the potential breeding habitat to the north of the project site for western spadefoot toad should be conducted by a qualified biologist. The acoustic survey shall take place in the spring and will consist of walking through the area and listening for the distinctive snore-like call of this species. Timing and methodology for the aquatic and acoustic*

surveys shall be based on those described in “Distribution of the Western Spadefoot (Spea hammondi) in the Northern Sacramento Valley of California, with Comments on Status and Survey Methodology (Shedd 2017)”.

As an alternative to the nocturnal acoustic study, prior to any grading or construction activities, but no longer than 28 days before, a pre-construction protocol-level survey for western spadefoot toad shall be conducted by a qualified biologist, to determine presence or absence of this species on the project sites. The survey shall be conducted in accordance with those described in “Distribution of the Western Spadefoot (Spea hammondi) in the Northern Sacramento Valley of California, with Comments on Status and Survey Methodology (Shedd 2017)”. If western spadefoot toads are not found within the project sites, no further mitigation is required. If juvenile or adult spadefoot toads are found within the proposed construction area, the applicant shall install a keyed in silt fence along the edge of the proposed impact area that falls within 300 feet of the aquatic habitat to prevent metamorphosed individuals from dispersing into the construction area.)

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 California Department of Fish & Wildlife regulations. The survey shall be valid for 28 days; if construction does not start within 28 days of the survey, or if construction activities stop for more than 28 days, a new survey shall be conducted.

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

The applicants are agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to western spadefoot toad to a less than significant level.

To further address the project’s potential impacts to special-status species, the following mitigation measure, agreed to by the applicant, is being applied to both projects:

IV.-5 Prior to any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction crews. The WEAT will include the following: discussion of the state and federal Endangered Species Acts, the Clean Water Act, the project’s permits and CEQA documentation, and associated mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife, location of any avoided Waters of the U.S.; hazardous substance spill prevention and containment measures; and the contact person in the event of the discovery of a special-status wildlife species. The WEAT will also discuss the different habitats used by the species’ different life stages and the annual timing of these life stages. A handout summarizing the WEAT information shall be provided to workers to keep on-site for future reference. Upon completion of the WEAT training, workers shall sign a form stating they attended the training, understand the

information and will comply with the regulations discussed. A copy of these forms shall be provided to the City of Rocklin. Workers will be shown the project limits during the WEAT training; worker access should be restricted along undeveloped project limits to minimize the potential for inadvertent environmental impacts.

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

The applicants are agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to special-status species to a less than significant level.

b. and c. Riparian Habitat and Wetlands – Less Than Significant with Mitigation.

The biological resource analysis survey conducted by Madrone Ecological Consulting indicates that the project site contains wetlands/waters that may be considered jurisdictional by the Army Corps of Engineers, RWQCB or CDFW. The project site contains approximately 0.585 acre of wetlands. Annual grasslands are interspersed with a number of vernal pools (0.456 acre) as well as two seasonal wetland swales (0.129). These areas showed positive indicators of wetland soils, hydrology, and vegetation. If any project related activities are to occur within these features, an Army Corps of Engineers jurisdictional delineation would be required.

Jurisdictional wetlands and waters potentially regulated under the authority of the Corps, RWQCB, and CDFW are present on the project site. Fill of these regulated features may require authorization under Sections 404 and 401 of the Clean Water Act (CWA).

A Corps wetland delineation should be prepared to document the actual extent of jurisdictional features if any construction activity could result in impacts to wetlands/waters. If the wetlands/waters are deemed jurisdictional and construction activities are proposed that could impact these features, permits must be obtained prior to construction. Setbacks from the wetlands/water features may be required to protect habitat quality and to protect water quality. Permitting to allow impacts to wetlands/waters features may also require mitigation.

To address the project's potential impacts to riparian habitat and wetlands, the following mitigation measure, agreed to by the applicants, is being applied to both projects:

IV.-6 Prior to any grading or construction activities, the appropriate Section 404 permit will need to be acquired for any project-related impacts to waters of the U.S. Any waters of the U.S. that would be lost or disturbed should be replaced or rehabilitated on a "no-net-loss" basis in accordance with the Corps' mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps. In association with the Section 404 permit and prior to the issuance of improvement plans, a Section 401 water quality certification from the Regional Water

Quality Control Board and a USFWS Biological Opinion shall be obtained. All terms and conditions of said permits shall be complied with.

Prior to any grading or construction activities, the applicant shall submit documentation to the Engineering Department that they have obtained an Army Corps of Engineers Section 404 permit, a Regional Water Quality Control Board Section 401 water quality certification, and a United States Fish and Wildlife Service Biological Opinion. The applicant shall also demonstrate to the Engineering Department that they have implemented habitat restoration, rehabilitation, and/or replacement as stipulated in their Section 404 permit. The applicant shall also demonstrate to the Engineering Department how they have, or intend to, comply with the terms and conditions of the Section 404 permit, the Section 401 water quality certification, and the Biological Opinion.

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

The applicants are agreeable to the above mitigation measure; implementation of the above measure will reduce impacts to waters of the U.S. to a less than significant level.

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

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

The project sites consist of vacant properties and the surrounding lands consist of vacant land designated as Mixed Use to the north of the project sites, University Avenue and partly developed land designated as Light Industrial to the east of the project sites (William Jessup University), Sunset Boulevard and developed land containing existing businesses within the Atherton Tech Center Business Park to the south of the project sites, and State Route 65 (SR-65) and the Sunset Boulevard northbound on-ramp to SR-65 to the west of the project sites.

The project sites are located within a partly developed area that includes roads, existing institutional, light industrial and office developments, but the project site does not include creek and/or riparian habitat. The project sites have been previously graded and are partly surrounded

by urban uses as well as arterial roadways and a regional highway (Sunset Boulevard, University Avenue and SR-65) as described above. With the exception of the ponded area to the north of the project sites, these surrounding roadways and development largely isolate the project sites from adjacent natural habitats and there are no permanent water bodies on the project sites themselves. As such, the project site does not link two significant natural areas and is not considered a wildlife migration corridor. Therefore, the residential and retail commercial development is not anticipated to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or wildlife nursery sites.

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

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

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

Although an arborist report was not submitted in association with the proposed project, the Madrone Ecological Consulting Biological Resources Assessment report confirmed there are no native oak trees within the boundaries of the project site that would be regulated by the City’s Oak Tree Preservation Ordinance.

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

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

The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state Habitat

Conservation Plan because the site is not subject to any such plan; therefore, there is no impact related to a conflict with a habitat conservation plan or natural communities conservation plan.

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of residential and retail commercial projects at this project site would result in ground disturbance which could potentially impact known or unknown/undiscovered historical, archaeological, sites and/or human remains as development occurs.

Prior Environmental Analysis:

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

The General Plan EIR concluded that despite these goals and policies, significant cultural resources impacts will occur as a result of development under the General Plan and further, that these impacts cannot be reduced to a less than significant level. Specifically, the General Plan EIR found that buildout of the Rocklin General Plan will contribute to cumulative impacts to historic

character. Findings of fact and a statement of overriding considerations were adopted by the Rocklin City Council in regard to these impacts, which were found to be significant and unavoidable.

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

Significance Conclusions:

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

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

Based upon a review of the Cultural Resources chapter of the City of Rocklin General Plan EIR, the project sites are not known to contain any historic resources as defined in §15064.5 of the CEQA Guidelines; therefore, no impacts to historic resources are anticipated.

b. Archaeological Resources – *Less Than Significant Impact With Mitigation.* As noted above, the project site may contain unknown/undiscovered cultural resources.

To address the project's potential impact of the discovery of unknown cultural resources, the following mitigation measure, agreed to by the applicants, is being applied to both projects:

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

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

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

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would result in construction and operational activities which would be anticipated to use energy resources, but it is anticipated such use would not be in a wasteful or inefficient manner, nor would such use conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Prior Environmental Analysis:

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

Significance Conclusions:

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

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

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

Once constructed, the projects would also increase the annual use of transportation fuel. The project is located in proximity to commercial services, pedestrian and bicycle facilities, which could reduce vehicle use and the associated fuel consumption. The projects do not include any

elements that would result in an unusually high use of transportation fuel as compared to other, similar, development.

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

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Prior Environmental Analysis:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

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

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

Significance Conclusions:

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

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

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

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

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

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

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

Prior Environmental Analysis:

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

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

Project Level Environmental Analysis:

The firm of RCH Group, a Sacramento area consulting firm with recognized expertise in air quality, prepared an Air Quality and Greenhouse Gas Emissions Technical Report for the proposed Estia and University Commercial projects. The report, dated February 9, 2022, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that RCH Group has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the RCH report.

The site plan for the University Commercial project has been modified since the Air Quality and Greenhouse Gas Emissions Technical Report dated February 9, 2022 was completed. The original commercial site plan included the following:

- 104-room hotel – 151,000 square feet
- Fitness Center – 18,000 square feet
- Retail – 15,600 square feet
- Quick Serve Restaurants – 3,500 square feet
- Gas Station with 16 fueling positions and 2,660 square foot convenience store.

The revised commercial site plan includes the following:

- 123-room hotel – 78,416 square feet

- Daycare – 9,900 square feet
- Retail – 15,500 square feet
- Quick Serve Restaurants – 4,700 square feet
- Gas Station with 12 fueling positions and 3,700 square foot convenience store.

