

The mitigation measures are referenced in the mitigation monitoring program adopted concurrently with these findings, and will be effectuated through the process of constructing and implementing the Project.

VIII. MITIGATION MONITORING PLAN

A Mitigation Monitoring Plan ("MMP") has been prepared for the Project and has been adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).) The City will use the MMP to track compliance with Project mitigation measures. The MMP will remain available for public review during the compliance period.

IX. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The EIR identified several significant environmental effects (or "impacts") that the Granite Lakes Estates Project will cause. Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Others cannot be avoided by the adoption of feasible mitigation measures or feasible environmentally superior alternatives; however, these effects are outweighed by overriding considerations set forth in Section XI below. This Section (IX) presents in greater detail the Council's findings with respect to the environmental effects of the Project.

A. SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT LEVELS

Impact G-2: Site development will occur in areas underlain with shallow or exposed bedrock, which can present geotechnical constraints that require special construction methods. (Draft EIR, p. G-9.)

Finding:

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

Explanation:

Throughout the project site, dioritic bedrock and Mehrten formation is present at or within several feet of the soil surface, and shallow depth to rock has been identified in all soil units as an engineering limitation for most of the proposed structures. Exposed and shallow bedrock can pose excavation problems requiring special construction techniques, such as blasting, ripping, over-excavation, or drilling that may or may not result in fracturing of bedrock on or adjacent to the project site. Shallow perched water can saturate soils, which can be unstable under construction equipment, and will require

considerable aeration in order to achieve a moisture content that can allow compaction. Shallowness of soils throughout the site can also present severe constraints to landscaping and revegetation, and can result in increased erosion. As described in the Draft EIR "Setting" section, however, the sands and silts encountered on the site are non-plastic materials and are considered to be non-expansive, and the strength and compressibility properties of the undisturbed soil and rock are indicated to be very favorable for support of the Project. (Draft EIR, p. G-10.) The Raney geotechnical report and the Brown & Mills report include site development recommendations and structural design guidelines that will mitigate these potential geological development constraints to less-than-significant levels. (Draft EIR, pp. G-10, G-11.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

- GMM-2(a) Consistent with the City's Community Safety Element Policy 1 and State building requirements (i.e., CBC and UBC), the recommendations presented in the geotechnical reports prepared by Raney Geotechnical (*Geotechnical Investigation - Granite Lakes Estates, Greenbrae Road, Rocklin, California, December 17, 1999*) and Brown & Mills Inc. Geotechnical Investigation (*Report, Proposed Roadway Bridge, Monument Springs Drive, Rocklin, California, July 15, 1999*), shall be followed to ensure that site preparation and construction methods are completed in accordance with the physical parameters of the project site. The reports provide technical recommendations regarding the following: site preparation; slope stability; foundations; slab-on-grade floors; elevated wood floors; retaining walls; building code design parameters; erosion control; pavement design; and Monument Springs Drive bridge foundations.
- GMM-2(b) If blasting activities are to occur in conjunction with site development, the contractor shall conduct the blasting activities in compliance with State and local regulations. The contractor shall obtain a blasting permit from the City of Rocklin or Placer County (if applicable) prior to commencing any blasting activities. Information submitted in order to obtain a blasting permit includes a description of the work to be accomplished and a statement of necessity for blasting as opposed to other methods considered, including avoidance of hard rock areas and safety measures to be implemented such as the use of blast blankets. The contractor shall coordinate any blasting activities with police and fire departments to ensure proper site access control, traffic control, and public notification including the media, nearby residents, and businesses, as determined appropriate by the Rocklin Police Department. Blasting specifications and plans shall include a schedule that outlines the time frame that blasting

will occur to limit noise and traffic inconveniences.

(Draft EIR, pp. G-9, G-10.)

Significance After Mitigation

Less than significant.

Impact H-4: Stormwater runoff from the Project can contain urban contaminants that can degrade water quality. (Draft EIR, p. H-24.)

Finding:

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

Explanation:

Although the erosion hazard of the undisturbed soils on the project site is low, existing runoff from the project site can contain sediment containing small amounts of nutrients, naturally occurring metals and minerals, pesticides, and organic matter. Urban runoff studies throughout the U.S. have shown that the concentration of suspended solids (sediment) usually decreases as exposed soils are covered by impervious surfaces, although some sediment may still be present due to entrained dust on roadways and parking lots and from any remaining open space areas. Based on the analytical results of the water samples collected, the quarry pond and creek water are considered to be of good quality. Both the upstream and downstream samples collected in Secret Ravine Creek were free of detectable concentrations of 200 organic compounds, and only two organic compounds were detected in the quarry water, with both of the concentrations well below either health-based or enforceable drinking water standards. The above-mentioned organic compounds detected in the quarry were not detected in either of the Secret Ravine Creek water samples. In addition, several metals were detected in the water samples collected from the quarry and the creek. However, all of the detections except iron and manganese were far below primary or secondary drinking water maximum contaminant levels. Similar to the interaction of the organic compounds detected in the creek and quarry samples, the few inorganic compounds that were detected in the creek samples were not detected in the quarry samples, suggesting that water quality in the quarry does not impact the water quality of the creek. (Draft EIR, pp. H-26, H-27.)