Overall the revised commercial plan results in a reduction of 78,144 square feet of building space and four gas station fueling positions compared to the original site plan. RCH Group prepared a memo dated April 26, 2022 addressing the revised commercial site plan and how it may impact the conclusions of the February 2022 report. RCH found that for construction greenhouse gas emissions impacts and operational greenhouse gas emissions impacts, the reduction in building square footage would result in lower greenhouse gas emissions and the conclusions of the February 2022 report for those subject areas would not change. Therefore, the results presented below from the February 2022 report are considered to be conservative.

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

Greenhouse Gas Setting

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

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

The major concern is that increases in GHG emissions are causing Global Climate Change. Global Climate Change is a change in the average weather on earth that can be measured by wind

patterns, storms, precipitation, and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between increased GHG emissions and long-term global temperature increases. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, more drought years, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. In California, GHGs are defined to include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), nitrogen trifluoride (NF₃), and hydrofluorocarbons. To account for the warming potential of GHGs, GHG emissions are quantified and reported as CO₂ equivalents (CO₂e).

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

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

Regulatory Framework

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

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

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

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

Significance Conclusions:

a. and b.) Generate Greenhouse Gas and Conflict with Greenhouse Gas Plan – Less Than Significant Impact. Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. Because the proposed project involves increased vehicle use in the area, the GHG emissions related to increased vehicle use in the area must be analyzed. The

common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MT CO₂e), based on the global warming potential of the individual pollutants.

Similar to criteria air pollutants, the PCAPCD has identified the approximate size of a project for selected land use categories that would result in operational GHG emissions equal to the bright-line threshold of 10,000 MTCO₂e/yr and the screening level threshold of 1,100 MTCO₂e/yr based on CalEEMod modeling. Thus, if a project is equal to or less than the size identified by the PCAPCD, the project would not be expected to result in emissions of GHG in excess of the applicable thresholds of significance.

Short-term emissions of GHG associated with construction of the projects are estimated at the highest to be 600 MTCO₂e/year, which is below the PCAPCD's Bright Line Threshold of 10,000 MTCO₂e/year threshold. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. Due to the size of the proposed projects, the project's estimated construction-related GHG contribution to global climate change would be considered negligible on the overall global emissions scale.

The long-term operational GHG emissions estimate for the development projects incorporates the project's potential area source and vehicle emissions, emissions associated with utility and water usage, and the generation of wastewater and solid waste. The annual GHG emissions associated with the projects would be 1,590 MTCO₂e/year which would be in excess of the 1,100 MTCO₂e significance threshold. However, the project's operational GHG emissions would be below the PCAPCD's Bright Line Threshold of 10,000 MTCO₂e/yr.

As presented in the table above, the PCAPCD efficiency thresholds are broken down into residential or non-residential project types, and further broken down into urban or rural settings. Accordingly, the proposed project's operational GHG emissions per capita are compared to the efficiency threshold for an urban residential project type of 4.5 MTCO₂e/yr/capita. Based on an estimated population for the projects, the operational GHG emissions per capita are estimated to be 3.1 MTCO₂e/yr/capita, which is below the applicable efficiency threshold.

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The development and operation of residential and retail commercial projects at this project site would result in construction and operational activities which will include associated potential hazards and hazardous materials.

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

Prior Environmental Analysis:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

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

Project-Level Environmental Analysis:

The firm of Environmental Risk Assessors, a Sacramento area consulting firm with recognized expertise in hazardous conditions assessments, prepared a Phase I Environmental Site Assessment report for the Former Herman Miller Property (the Estia at Rocklin and University Commercial project site). The report, dated March 12, 2021, is available for public review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Environmental Risk Assessors has a professional reputation that makes their conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Environmental Risk Assessors report, which is summarized below.

In summary, the Environmental Risk Assessors report included records searches of selected federal and state environmental regulatory databases as well as responses from state and local regulatory agencies. Historical information was reviewed and site reconnaissance visits were made. As a result of those efforts, Recognized Environmental Conditions (RECs), Controlled RECs or historic RECs were not identified in connection with the site and the report concluded that no additional investigations were warranted.

Significance Conclusion:

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

The Placer County Air Pollution Control District (PCAPCD) regulates gas stations from an air quality and health perspective. In order to construct and operate a gas station, an Authority to Construct/Permit to Operate must be obtained from the PCAPCD. The PCAPCD will evaluate the gas station proposal for air quality and health concerns based on a screening level assessment. If

through such an assessment the project's risk or health index number exceeds the PCAPCD significance thresholds, the permit applicant will be required to reduce the risk to less than significance thresholds through the application of Toxic Best Available Control Technology (T-BACT) and other risk reduction methods. If, after T-BACT and other risk reduction options have been exhausted, and a detailed risk assessment still indicates an unacceptable risk, the impact will be considered significant and the PCAPCD will not issue an Authority to Construct/Permit to Operate.

The proposed retail commercial project does include a gas station that would involve the use of hazardous materials, such as bulk quantities of petroleum products in underground storage tanks. Strict Federal, State, County and City laws and regulations relating to the handling, transporting, and storage of petroleum products exist and will be applied to the project in order to ensure that the project will result in no significant impacts related to these uses. With respect to a concern of fuel spills or leaks, the laws and regulations minimize the concern by requiring such items as the installation of double walled tanks and line systems with fuel leak sensors and alarms, automatic shut-off valves, vapor-recovery systems, accurate fuel level monitors, and the preparation of an emergency response plan. In addition, the installation of underground storage tanks is governed by a State Underground Storage Tank program, which includes regular inspections of existing facilities, granting permits for new facilities, construction plan checking, site mitigation, and any necessary enforcement action. Finally, per the California Accidental Release Prevention Program, a Risk Management Plan must be prepared which addresses the potential accident factors present at a business, and the mitigation measures that can be implemented to reduce this accident potential. Compliance with the various regulations would ensure that the development and operation of the project would result in a less than significant impact.

c. Hazardous Emissions Near Schools – *Less Than Significant Impact.* There is one existing school within one-quarter mile (1,320 feet) of the project site, namely William Jessup University immediately east of the project site, across University Avenue. As stated previously, the proposed project would be required to comply with all State guidelines prior to issuance of an Authority to Construct/Permit to Operate from the PCAPCD, and there are existing rules and regulations, as indicated above, that address hazardous materials management and environmental protection. Therefore, the project is not anticipated to have a less than significant impact related to hazardous emissions or hazardous materials within one quarter mile of schools within the area.

d. Hazardous Site List – *Less Than Significant Impact.* The project site is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Government Code 65962.5 is known as the Cortese List. The Cortese database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program, sites with Underground Storage Tanks (USTs) having a reportable release and all solid waste disposal facilities from which there is known migration. The Department of Toxic Substances Control (DTSC) EnviroStor database and State Water Resources Control Board GeoTracker database were searched on April 25, 2022 and no open hazardous sites were

identified on the project site; therefore, there is no impact related to a hazardous materials site on the project site.

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

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Prior Environmental Analysis:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

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

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

Significance Conclusions:

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

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

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

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

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

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

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

d. Release of Pollutants in Flood Hazard, Tsunami or Seiche Zones – Less Than Significant Impact. According to Federal Emergency Management Agency (FEMA) flood maps (Map Panel 06061C0933H, effective date November 2, 2018), the developable portion of the project site is located in flood zone X, which indicates that the project is not located within a 100-year flood hazard area and outside of the 500-year flood hazard area.

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

Approval of the projects would allow construction of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve

restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres. As discussed below, land use impacts are not anticipated.

Prior Environmental Analysis:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Significance Conclusions:

a. Division of Community – *No Impact.* The project site is currently vacant and the entire project site is within the City of Rocklin. The proposed construction of residential and retail commercial projects would not physically divide an established community. Therefore, there is no division of community impact.

b. Plan, Policy or Regulation Conflict – *Less than Significant Impact.* The project site’s current General Plan designation is Business Professional (BP), and the project site is zoned Planned Development Commercial (PD-C). The Estia at Rocklin project is proposing a General Plan Amendment, Rezone, and General Development Plan Amendment to convert a 20 +/- acre portion of the existing 30 +/- acre site from Business Professional (BP) and Planned Development Commercial (PD-C) to Medium High Density Residential (MHDR) and Planned Development Residential, 10 dwelling units/acre (PD-10).

The University Commercial project is a request for approval of a Tentative Parcel Map, Design Review and Conditional Use Permit entitlements to create a 10 +/- acre retail commercial site

consisting of a 4-story, 78,416 +/- square foot (sf) hotel, a 3,700 +/- sf convenience store/gas station with 6 fueling stations, a 2,500 sf +/- quick serve restaurant with drive-through, a 2,200 sf +/- quick serve restaurant with drive-through, a 7,700 sf +/- in-line retail shop, a 7,800 sf +/- in-line retail shop, a 9,900 sf +/- daycare facility, and an outdoor gathering space with enhanced paving, seating and enhanced landscaping.

As proposed, the Estia at Rocklin project is consistent with the MHDR General Plan land use designation and the PD-10 zoning district designation. As proposed, the University Commercial project is consistent with the BP General Plan land use designation and the PD-C zoning district designation. Therefore, the projects would have a less than significant impact related to conflicts with land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Significance Conclusions:

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

with the passage of time since the General Plan EIR was adopted. Based on this discussion, the project is not anticipated to have a mineral resources impact.

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Prior Environmental Analysis:

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

Mitigation measures to address these impacts are incorporated into the General Plan in the Noise Element, which includes policies that require acoustical analyses to determine noise compatibility between land uses, application of stationary and mobile noise source sound limits/design standards, restriction of development of noise-sensitive land uses unless effective noise mitigations are incorporated into projects, and mitigation of noise levels to ensure that the noise level design standards of the Noise Element are not exceeded.

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Background Information on Noise

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

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

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool is the average, or equivalent, sound level (L_{eq}). The L_{eq} is the foundation of the composite noise descriptor, L_{dn} , and shows very good correlation with community response to noise. The day/night average level (L_{dn}) is based upon the average noise level over a 24-hour day, with a +10 dB weighting applied to noise occurring during nighttime (10:00 p.m. – 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

The City of Rocklin General Plan includes criteria for stationary (non-transportation) and transportation noise sources. Because the proposed project is located within close proximity to State Route (SR) 65 and other roadways, the discussion below focuses on whether roadway noise levels would exceed City of Rocklin exterior or interior noise level standards at the residences of the project. For transportation noise sources, the maximum allowable exterior noise level standard for outdoor activity areas is 60 dB Ldn and the maximum allowable interior noise level standard is 45 dB Ldn. The intent of this interior noise limit is to provide a suitable environment for indoor communication and sleep. For stationary (non-transportation) noise sources, the maximum allowable noise level averaged over a period of 1 hour is 55 dB from 7:00 a.m. to 10:00 p.m. and 45 dB from 10:00 p.m. to 7:00 a.m.

Project-Level Environmental Analysis:

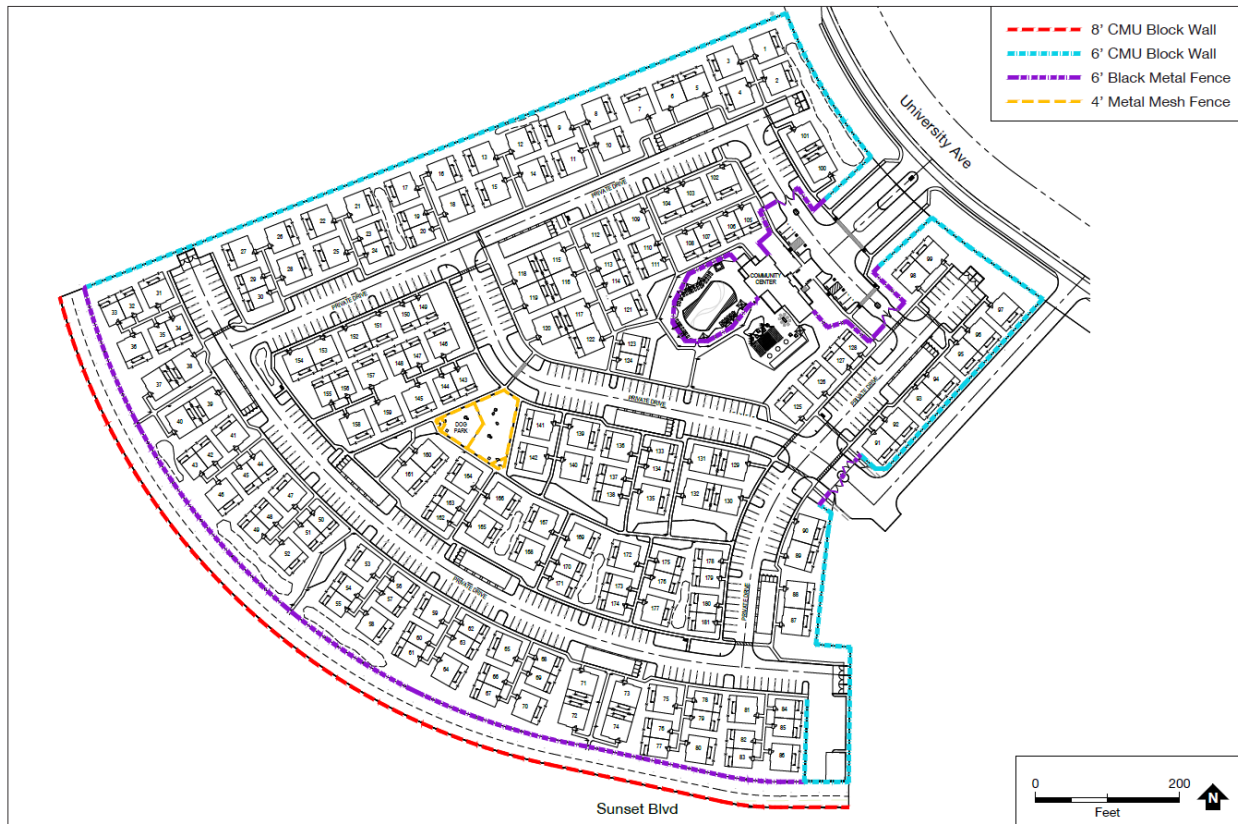
The firm of RCH Group, a Sacramento-area consulting firm with recognized expertise in noise, prepared an environmental noise assessment titled RCH Group Rocklin 30 Estia Homes By Towne Development Project Noise Technical Report. Their report, dated February 2022, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA, and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that RCH Group has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the RCH report, which is summarized below.

Noise Sources

The noise source concerns for this project are associated with the adjacent roadways, primarily State Route 65 (SRS-65), and to a lesser degree University Avenue and Sunset Boulevard. Noise impacts associated with these noise sources were evaluated and compared to noise level performance criteria for transportation and non-transportation noise sources contained within the City of Rocklin General Plan Noise Element.

Preliminary Fence Plan

There are several proposed six-foot and eight-foot masonry sound walls at the project site that would reduce traffic-generated noise levels, as depicted in the image below. An eight-foot masonry wall is proposed adjacent to Sunset Boulevard and SR-65, and a six-foot masonry wall is proposed on the north property line, east property line (adjacent to University Avenue) and on the south and southeast property lines of the Estia at Rocklin project site (to separate the residential uses from the commercial uses).



Source: Homes by Towne, 2021

Figure 3
Preliminary Fence Plan

Traffic Noise

To determine traffic noise levels on the project site, RCH Group prepared an environmental noise assessment of the projects. To quantify existing ambient noise levels, noise measurements included 3 long-term (72-hour) and several short-term (10-minute) were taken at three locations on the project sites which were selected to be representative of the noise sensitive exterior areas of the proposed residential lots most affected by traffic noise from the various sources noted above. RCH Group then used existing and cumulative plus project average daily trips (ADT) provided by the project's traffic and transportation consultant (Fehr & Peers, 2022). The table below shows the predicted future traffic noise levels at the proposed outdoor activity areas of the development.

PREDICTED FUTURE TRAFFIC NOISE LEVELS		
Location	Existing Noise Levels (dB, CNEL)	Predicted Cumulative Exterior Noise Levels, (dB, CNEL)
Lots adjacent to SR-65	67	68
Lots adjacent to Sunset Boulevard	62	65
Lots adjacent to University Avenue	58 ¹	64 ¹
<p>Notes:</p> <p>Long-term noise measurements were taken at the closest proposed areas adjacent to roadways.</p> <p>1. There were no long-term noise measurements taken on the east side of the Estia at Rocklin project (proposed lots adjacent to University Avenue), therefore, this CNEL was estimated with the use of short-term noise data and nearby long-term noise data in the southern area of the project site and represents a conservative estimate of the CNEL at the closest outdoor areas adjacent to University Avenue. The maximum traffic noise observed was 58 dB approximately 50 feet west of the centerline of University Avenue.</p> <p>Source: RCH Group, 2022</p>		

As shown, the future traffic scenario noise modeling analysis (with no sound walls) showed that the closest outdoor activity areas nearest to SR-65, Sunset Boulevard and University Avenue would have a noise level of approximately 68 dB/CNEL, 65 dB/CNEL and 64 dB/CNEL, respectively. Therefore, future exterior noise levels in areas most exposed to traffic noise would be in excess of the City’s 60 dB/CNEL exterior noise standard.

RCH Group then modeled the noise attenuation that would be provided by the proposed masonry walls. For the lots adjacent to SR-65, the proposed 8-foot masonry wall would reduce the cumulative noise level from 68 dB/CNEL to 60 dB/CNEL. For the lots adjacent to Sunset Boulevard, to SR-65, the proposed 8-foot masonry wall would reduce the cumulative noise level from 65 dB/CNEL to 58 dB/CNEL. For the lots adjacent to University Avenue, the proposed 6-foot masonry wall would reduce cumulative noise levels from 64 dB/CNEL to 58 dB/CNEL. All of these noise levels would be at or below the City of Rocklin 60 dB Ldn exterior noise level standard. Therefore, no additional exterior traffic noise reduction measures beyond the noise walls that are being proposed would be required.

In addition to outdoor activity areas, noise levels are predicted at the building facades located closest to each of the project-area roadways. These building façade noise levels are used for predicting interior noise levels in the following section and are not subject to the City’s exterior noise level standard.