In addition, the reduction of stormwater discharge pollutants to the maximum extent practicable through the preparation of a SWPPP and the implementation of site-specific BATs/BMPs is the primary objective of the water quality regulations. Implementation of BATs/BMPs will help meet stormwater discharge water quality requirements for the Project by capturing urban runoff pollutants before they can enter area waterways.

Mitigation Measure HMM-4(a) includes a list of typical BATs/BMPs used to trap and filter urban pollutants. (Draft EIR, p. H-27.)

Although the use of BMPs is required under Federal and State NPDES program requirements for certain jurisdictions (urban areas) or types of activities meeting certain criteria, as noted in the Regulatory Setting, the City of Rocklin is not yet required to follow a specific NPDES program; however, the City already implements BMPs in their development projects. Even though the City already uses BMPs, without proper site-specific runoff management and mechanisms for enforceability and maintenance, the potential increase in urban contaminants attributable to new development that can occur with development of the Project can degrade water quality or interfere with achieving Basin Plan water quality objectives, which will be considered a potentially significant effect. (Draft EIR, p. H-27.)

The implementation of mitigation measure HMM-4(a), which will require the development of project-specific BATs/BMPs as a condition of project approval, and HMM-4(b), which will require annual water quality testing, will reduce this impact to a less-than-significant level. (Draft EIR, p. H-27.)

Mitigation Measures:

Implementation of the following measures will minimize the potential for adverse effects and comply with state and federal regulations:

HMM-4(a) Project Conditions of Approval shall specify that appropriate Best Management Practices (BMPs) and Best Available Technologies (BATs) be incorporated into project design to reduce urban pollutants in runoff, consistent with goals and standards established under federal and State non-point source discharge regulations (NPDES permit) and Basin Plan water quality objectives. Stormwater runoff BMPs selected from the Storm Water Quality Task Force (*California Storm Water Best Management Practices Handbook, 1993*), the Bay Area Stormwater Management Agencies Association *Start at the Source-Design Guidance Manual*, or equally effective measures shall be identified prior to final design approval. To maximize effectiveness, the selected BMPs shall be based on finalized site-specific hydrologic conditions, with consideration for the types and locations of development. Mechanisms to maintain the BMPs shall be identified in the Conditions of Approval.

Typical BMPs and BATs that can be used at the Project include, but are not limited to, the following:

- Application of appropriate signage to all storm drain inlets indicating that they outlet to the natural drainageways;

- Application of a street sweeping program to remove potential contaminants from street and roadway surfaces before they reach drainages;
- Installation and maintenance of oil and grit separators in all drop inlets to capture potential contaminants which enter the storm drain system (Final EIR, pp. H-14 and I-8);
- Minimize sources of concentrated flow by maximizing use of natural drainages to decelerate flows, collect pollutants and suspended sediment;
- Establish vegetation in stormwater drainages to achieve optimal balance of conveyance and water quality protection characteristics;
- Placement of velocity dissipaters, rip-rap, and/or other appropriate measures to slow runoff, promote deposition of waterborne particles, and reduce the erosive potential of storm flows;
- Prompt application of soil protection and slope stabilization practices to all disturbed areas;
- Utilization of the proposed stormwater system's detention basins collect and temporarily detain stormwater so that sediment can settle prior to being discharged into the waterways;
- Creation of storage basins consisting of depressed areas, usually lined, that are sized to hold storm runoff and settle out material (the facility usually has a type of outlet device that is above the bottom of the basin or a small rip rapped berm over which the treated water can flow);
- Creation of a below-ground storage basin consisting of vertical or horizontal corrugated metal or HDPE pipes sized to allow the volume of water required to be treated to percolate into the ground;
- Use of fossil filters consisting of small filters that are placed like troughs around the inside top drain inlets or at ditch outlets;

- Creation of underground stormwater interceptors, which are underground tanks, similar to septic tanks, that are designed to allow material to settle out and also can have a grease trap to separate oil and petroleum products, prior to discharge; and

- Use of rock-lined ditches, which are surface ditches that are lined with rock, with or without filter material, with the rock lining material designed to allow water to filter into the ground.

Provisions for the maintenance and periodic inspection of permanent facilities outside of the public right-of-way will be provided for in the Covenants, Conditions, and Restrictions (CC&Rs). These provisions will include periodic inspection, cleaning, and the replacement of filter materials, as necessary to retain the integrity of the BMP.

(Draft EIR, pp. H-24 to H-26.)

HMM-4(b) HMM-4(b) In addition to BMPs and BATs to reduce urban pollutants in runoff, the Homeowners Association or the City of Rocklin shall contract with a qualified professional to conduct annual water quality testing at the detention basin, the pond, and at locations upstream and downstream of the project site to ensure consistency with standards set by the RWQCB, to the satisfaction of the Public Works Director, and to further ensure that water coming into Secret Ravine Creek from the project site will result in no net adverse change in water quality in Secret Ravine Creek. Costs associated with the water quality testing shall be funded by the Homeowners Association or other appropriate financing district. (Final EIR, p. U-2.)