Interior Traffic Noise Levels

Given a future worst-case exterior noise level of 60 dB or below in the future, a building façade noise reduction of 15 dB would be required to achieve an interior noise level of 45 dB Ldn. Standard residential construction (wood siding, STC-27 windows, door weather-stripping, exterior wall insulation, composition plywood roof), results in an exterior to interior noise

reduction of at least 25 dB with windows closed and approximately 15 dB with windows open. Therefore, standard construction would be acceptable to achieve the City of Rocklin’s interior noise level standard of 45 dB without the requirement for acoustic upgrades to either windows or exterior wall construction. Air conditioning will be provided to allow the occupants to close doors and windows as desired for additional acoustical isolation.

Sensitive Receptors

Noise sensitive receptors include residences, schools, hospitals, churches and similar uses that are sensitive to noise. Sensitive land uses in the vicinity of the project site include the William Jessup University student housing adjacent to the project site to the northeast (opposite of University Avenue). In addition, the University Commercial project includes a proposed daycare use that would be considered a sensitive receptor. Otherwise, there are no residential dwellings, hotels, motels, nursing homes or daycare within 1,000 feet of the project site.

Vibration Levels

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

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

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

At the highest levels of vibration, damage to structures is primarily architectural (e.g., loosening and cracking or plaster or stucco coatings) and rarely results in structural damage. For most structures, a peak particle velocity (ppv) threshold of 0.5 inch per second or less is sufficient to

avoid structural damage. The Federal Transit Administration recommends a threshold of 0.5 ppv for residential and commercial structures, 0.25 ppv for historic buildings and archaeological sites, and 0.2 ppv for non-engineered timber and masonry buildings.

Significance Conclusions:

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

Potential noise impacts can be categorized into short-term construction noise impacts and long-term or permanent noise impacts. The City has adopted standard conditions for project approvals which address short-term impacts. These include limiting traffic speeds to 25 mph and keeping equipment in clean and tuned condition. The projects would be subject to these standard conditions. The project would also be subject to the City of Rocklin Construction Noise Guidelines, including restricting construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 7:00 p.m. on weekends to the satisfaction of the City Engineer or Building Official. Therefore, impacts associated with substantial temporary increases in the ambient noise environment or generation of excessive groundborne noise levels during construction would be less than significant.

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

With regard to resident noise levels within the proposed Estia at Rocklin residential complex, as noted above, exterior noise levels at any outdoor activity areas are not predicted to exceed the City’s 60 dB Ldn exterior noise level without the proposed sound walls, and therefore would be considered a significant impact.

To address the exceedance of the City's exterior noise level standard, the following mitigation measure, agreed to by the applicant, is being applied to the Estia at Rocklin project:

XIII.-1 The project shall install six-foot and eight-foot masonry walls in locations as depicted on Figure 3, Preliminary Fence Plan, in the RCH Group Rocklin 30 Estia Homes By Towne Development Project Noise Technical Report dated February 2022.

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

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

Adjacent Commercial Noise on Project Residences

Parking Lot Noise

Noise levels associated with the adjacent commercial uses would include vehicle circulation, engine starts, door slams, human voices, and occasional car alarms. The sound of slow-moving vehicles, doors closing, and people talking in nearby parking lots would be expected to reach maximum noise levels of 50 to 50 dB at a distance of 50 feet. With the installation of a six-foot masonry wall that is proposed on the south and southeast property lines of the Estia at Rocklin project site, noise from adjacent commercial uses would be expected to attenuate well below the 60 dB/CNEL exterior noise level standard. Therefore, parking lot noise would be a less than significant impact.

Stationary Equipment

Noise generated by Heating, Ventilation and Air Conditioning (HVAC) varies significantly depending upon the equipment type, capacity, location, and enclosure design. Noise levels up to 60 dB at a distance of 15 feet are typical for HVAC equipment. Due to the close proximity between the commercial area and the Estia at Rocklin residences, HVAC or other stationary equipment could exceed the exterior noise level design standards for new projects affected by or including stationary noise sources of 55 dB, hourly Leq (daytime) and 45 dB, hourly Leq (nighttime) when measured at least five feet inside the adjacent property lines and at a point five feet above ground level. Although such a concern can typically be mitigated by use of baffles, shields, and other design techniques, this would be a potentially significant impact.

To address the potential exceedance of the City's stationary noise source noise level standard, the following mitigation measure, agreed to by the applicant, is being applied to the University Commercial project:

XIII.-2 Stationary equipment, (i.e., HVAC systems, outdoor speakers, etc.) shall be required to comply with the City's Exterior Stationary Noise Level Design Standards for New Projects Affected by or Including Stationary Noise Sources outlined in Table 2-1 of the City of Rocklin General Plan Noise Element. Final design of stationary equipment shall be required not to exceed the City's most noise thresholds depending upon planned hours of operation, measured at least five feet inside the property line of the receiving land use and at a point five feet above ground level. Prior to issuance of building permits for the University Commercial project, an acoustical study shall be prepared and submitted to the City of Rocklin demonstrating the above.

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

Noise Impacts on Proposed Commercial Daycare Facility

The current location of the proposed daycare facility of the University Commercial project is on the northeast area, adjacent to University Avenue. Based on the location of the proposed daycare facility, traffic noise would be the loudest source of noise that would affect outdoor daycare play areas. The results of the noise modeling for the Estia at Rocklin lots adjacent to University Avenue indicated a maximum cumulative noise level of 64 dB/CNEL from traffic noise. It is expected that the northeast area of the University Commercial project would be subject to similar noise levels. Per the City's General Plan Noise Element, outdoor playgrounds have a maximum acceptable noise level of 70 dB/CNEL. Based on the maximum cumulative noise levels from traffic on University Avenue, the outdoor daycare play areas would not be expected to exceed the City's threshold of 70 dB/CNEL for outdoor playgrounds. Therefore, noise impacts on the proposed commercial daycare facility would be less than significant.

c. Public and Private Airport Noise – No Impact. The City of Rocklin, including the project site, is not located within an airport land use plan or within two miles of an airport, and is therefore not subject to obtrusive aircraft noise related to airport operations. Therefore, there is no airport related noise impact.

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed project will result in the construction of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres, which would not induce substantial population growth or displace substantial numbers of people.

Prior Environmental Analysis:

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

Significance Conclusions:

a. Population Growth – *Less than Significant Impact.* The project site is currently designated on the City’s General Plan land use map as Business Professional (BP), and the project site is currently zoned Planned Development-Commercial (PD-C). The proposed Estia at Rocklin residential project is proposing to change the General Plan land use and zoning designations on 20 +/- acres

of the 30 +/- acre site to Medium High Density Residential (MHDR and Planned Development Residential, 10 dwelling units/acre (PD-10), respectively, and the University Commercial retail commercial project on the 10 +/- acre balance of the 30 +/- acre site is not proposing to change the existing General Plan land use or zoning designations. With approval of those entitlements for the Estia at Rocklin project, development of 181 residences will be consistent with both the General Plan designation and the zoning.

The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would not be considered to induce substantial unplanned population growth into a City that is projected to have approximately 29,283 dwelling units at the buildout of the General Plan, as 181 dwelling units equates to 0.6 percent of the anticipated 29,283 Citywide dwelling units. Therefore, the project will have a less than significant population growth impact.

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

The development of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres at this project site would result in an increase in population and housing at the project site. However, the project would not be anticipated to displace substantial numbers of people or existing housing. The project site is currently vacant and, although the development of a residential project at this site would represent an increase in housing, it will not result in the displacement of substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere will not occur, and the impact would be less than significant.

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Prior Environmental Analysis:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

Significance Conclusions:

a. Fire Protection – *Less than Significant Impact.* The development of this project site has been anticipated in the planning, staffing, equipping and location of fire stations within the City of Rocklin; the closest fire station to the project site is Fire Station #25 (aka #3) on Wildcat Boulevard, which is approximately 0.90 road mile away. Development of the projects could increase the need for fire protection services. The City collects construction taxes for use in acquiring capital facilities such as fire suppression equipment. Operation and maintenance funding for fire suppression is provided through financing districts and from general fund sources. The proposed projects would pay construction taxes, participate in any applicable financing districts and contribute to the general fund through property and sales taxes. Participation in these funding mechanisms would ensure fire protection service to the site and reduce fire protection impacts to less than significant.

a. Police Protection – *Less than Significant Impact.* The development of this project site has been reviewed by the Rocklin Police Department in association with their efforts to plan, staff, and equip the police station and provide police services within the City of Rocklin. Development of the proposed projects could increase the need for police patrol and police services to the site.

Funding for police services is primarily from the general fund, and is provided for as part of the City's budget process. The proposed projects would pay construction taxes, participate in any applicable financing districts and contribute to the general fund through property and sales taxes. Participation in these funding mechanisms would ensure police protection services to the site and reduce police protection impacts to less than significant.

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

The proposed project, the development and occupation of a 181-unit single-story apartment home community on 20 +/- acres and the development of a hotel, daycare, gas station, quick-serve restaurants, in-line retail shops and an outdoor gathering area on 10 +/- acres would be anticipated to increase the use of, and demand for, recreational facilities but not in a way that results in a significant impact.

Prior Environmental Analysis:

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Significance Conclusions:

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Prior Environmental Review:

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

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

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Project-Level Environmental Analysis:

The firm of Fehr & Peers, a Sacramento area consulting firm with recognized expertise in transportation, prepared traffic impact study (TIS) of the proposed project. Their report, dated April 13, 2022, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA, and is incorporated into this Mitigated Negative Declaration by this reference. City staff has reviewed the documentation and is also aware that Fehr & Peers has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Fehr and Peers report, which is summarized below.

Significance Conclusions:

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

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

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

South Placer Regional Transportation Authority

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

Highway 65 Interchange Improvement Fee

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

The City of Rocklin seeks to promote the use of public transit through development conditions requiring park-and-ride lots, and bus turnouts. Bike lanes are typically required along arterial and collector streets. In the vicinity of the project there are existing Class II bike facilities on Sunset Boulevard and on the northbound (east) side of University Avenue. The project does not conflict with these bike lane locations or with other policies or programs promoting alternative transportation. Transit service in the project vicinity is provided by Placer County Transit (PCT). The bus route closest to the project site is the Lincoln/Rocklin/Sierra College which runs a continuous route between Lincoln and Sierra College, with stops nearest the project site located along Sunset Boulevard immediately east of University Avenue.

Evaluation of Bicycle Impacts

The project would improve University Avenue and Sunset Boulevard along the project frontage to meet City standards for arterial roadways and be consistent with the ultimate planned transportation network identified for each roadway in the Rocklin General Plan Circulation

Element. This would include widening University Avenue and adding a Class II bike lane that is planned but currently absent on the southbound side of the road. The widening of westbound Sunset Boulevard along the project frontage would shift the existing Class II bike lane to accommodate a third westbound travel lane but would maintain this existing bike facility. With these anticipated improvements, the project would not disrupt or interfere with an existing bicycle facility and would not preclude construction of any of the planned bicycle facilities identified in the City of Rocklin Parks and Trails Master Plan (2017).

To ensure that the project would not disrupt or interfere with an existing bicycle facility and not preclude construction of any planned bicycle facility, the following mitigation measure, agreed to by the applicants, is being applied to the both projects:

XIII.-1 Prior to the issuance of Improvement Plans, the City shall verify that the project frontage improvements along Sunset Boulevard and University Avenue include Class II bike lanes and that the new bike lanes are properly aligned and provide adequate transition to existing bike lanes.

The applicants are agreeable to the above mitigation measure; implementation of the above measure will reduce bicycle facility impacts to a less than significant level.

Evaluation of Pedestrian Impacts

The project would improve University Avenue and Sunset Boulevard along the project frontage to meet City standards for arterial roadways and be consistent with the ultimate planned transportation network identified for each roadway in the Rocklin General Plan Circulation Element. This would include new sidewalks along the west side of University Avenue, where no sidewalks currently exist, and extending the existing sidewalk on the north side of Sunset Boulevard along the project frontage to the University Avenue/Atherton Road intersection.

The frontage improvements on University Avenue and Sunset Boulevard would also trigger improvements at the University Avenue/Atherton Road/Sunset Boulevard intersection. Specifically, the southbound approach and westbound departure would be widened to accommodate the ultimate planned number of travel lanes. This would require moving existing signal equipment and resetting the northwest and northeast corners to their ultimate location.

The University Avenue/Atherton Road/Sunset Boulevard intersection does not have east-west marked crosswalks or pedestrian heads/push buttons to facilitate east-west pedestrian travel across the intersection. Assuming no additional pedestrian movements (i.e., no changes to the north-south crosswalk at University Avenue/Atherton Road/Sunset Boulevard or sidewalks beyond the project's frontage), there would be no facility for pedestrians to walk between the project and existing development to the east and south.

To ensure that the project would not result in a lack of pedestrian connectivity, the following mitigation measure, agreed to by the applicants, is being applied to the both projects:

XIII.-2 Prior to the issuance of Improvement Plans, the City shall verify that the following pedestrian facilities are implemented with the improvements at the University Avenue/Atherton Road/Sunset Boulevard intersection:

Add a marked crosswalk and corresponding pedestrian equipment (pedestrian head, push buttons, etc.) for pedestrian travel across the north leg of University Avenue/Atherton Road/Sunset Boulevard intersection when the project frontage and intersection improvements described above are implemented. The crosswalk would be necessary to provide pedestrians with a crossing location to travel between the project to destinations to the east (i.e., William Jessup University). Pedestrians could then use the existing crosswalk across the east leg of the intersection to travel to the Atherton Tech Center.

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

Evaluation of Transit Impacts

The project would trigger improvements at the University Avenue/Atherton Road/Sunset Boulevard intersection, as described above. If constructed to City standards (see DWG#A3-10 and DWG#3-11 in the City's Standard Documents), a bus turnout would be provided northwest of the intersection along the project frontage near the proposed right-in/right-out driveway on Sunset Boulevard that would primarily serve the proposed gas station/convenience market. It is possible that the existing bus stop on westbound Sunset Boulevard east of University Avenue would be relocated to this location with implementation of the intersection improvements and the proposed projects. In that case, the project's driveway would be situated near the relocated bus stop. The introduction of a project driveway near a potential planned bus stop could introduce conflicts between buses and passenger vehicles, if not properly planned for.

To ensure that the project would not result in a transit conflicts, the following mitigation measure, agreed to by the applicants, is being applied to the both projects:

XIII.-3 Prior to the issuance of Improvement Plans, the project applicant shall coordinate with the City of Rocklin and Placer County Transit regarding the placement and design of the project driveway(s) on Sunset Boulevard to ensure that they do not interfere with planned transit operations. Preferred driveway designs should provide sufficient distance between the bus stop location and the driveway to provide adequate sight distance. If sufficient space is available, this could potentially include a continuous bus turnout/deceleration lane to accommodate ingress to the project driveway; or locating the bus turnout between the project's proposed driveways on Sunset Boulevard. If there are no project driveways

located on Sunset Boulevard, the project shall provide pedestrian access from the project site to the bus stop location.

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

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

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

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

The projects would construct residential and retail commercial uses within an area designated as an Established Community in both the 2016 and 2020 MTP/SCS. The MTP/SCS is aimed at

reducing greenhouse gas emissions through VMT reduction, and these efforts are primarily focused on urban areas, where investments in the roadway system and transit, bike and pedestrian infrastructure are built into the MPT/SCS to achieve identified air quality targets.

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

Data from the 2020 MTP/SCS show the 2016 vehicle miles traveled per capita for the six-County SACOG region. The sub-region in which the project is located and a portion of the project site is shown as having in 2016 \leq 85-100% of the regional average VMT per capita. The MTP/SCS anticipates some increased activity/growth within Established Communities. Additionally, these areas are recognized as typically having high VMT per capita both now and in the future (2040 MTP/SCS Planning Period). The introduction of housing and retail commercial uses at this location instead would provide opportunities for individuals residing and working at this location to work in closer proximity to existing surrounding job generating land uses and new surrounding job generating land uses associated with the University Commercial project. In addition, there would be internal trips between the residences and retail commercial uses, thus shortening potentially longer trips by the residents to other retail commercial uses.

The OPR Guidelines have found that lead agencies should analyze the effects of a retail project by assessing the change in total VMT, because retail projects typically re-route travel from other retail destinations. A retail project might lead to increases or decreases in VMT, depending on previously existing retail travel patterns. However, the OPR Guidelines also suggest that *local-serving* retail development tends to shorten trips and reduce VMT. Thus, according to OPR, lead agencies generally may presume such development creates a less than significant transportation impact. The OPR Guidelines further note that because lead agencies will best understand their own communities and the likely travel behaviors of future project users, they are likely in the best position to decide when a project will likely be local-serving. Generally, however, retail development including stores larger than 50,000 square feet might be considered regional-serving.

For the University Commercial project, the proposed uses are mostly more typical retail commercial uses such as quick service restaurants, daycare, and in-line retail shops, uses that would be considered local-serving. However, the University Commercial project also includes gas station/convenience store and hotel uses, which may not necessarily be considered local-serving.

The project site is within the western portion of the City in an area with very little retail commercial uses, including gas stations. Along the approximately one mile stretch of Sunset Boulevard from State Route 65 to its intersection with Lonetree Boulevard/West Stanford Ranch Road, there is only one existing gas station located at the southwest quadrant of the Sunset Boulevard/Lonetree Boulevard/West Stanford Ranch Road intersection. This same area also contains very few convenience stores or other local-serving retail amenities. This deficiency requires home owners within large residential areas such as Whitney Ranch and West Oaks to drive to the north to the City of Lincoln, east along Stanford Ranch Road, or south along Sunset Boulevard for their food and beverage needs. The proposed gas station/convenience store would be the only facility of this type within this area, and would provide numerous local-serving retail needs to hundreds of residents within the area.

With respect to the hotel use, the closest existing hotels to the project site are located to the south approximately 1-1.5 miles in the cities of Roseville and Rocklin, or approximately 3.5 miles to the north in the city of Lincoln, all of the hotels being within close proximity to State Route 65 (SR-65). Assuming the proposed hotel would primarily attract travelers along SR-65, having a hotel at this location has the potential to shorten vehicle trips, and thus reduce vehicle miles traveled, by providing an additional overnight lodging option along SR-65. Travelers on southbound SR-65 would not have to travel further to the south to reach the hotels 1-1.5 miles further to the south, and travelers on northbound SR-65 would not have to travel further to the north to reach the hotel 3.5 miles further to the north. It is also possible that patrons of the hotel are not travelers along SR-65 needing a place to stay overnight during their travels, but rather they are staying at the hotel because they are in town for corporate/business reasons, including those types of uses within Rocklin. If that were the case, then the option of having a hotel closer to a corporate or business office would result in shorter vehicle trips as compared to staying at one of the hotels described above that are farther away.