If the Homeowner's Association is responsible for water quality testing, the covenants, conditions, and restrictions ('CC&Rs') for the project shall (i) provide for the collection of assessments from property owners sufficient to fund this testing in perpetuity, (ii) require the Homeowners Association to furnish annual reports of the water quality tests to the City's Public Works Director, (iii) expressly include an obligation that water coming into Secret Ravine Creek from the project site will not, by itself, result in any net adverse change in water quality in Secret Ravine Creek, and (iv) provide the City with the legal right to seek an injunction against the Homeowners Association in the event that the water quality tests are not performed or the 'no net adverse change in water quality standard' is not satisfied. (Final EIR, p. U-2.)

Significance After Mitigation

Less than significant. (Draft EIR, p. H-26.)

Impact H-6: Increased impervious surfaces and urbanization associated with development of the Project, in combination with other development in the City of Rocklin and the Dry Creek watershed, can cumulatively increase urban contaminant loading, potentially adversely affecting water quality. (Draft EIR, p. H-28.)

Finding:

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

Explanation:

Development in the Dry Creek watershed can cumulatively increase urban contaminant loading, which can adversely affect water quality. Cumulative development along Secret Ravine Creek and within the Dry Creek watershed (which includes development in Western Placer County and the City of Rocklin), including the Project, will result in increased impervious surfaces that can increase the rate and amount of runoff, thereby potentially adversely affecting existing surface water quality through increased sedimentation and mobilization of urban pollutants. The primary sources of water pollution include: runoff from roadways and parking lots; runoff from landscaping areas; commercial and industrial activities; non-stormwater connections to the drainage system; accidental spills; and illegal dumping. Runoff from roadway and parking lots can contain levels of oil, grease, and heavy metals; and runoff from landscaped areas can contain elevated concentrations of nutrients, fertilizers, and pesticides. (Draft EIR, p. H-29.)

The 1990 City of Rocklin General Plan Update EIR states that buildout of the General Plan will result in an increase in stormwater runoff due to urban development covering previous impervious areas with impervious surfaces. The General Plan Update EIR found that the effect of new development under the General Plan Update on drainage will result in a significant impact from the potential of water quality degradation. (Draft EIR, p. H-29.)

The EIRs for the Rocklin General Plan, the Southeast Rocklin Circulation Element Area Plan, and the North Rocklin Circulation Element addressed degradation of water quality by sedimentation and urban contaminant loading as potentially significant impacts from development under the General Plan. (Draft EIR, p. H-29.)

The prior EIRs identified, and the City has adopted, mitigation measures that will reduce these potential impacts to less-than-significant levels. These mitigation measures, found in the policies referenced above and in the City's Improvement Standards and Standard Specifications, address the introduction of pollutants into natural drainages. (Draft EIR, p. H-29.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

HMM-6(a) Implementation of Mitigation Measure HMM-4(a) will reduce the Project's contribution to urban containment loading.

HMM-6(b) If the results of the water quality testing (HMM-4[b]) indicate stormwater discharges from the project site are contributing to water quality degradation in Secret Ravine Creek, the Homeowners Association, or the City of Rocklin, shall contract with a qualified professional to develop and implement a remediation plan to ensure no net change in water quality due to water entering Secret Ravine Creek from the project site. Plan actions can include, but will not be limited to: procedures for managing known or potential changes in water quality (e.g., additional physical or administrative source controls); and/or remediation. (Final EIR, p. C-13.)

(Draft EIR, p. H-29.)

Significance After Mitigation

Less than significant. (Draft EIR, p. H-29.)

Impact I-4: The Project will fill 0.488 acres of seasonal wetlands and other jurisdictional waters of the U.S. (Draft EIR, p. I-35.)

Finding:

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

Explanation:

In the wetland delineation report prepared by Gibson and Skordal, a total of 5.803 acres of jurisdictional wetlands were identified within the project boundaries. Construction of the Project will fill 0.488 acre, which represents 8.41 percent of the total wetland resources on the project site. Three wetland areas are designated for development and will be lost due to filling, grading, or other activities. Two of the wetland areas will be developed to accommodate construction of a residential collector street. The third wetland area located in the northeast corner of the site will be developed to accommodate construction of residential homes and a collector street. (Draft EIR, p. I-36.)

A wetland delineation report was conducted by Gibson and Skordal (June 1999) on the Bell Property for the extension of Monument Springs Drive. A total of 2.43 acres of jurisdictional wetlands were identified within the area slated for the extension of Monument Springs Drive. Based on the roadway configuration, the proposed extension of Monument Springs Drive will not impact this wetland area. (Draft EIR, p. I-36.)

The project applicant will be required to implement and comply with the provisions of the Clean Water Act, as administered by the U.S. Army Corps of Engineers under Section 404 for fill as well as Section 1603 (Streambed Alteration Agreement) of the California Fish and Game Code as administered by the CDFG. (Draft EIR, p. I-36.)

Fill of the wetlands by the Project must be permitted by the US Army Corps of Engineers (USCOE) under the Clean Water Act Section 404 permit process prior to development. The USCOE requires no net loss of wetlands when issuing 404 permits. This can be achieved by on-site avoidance, on-site wetland construction where practicable and desirable, and/or off-site wetland construction and off-site acquisition. Alternatively, the project applicant can acquire credits from a Wetland Mitigation Bank approved by the USCOE and USFWS to compensate for activities that will affect the wetland in the northwest corner of the area. The credits will be in direct proportion to the wetland area loss on the property, as determined by a wetland or habitat delineation. (Draft EIR, p. I-36.)

Water quality in the wetland areas will be protected using rigorous erosion control techniques during construction in the watershed. Additionally, urban runoff will be managed to protect water quality in the wetland areas. Based on an evaluation by TLA, storm runoff to the existing drainage/wetland areas, including the pond, will be maintained after the project is developed. In addition, the applicant's biologist, Tom Skordal, reviewed the findings prepared by TLA and determined that the diversion of storm water flows will have a negligible effect on the existing wetlands. The piping of the Boardman Canal can have an effect on the existing wetlands, because water leaking from the canal provides a source of water to wetland areas on the site. However, the magnitude of the effect is not known at this time and the only way to predict the effect of losing this water will be to remove it and then monitor it over at least one growing season. Chapter H of the Final EIR discusses Best Management Practices designed to minimize erosion. Landscape irrigation runoff will only be permitted to directly enter the wetland areas according to the provisions of the 404 Permit and/or the Streambed Alteration Agreement.

(Draft EIR, pp. I-36, I-37.)

Mitigation Measures:

The following mitigation measure complies with state and federal regulations and will reduce the impacts at the project site:

IMM-4(a) The City shall require the project applicant and/or any developers filing tentative maps to mitigate impacts to ensure the avoidance of any net loss of seasonal wetlands and jurisdictional waters of the United States, or the bed, channel, or bank of any stream. Such avoidance may be achieved by implementing and complying with the provisions of the Clean Water Act, as administered by the U.S. Army Corps of Engineers, under Section 404 of the Clean Water Act, and under Sections 1600-1607 of the California Fish and Game Code, as administered by the California Department of Fish and Game (CDFG), which includes obtaining all required permits from the U.S. Army Corps of Engineers and entering into a Streambed Alteration Agreement with CDFG and complying with all terms and conditions of those permits and agreements.

(Final EIR, p. I-9.)

Significance After Mitigation

Less than significant. (Draft EIR, p. I-35.)

Impact I-5: Development of the Project can disturb nesting raptors (birds of prey). (Draft EIR, p. I-37.)

Finding:

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

Explanation:

Oak woodland located within the project area provide potential nesting habitat for many raptor species. Those most likely to use this site include special-status raptors such as white-tailed kite, sharp-shinned hawk, Cooper's hawk, golden eagle, merlin, prairie falcon, long-eared owl, as well as non-special-status species such as red-tailed hawk. Additionally, annual grasslands in the project area provide potential nesting habitat for ground nesting raptors such as northern harrier, western burrowing owl, and short-eared owl. Activities associated with the development of the Project, if conducted during the nesting season for these raptors, may cause direct loss of raptor nest sites through the removal of nest trees or grading of ground nest sites. Additionally, the project may indirectly cause abandonment of nests due to noise and other construction related disturbance adjacent to nest sites. (Draft EIR, p. I-38.)

Disturbance to nesting raptors is prohibited by Section 3503.5 of the California Fish and Game Code and Migratory Bird Treaty Act. Some special-status raptors are further protected by either the state or federal endangered species acts. Although the only raptor that has been documented to have been nesting within the project area is red-tailed hawk, other species can move into the area prior to the project's construction. If present, nesting

raptors can be disturbed by construction activities adjacent to their nest sites causing them to abandon that site. Loss of, or disturbance to, nesting raptors will be considered a significant impact. However, the project will ensure that there is no net loss of nesting raptors as a result of this project through mitigation measures. (Draft EIR, p. I-38.)

A preconstruction survey of the project site during the nesting season or immediately prior to the onset of project-related disturbances shall be conducted by a qualified biologist or ornithologist, which will be provided by the project applicant. The purpose of the preconstruction survey shall be to locate active raptor nests on the project site. If an active raptor nest is located on the project site, the nest tree and a buffer zone around the nest tree shall be protected from disturbance until the young have fledged. Tree removal, grading, and other project-related disturbances shall be prohibited within the buffer zone, per consultation with the City and CDFG of the active raptor nest at the project site until the young have fledged. The project applicant shall retain a qualified biologist or ornithologist to confirm that the young have fledged prior to disturbance within an active raptor nest. (Draft EIR, p. I-38.)

Mitigation Measures:

The following mitigation measures will reduce the impacts at the project site:

IMM-5(a) The project applicant, in consultation with the City of Rocklin and CDFG, shall conduct a pre-construction breeding-season survey (approximately February 15 through August 1) of the project site during the same calendar year that construction is planned to begin. The survey shall be conducted by a qualified raptor biologist to determine if any birds-of-prey are nesting on or directly adjacent to the Project site.

If phased construction procedures are planned for the Project, the results of the above survey shall be valid only for the season when it is conducted.

A report shall be submitted to the City of Rocklin, following the completion of the raptor nesting survey that includes, at a minimum, the following information:

A description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted. A map showing the location(s) of any raptor nests observed on the project site.

If the above survey does not identify any nesting raptor species on the project site, no further mitigation will be required. However, should any raptor species be found nesting on the project site, the following mitigation measure shall be implemented.

IMM-5(b) The project applicant, in consultation with the City of Rocklin and CDFG, shall avoid all birds-of-prey nest sites located in the project site during the breeding season while the nest is occupied with adults and/or eggs or young. The occupied nest shall be monitored by a qualified raptor biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a nondisturbance buffer zone around the nest site. The size of the buffer zone will be determined in consultation with the City and CDFG. Highly visible temporary construction fencing shall delineate the buffer zone.