Because of these reasons discussed above, the residential and retail commercial projects would not be anticipated to significantly increase VMT. Therefore, it can be concluded that the project's impact associated with VMT increases are considered less than significant.

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

Evaluation of Hazardous Design Features

The vertical and horizontal curvature of University Avenue and frequent driveway spacing of the existing driveways into William Jessup University and proposed project driveways could cause a variety of potential sight distance constraints which are considered to be hazardous design features.

To ensure that the project would not result in sight distance constraints, the following mitigation measure, agreed to by the applicants, is being applied to the both projects:

XIII.-4 Prior to the issuance of Improvement Plans, the project applicant shall coordinate with the City of Rocklin and William Jessup University regarding the placement and design of left-turn access onto University Avenue. The project applicant's civil engineer shall demonstrate to the satisfaction of the City of Rocklin's Public Services Department that adequate sight distance would be provided for left/right-turn egress movements and left-turn ingress movements at project driveways on University Avenue. Driveway sight distance shall meet applicable Highway Design Manual (HDM) standards. Potential feasible options to address sight distance limitations include modifying traffic control, such as installing a roundabout or traffic signal at access points to the project and/or William Jessup University, restricting turn movements (i.e., eliminate left-turn access), or relocating driveways. The selection of specific treatment(s) to address sight distance shall be determined in collaboration with the project applicant, City of Rocklin and William Jessup University.

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

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

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

DISCUSSION OF DETERMINATION

Project Impacts:

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

Prior Environmental Analysis:

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

and policies that encourage the preservation and protection of historical, cultural and paleontological resources and the proper treatment and handling of such resources when they are discovered.

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

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

Significance Conclusions:

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

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

As of the writing of this document, the United Auburn Indian Community (UAIC), the Lone Band of Miwok Indians (IBMI), the Shingle Springs Band of Miwok Indians (SSBMI) and the Torres

Martinez Desert Cahuilla Indians (TMDCI) are the only tribes that are traditionally and culturally affiliated with the project area that have requested notification. Consistent with Public Resources Code (PRC) Section 21080.3.1 (d) and per AB-52, the City of Rocklin provided formal notification of the project and the opportunity to consult on it to the designated contacts of the UAIC, IBMI, SSBMI and TMDCI in a letter mailed to those organizations on 4/20/22.

Through the City's past AB-52 consultations with the above noted tribes, the City has historically only had requests for consultation from the UAIC. Based upon those past consultation efforts with the UAIC, they will often make a request for a post-ground disturbance site visit and unanticipated discoveries measure be incorporated into the project.

To address the UAIC's concerns, the following mitigation measure, agreed to by the applicants, are being applied to both projects to address the potential for buried Tribal Cultural Resources (TRCs) that may be unearthed during ground disturbing activities:

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

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

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

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

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

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

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

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

The applicants are agreeable to the above mitigation measures; implementation of the above measures will reduce impacts to tribal cultural resources to a less than significant level. If there are any additional requests made by the UAIC or other tribes through the AB-52 consultation process, the City will accept and consider those requests, and if necessary, apply any additional efforts for the protection of tribal cultural resources by applying them as project conditions of approval.

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Prior Environmental Review:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Significance Conclusions:

a. and c. Relocation, New or Expanded Utilities – *Less than Significant Impact.* The proposed project site is located within the South Placer Municipal Utility District (SPMUD) service area for sewer. SPMUD has provided a letter regarding the proposed project indicating that the project is within their service area and eligible for service, provided that their condition requirements and standard specifications are met. SPMUD has a System Evaluation and Capacity Assurance Plan, which is periodically updated, to provide sewer to projects located within their service boundary. The plan includes future expansion as necessary. SPMUD collects participation fees to finance the maintenance and expansion of its facilities. The proposed project is responsible for complying with all requirements of SPMUD, including compliance with wastewater treatment standards established by the Central Valley Water Quality Control Board. The South Placer Wastewater Authority (SPWA) was created by the City of Roseville, Placer County and SPMUD to provide regional wastewater and recycled water facilities in southwestern Placer County. The regional facilities overseen by the SPWA include the Dry Creek and Pleasant Grove Wastewater Treatment Plants, both of which receive flows from SPMUD (and likewise from Rocklin). To project future regional wastewater needs, the SPWA prepared the South Placer Regional Wastewater and Recycled Water Systems Evaluation (Evaluation) in June 2007. The Evaluation indicates that as of

June 2004, flows to both the wastewater treatment plants were below design flows. Both wastewater treatment plants are permitted discharges under the National Pollutant Discharge Elimination System (NPDES). Specifically, the Dry Creek Wastewater Treatment Plant (WWTP) is permitted to discharge an average dry weather flow not to exceed 18 mgd, while the Pleasant Grove Wastewater Treatment Plant is permitted to discharge an average dry weather flow not to exceed 12 mgd. According to SPMUD, in 2016 the Dry Creek WWTP had an average dry weather inflow of 8.2 mgd, with SPMUD's portion being 1.8 mgd, and the Pleasant Grove WWTP had an average dry weather inflow of 7.0 mgd, with SPMUD's portion being 1.9 mgd. Consequently, both plants are well within their operating capacities and there remains adequate capacity to accommodate the projected wastewater flows from this project. Therefore, a less than significant wastewater treatment impact is anticipated.

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

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

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

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

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

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

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

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

d. and e. Solid Waste – *Less than Significant Impact.* The Western Regional landfill, which serves the Rocklin area, has a total capacity of 36 million cubic yards and a remaining capacity of 29 million cubic yards. The estimated closure year for the landfill is approximately 2036. Development of the project site with urban land uses was included in the lifespan and capacity calculations of the landfill, and a less than significant landfill capacity impact would be anticipated. Federal and State regulations regarding solid waste consist of the Federal Environmental Protection Agency regulations and the California Integrated Waste Management Act regulating waste reduction. These regulations primarily affect local agencies and other agencies such as the Landfill Authority. The projects will comply with all Federal, State, and local regulations regarding trash and waste and other nuisance-related issues as may be applicable. Recology would provide garbage collection services to the project sites, provided their access requirements are met.

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

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

Prior Environmental Review:

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

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

Mitigation Measures from Uniformly Applied Development Policies and Standards:

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

Significance Conclusions:

a. Impair Emergency Response or Evacuation Plan – *Less than Significant Impact.* The projects occur on a project site that is contemplated in the Rocklin General Plan for urban development, and the development of the project site does not include any features that would substantially impair an adopted emergency response plan or emergency evacuation plan. The streets adjacent to the project site serve as emergency evacuation corridors and would provide direct fire vehicle access to the site. In addition, the projects have been evaluated by representatives of the City of Rocklin’s Fire and Police Departments to ensure that adequate emergency access is provided. Most wildland fires are caused by human activities involving motor vehicles, construction/maintenance equipment, arson and burning of debris. The addition of impervious surface cover on the vacant project site may in fact help reduce the potential fire risk. Therefore, the projects will not substantially impair an adopted emergency response or emergency evacuation plan and the impact will be less than significant.

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

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

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

DISCUSSION OF DETERMINATION:

Project Impacts:

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

Significance Conclusions:

a. Degradation of Environment Quality – *Less than Significant with Mitigation.* The proposed project site is partly surrounded by disturbed and developed land. Based on the project location and the application of mitigation measures for potential biological resources and cultural

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

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

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

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

Development in the City and the South Placer region as a whole will result in significant noise impacts as a result of the introduction of new noise sources and additional traffic and people. As a result, the General Plan EIR, which assumed the development of the proposed project site,

determined that there would be significant and unavoidable cumulative noise impacts. The project-specific noise analysis discussed above demonstrated that the proposed projects would have a less than significant cumulative noise impact with mitigation. Therefore, the project would have less than significant impacts.

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

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

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

Section 5. References

City of Rocklin General Plan, October 2012

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

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

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

City of Rocklin Design Review Guidelines

Fehr & Peers, Final Transportation Impact Study for Estia at Rocklin, April 13, 2022

Madrone Ecological Consulting, Biological Resources Assessment, Revised February 15, 2022

Olberding Environmental, Inc., Biological Resource Analysis Report for the Rocklin Apartments Property, January 2021

Peak & Associates, Inc., Determination of Eligibility and Effect for the Lonetree Apartments Project, July 28, 2021

RCH Group, Air Quality and GHG Emissions Technical Report, Estia at Rocklin Project, February 9, 2022

RCH Group, Air Quality and GHG Emissions Memorandum, Estia at Rocklin Project, April 26, 2022

RCH Group, Rocklin 30 Estia Homes by Towne Development Project, Noise Technical Report, February, 2022

Attachments

Attachment A – Project Vicinity Map

Attachment B – Estia at Rocklin and University Commercial Site Plan

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

Estia at Rocklin (GPA2021-0001, Z2021-0001, PDG2021-0002, DR2021-0012, DL2021-0004) and University Commercial (DR2022-0002, U2022—0001 and DL2022-0001)

Project Name and Description

The Estia at Rocklin project is a request for approval of General Plan Amendment, Rezone, and General Development Plan Amendment to convert a 20 +/- acre portion of the existing 30 +/- acre site from Business Professional (BP) and Planned Development Commercial (PD-C) to Medium High Density Residential (MHDR) and Planned Development Residential, 10 dwelling units/acre (PD-10), a Design Review to approve the site design, parking, landscaping and architecture of a 181-unit single-story apartment home community on 20 +/- acres, and a Tentative Parcel Map to create two lots consistent with the zone boundary change (a 20 +/- acre lot and a 10 +/- acre lot). The Estia at Rocklin project would include parking and landscaping as well as indoor and outdoor amenities such as a gym, meeting space and swimming pool.