IMM-5(c) If a legally-protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 30th, or until the adults and young are no longer dependent on the nest site as determined by a qualified biologist.

(Draft EIR, pp. I-37, I-38.)

Significance After Mitigation

Less than significant. (Draft EIR, p. I-38.)

Impact I-6: Development of the Project will remove elderberry shrubs, some of which may host the valley elderberry longhorn beetle (VELB). (Draft EIR, p. I-39.)

Finding:

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

Explanation:

There are approximately thirty elderberry bushes distributed throughout the project site. Elderberry shrubs provide habitat for the VELB, which is federally designated as a threatened species, and the USFWS has adopted a standard mitigation protocol. Many bushes are located in areas designated for future residences, so they will be removed during project construction. (Draft EIR, p. I-39.)

Avoidance and replacement of bushes consistent with USFWS guidelines will reduce this impact to less-than-significant level. The mitigation will be developed and implemented as a consequence of entering into a formal consultation with USFWS and obtaining the necessary take permit for VELB. If avoidance is not feasible, USFWS guidelines require development of compensation habitat, which may include transplanting all elderberry plants, and establishing new plantings for every stem one inch or greater in diameter. A

3:1 replacement ratio is specified for medium sized bushes with some evidence of VELB use (less than 50% of the clumps containing VELB evidence were found during the site survey). A 5:1 replacement ratio is specified for areas with mature plants exhibiting evidence of VELB presence in more than 50% of the clumps. These ratios ensure that VELB habitat is replaced at levels equal to or greater than the lost habitat. Compliance with these requirements will ensure the impact will be less than significant. (Draft EIR, p. I-39.)

Mitigation Measures:

The following mitigation measure will reduce the impacts at the project site:

IMM-6 The City shall require the project applicant and/or any developers filing tentative maps to mitigate impacts to elderberry shrubs hosting the Valley Elderberry Longhorn Beetle (VELB) by avoiding any net loss of such shrubs. Such avoidance may be achieved by entering into a formal consultation with the US Fish and Wildlife Services (USFWS), by obtaining the necessary take permit for VELB, and by taking all necessary steps required to comply with the take permit issued by USFWS for avoidance and replacement of elderberry shrubs consistent with USFWS guidelines. (Draft EIR, p. I-39.)

Significance After Mitigation

Less than significant. (Draft EIR, p. I-39.)

Impact I-9: Stormwater runoff from the Project can contain urban contaminants that can degrade water quality in Secret Ravine Creek and downstream drainages, degrading habitat for fall-run chinook salmon, a federal candidate species and California Species of Special Concern, and the federally-threatened Central Valley steelhead. (Draft EIR, p. I-41.)

Finding:

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

Explanation:

Secret Ravine Creek, including the reaches adjacent to the project site and upstream of the project site, currently experiences some pollutants and sedimentation due to urbanization. The water quality parameters (e.g., contaminants, temperature, turbidity) that affect the fish within Secret Ravine Creek vary, and will change over time. (Draft EIR, p. I-42.)

The project proposes to detain stormwater runoff in the existing quarry in the northern portion of the site to prevent potential flooding in the creek from increased urban runoff. The nearly 100 cfs reduction in predicted runoff from the project site during a 100-year event will not hinder adult salmonids migration (e.g., 474 cfs, reduced from 566 cfs, is sufficient). In addition, the trapping of sediments, nutrients, and urban contaminants to allow settling prior to release to Secret Ravine Creek, will be beneficial to aquatic resources. This pond will not be used for directing stormwater runoff in the southern portion of the project site though the existing pond will allow for some trapping and natural filtering of sediments, nutrients and urban contaminants. This process will allow water to remain in the pond for a longer period of time to facilitate increased trapping and filtering. (Draft EIR, p. I-42; see also Final EIR, pp. I-1 - I-5.)

The detention proposal in the northern portion of the site will have the capacity to detain approximately 12 feet of water before it engaged the emergency overflow. The detention facility, along with the appropriate stormwater runoff BMPs, will reduce the potential impact to fish and aquatic habitat within Secret Ravine Creek from urban runoff. (Draft EIR, pp. I-42, I-43.)

Compliance with the BMPs will ensure that the water quality of the proposed detention basin and existing pond will not exceed the water quality parameters critical to fish habitat. Therefore, the impact will be less than significant. (Draft EIR, p. I-43.)

Mitigation Measures:

The following mitigation measures will reduce the impacts at the project site:

IMM-9(a) Implement Mitigation Measure HMM-4(a) (e.g., BMPs such as planting filtering vegetation within the spillway wash on the west side of the existing pond) and HMM-4(b).

IMM-9(b) Detain runoff water in proposed detention basin (existing quarry) to allow for settling of sediment and heavy runoff particulates (i.e., naturally occurring metals). During storm events, water shall be discharged into Secret Ravine Creek per flow and volume requirements (see Final EIR, Section H, Hydrology and water quality for detail regarding flow and volume).

IMM-9(c) Implement Mitigation Measure HMM-6(b).

IMM-9(d) In addition to the water quality testing described in Mitigation Measure HMM-4(b), information regarding the depth to sediment in detention facilities shall be provided every two years or other time frame approved by the Director of Public Works.

If it is determined (through consultation with the Director of Public Works) that sediment needs to be removed from detention facilities to ensure adequate stormwater capacity is available, the contractor shall implement appropriate BMPs to protect terrestrial and aquatic resources and water quality to the satisfaction of the Public Works Director. Sediments removed shall be tested for contaminants and disposed of according to laws and regulations in effect at that time. All costs associated with sediment monitoring, removal, and disposal shall be paid by the Homeowner's Association or other appropriate financing district. (Final EIR, p. C-17.)

(Draft EIR, p. I-41.)

Significance After Mitigation

Less than significant. (Draft EIR, p. I-41.)

Impact I-10: Construction of the bridge across Secret Ravine Creek can affect special-status aquatic species. (Draft EIR, p. I-43.)

Finding:

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

Explanation:

According to National Marine Fisheries Service (NMFS), Secret Ravine Creek qualifies as critical habitat for Central Valley steelhead under the federal ESA. Construction of the bridge across Secret Ravine Creek will require a Section 1603 Streambed Alteration Agreement from the CDFG, Section 404 permit from USCOE, and consultation or permits from NMFS (Section 7 or 10). The permits will be based on the specific design of the bridge (e.g., equipment working directly in the creek or from above the high water mark). Thus, activities related to bridge construction will be regulated to protect salmon and steelhead. (Draft EIR, p. I-45.)

Instream work is defined as any work performed below the high water mark of a stream. Instream work has the potential to result in harmful alterations to fish habitat and degradation of water quality within the vicinity of the stream crossing and downstream. It is not possible in many situations to construct stream crossings without creating some sedimentation and disturbance. However, many problems can be avoided through the implementation of construction BMPs, including: good planning and the timing of construction activities to avoid sensitive periods. (Draft EIR, p. I-45.)

The Project will have a less-than-significant impact if BMPs are implemented during bridge construction and if construction does not obstruct upstream migration of adult salmon and steelhead migrating to spawn higher in the drainage. The latter allows for the juveniles to migrate freely downstream. In addition, compliance with the Streambed Alteration Agreement and Section 404 permit will ensure that impacts on the creek will be minimized. (Draft EIR, p. I-46.)

As currently designed, the bridge will not impede migration or increase erosion from increased water velocities. The bridge design includes two oval-shaped piers that will be located within the 100-year watermark, but will be outside the normal low flow channel. The columns will be constructed on granite; thus the substrate will provide a stable foundation and will not erode. There likely will be a small, temporary increase in sedimentation in the creek, the first winter, from soils disturbed around the bridge during construction. However, this increase will not result in significant impacts to fisheries in Secret Ravine Creek, because sedimentation is a natural occurrence within the creek and the small amount contributed during the first winter will not be significant enough to affect the fish in the creek. Design of the bridge will also include the excavation of rock material along the southern bank of Secret Ravine Creek just down stream of the bridge, to compensate for flow restrictions created by the piers and any collected debris. (Draft EIR, p. I-46.)

Mitigation Measures:

The following mitigation measures comply with state and federal regulations and will reduce the impacts at the project site:

IMM-10(a) The bridge shall be designed and constructed to minimize impacts on fish habitat. At a minimum, the following shall occur:

(i) Construction work within the creek shall generally be confined to the time periods identified by the CDFG through the 1603 streambed Alteration Agreement (typically April 15th through October 15th), in order to minimize erosion and impacts on the October-November spawning run and April-May out-migration of Chinook salmon. (Final EIR, p. C-18.)

(ii) The project applicant shall conduct a comprehensive inventory of the vegetative structure of the riparian corridor prior to designation of the specific location of proposed road and stream crossing. This inventory will be used to select the precise alignment that minimizes impacts to mature riparian trees, while still meeting the

easement and engineering requirements of siting the crossing.

(iii) Design angle of all crossings along Secret Ravine Creek to minimize riparian disturbances while maintaining proper and safe street design.

(iv) Obtain any required Streambed Alteration Agreement from the CDFG. Replace any damaged riparian vegetation as recommended by the CDFG.

(v) Once the precise location of any creek crossing is determined, the construction zone (corridor) shall be flagged to allow easy identification. Heavy equipment shall be operated only within this designated corridor.

(vi) Construction activity within creek crossings occurring in the water area shall employ construction methods as required by the CDFG, including an initial layer (approximately 18 inches) of clean gravel, to allow for the clean removal of the creek obstruction at the conclusion of construction.

(vii) The project applicant shall develop a revegetation plan (in consultation with CDFG) which shall compensate for riparian acreage eliminated by stream crossing construction. This plan will require approval by the CDFG and shall be implemented by a qualified revegetation contractor.

(viii) The project applicant shall develop and implement a plan, in consultation with the CDFG, to remove instream obstacles to salmon and steelhead migration in the stretch of Secret Ravine Creek within the project boundaries.

(ix) The project applicant shall design and implement a siltation and erosion control program for stream crossing areas prior to construction to the satisfaction of the City Engineer. The Public Works inspection shall monitor ongoing construction activities to assure compliance.

(x) Machine crossing and working within the stream shall be minimized and avoided where feasible.

(xi) Construction activities shall occur from one side of the stream and from the top of the streambank without entering the channel. If this is not feasible, fording the stream shall be limited to only the equipment necessary for the actual construction and shall be done at only one location. This location shall be where the least damage to the watercourse and stream banks will occur as determined by a biological monitor before construction begins.