The University Commercial project is a request for approval of a Tentative Parcel Map, Design Review and Conditional Use Permit entitlements to create a 10 +/- acre retail commercial site consisting of a 4-story, 78,416 +/- square foot (sf) hotel, a 3,700 +/- sf convenience store/gas station with 6 fueling stations, a 2,500 sf +/- quick serve restaurant with drive-through, a 2,200 sf +/- quick serve restaurant with drive-through, a 7,700 sf +/- in-line retail shop, a 7,800 sf +/- in-line retail shop, a 9,900 sf +/- daycare facility, and an outdoor gathering space with enhanced paving, seating and enhanced landscaping. For more detail please refer to the Project Description set forth in Section 3 of this Initial Study.

Project Location

The project site is comprised of one undeveloped parcel located northwest of the intersection of Sunset Boulevard and University Avenue and east of SR-65, within the City of Rocklin. The Assessor's Parcel Number is 017-276-007.

The property owners are Joseph Mohamed, Trustee of the Joseph Mohamed, Sr. and Shirley M. Mohamed Charitable Remainder Unitrust II. The applicants are Jeff Pemstein with Towne Development of Sacramento, Inc. (Estia at Rocklin) and Greg Bardini with Morton & Pitalo, Inc. (University Commercial).

Basis for Mitigated Negative Declaration Determination

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

Determining the Significance of the Environmental Effects Caused by a Project, Section 15065 – Mandatory Findings of Significance, and 15070 – Decision to Prepare a Negative Declaration or Mitigated Negative Declaration, and the mitigation measures described in the Mitigation Monitoring Plan for this Project.

Date Circulated for Review: May 7, 2022

Date Adopted: _____

Signature: _____
David Mohlenbrok, Community Development Department Director

MITIGATION MONITORING PROGRAM

Estia at Rocklin (GPA2021-0001, Z2021-0001, PDG2021-0002, DR2021-0012, DL2021-0004) and University Commercial (DR2022-0002, U2022—0001 and DL2022-0001)

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

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

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

The following table presents the Mitigation Monitoring Plan with the Mitigation Measures, Implementation, and Monitoring responsibilities. After the table is a general Mitigation Monitoring Report Form, which will be used as the principal reporting form for this, monitoring program. Each mitigation measure will be listed on the form and provided to the responsible department.

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

MITIGATION MEASURES:

Biological Resources: Special-Status Plant Species

IV.-1 *Prior to any grading or construction activities, pre-construction protocol-level surveys shall be conducted by a qualified biologist on the portions of the project site that were not surveyed previously, in order to identify the presence of any of the following special-status plant species: Big-Scale Balsamorhiza (*Balsamorhiza macrolepis* var. *macrolepis*), Dwarf Downingia (*Downingia pusilla*), Legenere (*Legenere limosa*), Boggs Lake hedge-hyssop (*Gratiola heterosepala*), Ahart's Dwarf Rush (*Juncus leiospermus* var. *ahartii*), and Pincushion Navarretia (*Navarretia myersii* ssp. *Myersii*). 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. Surveys shall be conducted in accordance with the "Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants (USFWS 2000)", the "Botanical Survey Guidelines of the California Native Plant Society (CNPS 2002)", and "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018)", or more recent protocols in use at that time. The results of the surveys shall be submitted to California Department of Fish & Game and the City of Rocklin for review.*

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, locations of these occurrences shall be mapped with GPS and consultation with California Department of Fish & Game 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.

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

IMPLEMENTATION:

Prior to the start of grading or construction activities, the applicant shall submit documentation of a survey for special-status plant species to the City's Environmental Coordinator, as detailed above. If the survey results are negative, no further mitigation is required. If the survey results are positive, the locations of these occurrences shall be mapped with GPS and consultation with California Department of Fish & Wildlife shall be initiated, and a mitigation plan shall be prepared based on the consultation.

RESPONSIBILITY:

Applicant/Developer
Community Development Department
California Department of Fish and Wildlife

MITIGATION MEASURES:

Biological Resources: Raptors and Migratory Birds

- IV.-2 *The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 through September 15).*

If tree and vegetation removal and/or project grading or construction activities would occur during the nesting season for raptors and migratory birds (February-September 1), the developer and/or contractor shall hire a qualified biologist approved by the City to conduct pre-construction surveys no more than 14 days prior to initiation of tree and vegetation removal activities. The survey shall cover all areas of suitable nesting habitat within 500 feet of project activity and shall be valid for one construction season. Prior to the start of tree and vegetation removal activities, documentation of the survey shall be provided to the City of Rocklin Engineering Department and if the survey results are negative, no further mitigation is required and necessary tree and vegetation removal may proceed. If there is a break in construction activities of more than 14 days, then subsequent surveys shall be conducted.

The survey shall include a targeted Swainson's hawk nest survey throughout all publicly accessible areas within a ¼ mile radius of the proposed construction area. If active Swainson's hawk nests are found within ¼ mile of the construction area, construction within ¼ mile of the nest will not commence until a qualified biologist determines that the young have fledged or it is determined that the nesting attempt has failed. If work within ¼ mile of the active nest is desired, the developer shall consult with the biologist and the City to determine if the nest buffer can be reduced and what (if any) additional nest monitoring may be necessary. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

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

If construction activities are scheduled to occur during the non-breeding season (September 2 – January 31), a survey is not required and no further studies are necessary.

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

IMPLEMENTATION:

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

RESPONSIBILITY

Applicant/Developer

Engineering Division and Community Development Department

California Department of Fish and Wildlife

MITIGATION MEASURES:

Biological Resources: Swainson's Hawk Foraging Habitat

IV.-3 *Within the six (6) months prior to construction, the project biologist will search the CNDDDB and coordinate with CDFW regarding records that have been received but not entered into the database to determine the closest active nest to the project area. An active nest is defined as a nest with documented Swainson's hawk use within the past 5 years. Depending on the distance from an active Swainson's hawk nest to the project area, the applicant shall mitigate for the loss of suitable Swainson's hawk foraging habitat by implementing one of the below measures:*

- *Active nest identified within 1 mile of the project area: One acre of suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed.*
- *Active nest identified within 5 miles (but greater than 1 mile) of the project area: 0.75 acre suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed.*
- *Active nest identified within 10 miles (but greater than 5 miles) of the project area: 0.5 acre suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed.*
- *If there are no active nests within 10 miles of the project, no foraging habitat mitigation is required.*

The mitigation may be in the form of mitigation bank credits, conservation easements, fee title to an appropriate entity, or other land protection mechanism acceptable to the City. The location of the habitat area is encouraged, but not required to be within Placer County. Habitats located within the north half of the Central Valley, from the Stanislaus River to Redding shall be deemed acceptable. The applicant shall verify that this condition has been met to the satisfaction of the Community Development Director.

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

IMPLEMENTATION:

If an active Swainson's hawk nest tree is located in proximity to the project site, prior to the start of grading or construction activities, the applicant shall submit documentation of providing mitigation for Swainson's hawk foraging habitat as detailed above to the satisfaction of the Community Development Director.

RESPONSIBILITY

Applicant/Developer

Engineering Division and Community Development Department

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Mitigated Negative Declaration/Mitigation Monitoring Program

Reso No.

MITIGATION MEASURES:

Biological Resources: Western Spadefoot Toad

IV.-4 *A pre-construction nocturnal acoustic survey of all publicly accessible areas within 300 feet of the potential breeding habitat to the north of the project site for western spadefoot toad should be conducted by a qualified biologist. The acoustic survey shall take place in the spring and will consist of walking through the area and listening for the distinctive snore-like call of this species. Timing and methodology for the aquatic and acoustic surveys shall be based on those described in “Distribution of the Western Spadefoot (Spea hammondi) in the Northern Sacramento Valley of California, with Comments on Status and Survey Methodology (Shedd 2017)”.*

As an alternative to the nocturnal acoustic study, prior to any grading or construction activities, but no longer than 28 days before, a pre-construction protocol-level survey for western spadefoot toad shall be conducted by a qualified biologist, to determine presence or absence of this species on the project sites. The survey shall be conducted in accordance with those described in “Distribution of the Western Spadefoot (Spea hammondi) in the Northern Sacramento Valley of California, with Comments on Status and Survey Methodology (Shedd 2017)”. If western spadefoot toads are not found within the project sites, no further mitigation is required. If juvenile or adult spadefoot toads are found within the proposed construction area, the applicant shall install a keyed in silt fence along the edge of the proposed impact area that falls within 300 feet of the aquatic habitat to prevent metamorphosed individuals from dispersing into the construction area.)

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 California Department of Fish & Wildlife regulations. The survey shall be valid for 28 days; if construction does not start within 28 days of the survey, or if construction activities stop for more than 28 days, a new survey shall be conducted.