(xii) All equipment used for stream crossing shall be cleaned and in good mechanical order.

(xiii) All protective paint coatings to the bridge materials shall be applied before construction and all hardware shall be galvanized. If painting is required, precautionary measures shall be taken.

(xiv) If deck panels are made "composite" with the girders, fill joints with high, early-strength concrete. The underside of the joints must be securely blocked off to avoid concrete dripping into the stream below. Similarly, when joints are filled with bituminous (non-composite deck panels) for removable structures, ensure the lower part of the joints is well sealed with non-toxic filler.

(xv) Runoff from the bridge deck shall not be allowed to drain directly into the creek. The bridge shall be designed to avoid road gradients down to the bridge crossing that allow road drainage onto the bridge. The bridge shall be designed to include a side gutter to collect runoff from the deck to drain into the stream bank vegetation so that sediments can be filtered before reaching the stream.

(xvi) Intact vegetation within the road clearing shall be retained to prevent erosion and minimize disturbance to fish habitat.

REQ-MM-10(b) The project applicant shall comply with the Streambed Alteration Agreement (1603 Agreement) and Section 404 permit requirements.

(Draft EIR, pp. I-43 to I-45.)

Significance After Mitigation

Less than significant. (Draft EIR, p. I-45.)

Impact I-12: Construction of the Project, in combination with other development in the region, can contribute to the loss or deterioration of salmon and steelhead habitat and to the loss of aquatic resources in the region. (Draft EIR, p. I-47.)

Finding:

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

Explanation:

All new development is subject to federal and state regulations to ensure the ongoing protection of water quality. New regional development will be required to implement mitigation measures comparable to the mitigation measures for this project. Current water quality in Secret Ravine Creek is considered to be of good quality, and this creek maintains a year round flow. Since further development is required to mitigate impacts of development to maintain water quality standards, there is no basis to find that further development will reduce the water quality in Secret Ravine Creek to a level approaching a significant impact on the aquatic environment. (Draft EIR, p. I-47.)

Though the further development of areas within the Dry Creek watershed can result in minor deposition of sediments and urban contaminants into Secret Ravine Creek and Dry Creek, and implementation of mitigation measures cannot guarantee elimination of sedimentation and urban contaminant loading, they will reduce the impact to such a degree that urban contaminant loading and long term water quality degradation will not be cumulatively considerable, considering the ongoing flow and quality of the existing water supply. (Draft EIR, p. I-48.)

This project is required to initially achieve, and thereafter monitor and take steps to maintain, compliance with water quality standards for all water flows discharging into Secret Ravine Creek. Implementation of mitigation measures and application of BMPs and BATs will reduce operational impacts to aquatic resource and habitat to a level that is less than significant. The minor degradation of water quality from urban contaminant loading that is not eliminated by mitigation measures will not be cumulatively considerable in light of the water quality and year round flow of Secret Ravine Creek;

therefore, any resulting impact is considered less than significant. (Draft EIR, p. I-48.)

Mitigation Measures:

The following mitigation measures will reduce the impacts at the project site:

IMM-12 Implement Mitigation Measures HMM-4, HMM-6(a), HMM-6(b), IMM-9 and IMM-10. (Draft EIR, p. I-47.)

Significance After Mitigation

Less than significant. (Draft EIR, p. I-47.)

Impact K-2: Operation of the Project can result in the generation of both vehicle and area source air pollutants, increasing total air pollutant emissions. (Draft EIR, p. K-14.)

Finding:

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

Explanation:

Long-term air quality will be adversely affected by criteria air pollutant emissions, partially from mobile sources. Criteria air pollutant emissions associated with project traffic were calculated using URBEMIS7G emissions software using the trip generation rates presented in the traffic analysis. Table K-5, in the Draft EIR, lists the air pollutant emissions associated with the Project. As indicated in Table K-5, vehicle emissions associated with the Project will not exceed PCAPCD thresholds for ROG, NO_x, CO, and PM₁₀. (Draft EIR, p. K-15.)

Area-wide source emissions, which are associated with operation of residential units, will be generated by fuel combustion in woodstoves, fireplaces, and landscaping equipment. Woodstoves and fireplaces contribute to the degradation of air quality during winter months (i.e., approximately four months of the year), while gasoline operated landscaping equipment contributes to the degradation of air quality during the summer months. Area source emissions were quantified using URBEMIS7G; it was assumed that approximately one cord of wood will be burned each season per home. It was assumed that 25 percent of the homes will install a wood burning stove and that 10 percent of the homes will have conventional wood burning fireplaces. Emission rates for area-wide sources operating under wintertime (worst-case day) conditions are presented in Table K-5. As indicated in Table K-5, without mitigation, area-wide emissions associated with the Project will exceed PCAPCD thresholds for ROG. (Draft EIR, p. K-15.)

It is important to note that it is likely new homes constructed as part of the project will include natural gas fireplace inserts. These fireplace inserts emit far fewer emissions than conventional fireplaces. The Air District has not yet established any method to model these emissions. (Draft EIR, p. K-15.)