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

IMPLEMENTATION:

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

RESPONSIBILITY

Applicant/Developer

Engineering Division and Community Development Department

MITIGATION MEASURES:

Biological Resources: Worker Environmental Awareness Training

IV.-5 Prior to any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction crews. The WEAT will include the following: discussion of the state and federal Endangered Species Acts, the Clean Water Act, the project's permits and CEQA documentation, and associated mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife, location of any avoided Waters of the U.S.; hazardous substance spill prevention and containment measures; and the contact person in the event of the discovery of a special-status wildlife species. The WEAT will also discuss the different habitats used by the species' different life stages and the annual timing of these life stages. A handout summarizing the WEAT information shall be provided to workers to keep on-site for future reference. Upon completion of the WEAT training, workers shall sign a form stating they attended the training, understand the information and will comply with the regulations discussed. A copy of these forms shall be provided to the City of Rocklin. Workers will be shown the project limits during the WEAT training; worker access should be restricted along undeveloped project limits to minimize the potential for inadvertent environmental impacts.

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

IMPLEMENTATION:

Prior to the start of grading or construction activities, the applicant shall submit documentation of a Worker Environmental Awareness Training being provided to the construction crews.

RESPONSIBILITY:

Applicant/Developer

Engineering Division and Community Development Department

MITIGATION MEASURES:

Biological Resources: Waters of the U.S and federally-protected vernal pool species

IV.-6 *Prior to any grading or construction activities, the appropriate Section 404 permit will need to be acquired for any project-related impacts to waters of the U.S. Any waters of the U.S. that would be lost or disturbed should be replaced or rehabilitated on a “no-net-loss” basis in accordance with the Corps’ mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps. In association with the Section 404 permit and prior to the issuance of improvement plans, a Section 401 water quality certification from the Regional Water Quality Control Board and a USFWS Biological Opinion shall be obtained. All terms and conditions of said permits shall be complied with.*

Prior to any grading or construction activities, the applicant shall submit documentation to the Engineering Department that they have obtained an Army Corps of Engineers Section 404 permit, a Regional Water Quality Control Board Section 401 water quality certification, and a United States Fish and Wildlife Service Biological Opinion. The applicant shall also demonstrate to the Engineering Department that they have implemented habitat restoration, rehabilitation, and/or replacement as stipulated in their Section 404 permit. The applicant shall also demonstrate to the Engineering Department how they have, or intend to, comply with the terms and conditions of the Section 404 permit, the Section 401 water quality certification, and the Biological Opinion.

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

IMPLEMENTATION:

Prior to any grading or construction activities, the applicant shall submit documentation to the Engineering Division that they have obtained an Army Corps of Engineers Section 404 permit, a Regional Water Quality Control Board Section 401 water quality certification and a USFWS Biological. The applicant shall also demonstrate that they have implemented habitat restoration, rehabilitation, and/or replacement as stipulated in their Section 404 permit. The applicant shall also demonstrate how they have, or intend to, comply with the terms and conditions of the Section 404 permit, the Section 401 water quality certification the Biological Opinion.

RESPONSIBILITY

Applicant/Developer

Engineering Division and Community Development Department

U.S. Army Corps of Engineers

U.S. Fish and Wildlife Service

Regional Water Quality Control Board

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Mitigated Negative Declaration/Mitigation Monitoring Program

Reso No.

MITIGATION MEASURES:

Cultural Resources:

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

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

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

IMPLEMENTATION:

If evidence of undocumented cultural resources is discovered during grading or construction operations, ground disturbance in the area shall be halted and a qualified professional archaeologist, the City's Environmental Services Manager and the Native American Heritage

Commission shall be notified regarding the discovery. Other procedures as specifically noted in the mitigation measure shall also be followed and complied with.

RESPONSIBILITY:

Applicant/Developer

Community Development Department

Native American Heritage Commission

MITIGATION MEASURES:

Noise: *Exterior Noise Levels*

XIII.-1 The project shall install six-foot and eight-foot masonry walls in locations as depicted on Figure 3, Preliminary Fence Plan, in the RCH Group Rocklin 30 Estia Homes By Towne Development Project Noise Technical Report dated February 2022.

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

IMPLEMENTATION:

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

RESPONSIBILITY:

Applicant/Developer
Engineering Division and Community Development Department

MITIGATION MEASURES:

Noise: Stationary Noise Sources

XIII.-2 Stationary equipment, (i.e., HVAC systems, outdoor speakers, etc.) shall be required to comply with the City's Exterior Stationary Noise Level Design Standards for New Projects Affected by or Including Stationary Noise Sources outlined in Table 2-1 of the City of Rocklin General Plan Noise Element. Final design of stationary equipment shall be required not to exceed the City's most noise thresholds depending upon planned hours of operation, measured at least five feet inside the property line of the receiving land use and at a point five feet above ground level. Prior to issuance of building permits for the University Commercial project, an acoustical study shall be prepared and submitted to the City of Rocklin demonstrating the above.

IMPLEMENTATION:

This mitigation measure shall be incorporated prior to the issuance of building permits for the University Commercial project.

RESPONSIBILITY:

Applicant/Developer
Community Development Department

MITIGATION MEASURES:

Transportation: *Bicycle Improvements*

XIII.-1 Prior to the issuance of Improvement Plans, the City shall verify that the project frontage improvements along Sunset Boulevard and University Avenue include Class II bike lanes and that the new bike lanes are properly aligned and provide adequate transition to existing bike lanes.

IMPLEMENTATION:

Prior to issuance of improvement plans, the applicant shall include Class II bike lanes with the project's frontage improvements along Sunset Boulevard and University Avenue.

RESPONSIBILITY:

Applicant/Developer

Engineering Division and Community Development Department

MITIGATION MEASURES:

Transportation: Pedestrian Improvements

XIII.-2 Prior to the issuance of Improvement Plans, the City shall verify that the following pedestrian facilities are implemented with the improvements at the University Avenue/Atherton Road/Sunset Boulevard intersection:

Add a marked crosswalk and corresponding pedestrian equipment (pedestrian head, push buttons, etc.) for pedestrian travel across the north leg of University Avenue/Atherton Road/Sunset Boulevard intersection when the project frontage and intersection improvements described above are implemented. The crosswalk would be necessary to provide pedestrians with a crossing location to travel between the project to destinations to the east (i.e., William Jessup University). Pedestrians could then use the existing crosswalk across the east leg of the intersection to travel to the Atherton Tech Center.

IMPLEMENTATION:

Prior to issuance of improvement plans, the applicant shall include information on the plans which shows installation of crosswalks and corresponding pedestrian equipment as described above.

RESPONSIBILITY:

Applicant/Developer

Engineering Division and Community Development Department

MITIGATION MEASURES:

Transportation: Transit Improvements

XIII.-3 Prior to the issuance of Improvement Plans, the project applicant shall coordinate with the City of Rocklin and Placer County Transit regarding the placement and design of the project driveway(s) on Sunset Boulevard to ensure that they do not interfere with planned transit operations. Preferred driveway designs should provide sufficient distance between the bus stop location and the driveway to provide adequate sight distance. If sufficient space is available, this could potentially include a continuous bus turnout/deceleration lane to accommodate ingress to the project driveway; or locating the bus turnout between the project's proposed driveways on Sunset Boulevard. If there are no project driveways located on Sunset Boulevard, the project shall provide pedestrian access from the project site to the bus stop location.

IMPLEMENTATION:

Prior to issuance of improvement plans, the applicant shall include information on the plans which shows installation of bus turnouts as described above.

RESPONSIBILITY:

Applicant/Developer

Engineering Division and Community Development Department

MITIGATION MEASURES:

Transportation: Hazardous Design Features

XIII.-4 Prior to the issuance of Improvement Plans, the project applicant shall coordinate with the City of Rocklin and William Jessup University regarding the placement and design of left-turn access onto University Avenue. The project applicant's civil engineer shall demonstrate to the satisfaction of the City of Rocklin's Public Services Department that adequate sight distance would be provided for left/right-turn egress movements and left-turn ingress movements at project driveways on University Avenue. Driveway sight distance shall meet applicable Highway Design Manual (HDM) standards. Potential feasible options to address sight distance limitations include modifying traffic control, such as installing a roundabout or traffic signal at access points to the project and/or William Jessup University, restricting turn movements (i.e., eliminate left-turn access), or relocating driveways. The selection of specific treatment(s) to address sight distance shall be determined in collaboration with the project applicant, City of Rocklin and William Jessup University.

IMPLEMENTATION:

Prior to issuance of improvement plans, the applicant shall verify with the City's Public Services Department that sight distance limitations have been addressed, as described above.

RESPONSIBILITY:

Applicant/Developer
Engineering Division and Community Development Department
Public Services Department

MITIGATION MEASURES:

Tribal Cultural Resources:

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

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

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

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

IMPLEMENTATION:

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

RESPONSIBILITY:

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

MITIGATION MEASURES:

Tribal Cultural Resources:

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

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

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

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

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

IMPLEMENTATION:

If evidence of TCRs are discovered during ground disturbing activities, all work within 100 feet of the find shall be halted immediately and a qualified Tribal Representative shall be consulted. Other procedures as specifically noted in the mitigation measure shall also be followed and complied with.

RESPONSIBILITY:

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

ATTACHMENT A – PROJECT VICINTY MAP