It should be noted that the modeling assumptions used for woodstove emissions were very conservative. Given the average winter temperature in the project area is approximately 50 degrees, wood burning devices are infrequently used and it is possible that the project will not result in the addition of any wood burning stoves. Modeling also assumes that one cord of wood will be burned during a season, although it is unlikely that an entire cord of wood will actually be burned by 25 percent of residents with homes. Finally, emissions associated with wood burning stoves occur only during the winter months, and are not produced year round like many other area source emissions. Therefore, for the reasons listed above and with implementation of the mitigation measure requiring the use of EPA certified wood burning stoves, ROG emissions will be reduced to a less-than-significant level. (Draft EIR, p. K-15.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

- KMM-2(a) The City shall not approve building permits for fireplaces in homes that do not have a primary heating source other than a fireplace. All fireplaces shall be plumbed for natural gas (if available).
- KMM-2(b) Tree planting programs shall include planting at least one tree per lot, for shade.
- KMM-2(c) The subdivider and/or developer shall make available educational material to new residences in the project area to educate them about air pollution problems and solutions. Issues identified include transportation control measures (TCM), open burning practices, and use of wood burning fireplaces and stoves.
- KMM-2(d) To reduce emissions associated with landscape management where appropriate, the project applicant shall landscape front yards with native drought-resistant species, to reduce emissions from lawn equipment. (Final EIR, p. C-26.)
- KMM-2(e) Low NO_x hot water heaters shall be installed, per Air District Rule.
- KMM-2(f) The project applicant shall install an electrical outlet at the front and back of the residences for the use of electric landscape maintenance equipment.

- KMM-2(g) The project developer shall install natural gas lines at the rear of each single-family residential structure to encourage the use of natural-gas barbeques. (Final EIR, p. K-1.)
- REQ-MM The project applicant shall comply with all of Placer County Air Pollution Control District's rules and regulations.
- REQ-MM Only U.S. EPA-certified wood burning stoves shall be installed.
- REQ-MM The project applicant shall comply with all requirements in the Uniform Building Code.
- REQ-MM The project applicant shall comply with all requirements in the California Code of Regulations, Title 24, and all federal EPA mandated requirements.

(Draft EIR, pp. K-14, K-15.)

Significance After Mitigation

Less than significant. (Draft EIR, p. K-15)

Impact L-1: Construction of the Project will temporarily increase noise levels at existing noise-sensitive land uses. (Draft EIR, p. L-8.)

Finding:

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

Explanation:

The Project will require construction activities that will increase noise levels in the project vicinity and on the roadways accessing the project site. Noise-generating activities will include site preparation, general building, and related infrastructure work. Noise will also be generated during construction phases by increased truck and construction worker traffic on Greenbrae Road and Aguilar Road. The increase in truck traffic will be associated with the transport of heavy materials and equipment. The majority of the construction equipment will remain on-site at a construction staging area. Daily truck traffic can consist of approximately four pick-ups and one utility truck traveling to and from the site during construction. The truck noise will be of short duration, and will likely occur primarily during daytime hours. (Draft EIR, p. L-9.)

There are existing noise-sensitive uses, such as residences located adjacent to and within the project site. Construction of the project is anticipated to occur in four phases. Construction of Phase I is anticipated to begin in Summer 2002. Phase II is anticipated to begin in Spring 2003. Phase III is anticipated to begin in Summer 2003, and Phase IV is anticipated to begin in Spring 2004. It is possible that existing or future residences can be occupied on the project site during construction of Phase III of the project. Construction activities can disturb these residences and other noise-sensitive land uses adjacent to the project site. The residences can be exposed to construction noise levels briefly and intermittently exceeding the mid-80s dBA L_{max} even if construction equipment were reasonably well maintained and the use of impact tools were kept to a minimum. Construction impacts can result in annoyance or sleep disruption for nearby residences if nighttime operations occurred or if unusually noisy equipment was used. Although all construction activities will be short-term and occur primarily during daytime hours, noise sensitive land uses on and adjacent to the project site will be exposed to increased levels of noise. Implementation of Mitigation Measure LMM-1 and compliance with the City of Rocklin construction noise guidelines (REQ-MM) will reduce noise impacts to noise-sensitive land uses to less-than-significant levels. (Draft EIR, p. L-9.)

Mitigation Measures:

The following mitigation measures comply with local ordinances and will reduce the impact at the project site:

LMM-1 (a) All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer installed mufflers.

LMM-1 (b) Equipment warm up areas, water tanks, and equipment storage areas shall be located in areas as far away from existing residences as is feasible.

REQ-MM The project applicant shall comply with the City of Rocklin Construction Noise Compatibility Guidelines, including restricting construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays and between 8:00 a.m. and 7:00 p.m. on weekends to the satisfaction of the Public Works Director or Building Official.

(Draft EIR, p. L-8.)

Significance After Mitigation

Less than significant. (Draft EIR, p. L-9.)

Impact M-5: Implementation of the Project can result in inadequate emergency access to open space portions of the site. (Draft EIR, p. M-11.)

Finding:

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

Explanation:

The project site is currently undeveloped with the exception of several dirt roads on the western side of the project site, and no emergency access is currently provided to any of the open space areas. A residential neighborhood borders the open space area on the western side of the project site across Secret Ravine Creek. Implementation of the Project will result in the extension of Monument Springs Drive through an unincorporated area of Placer County to the project site. Several interior roads will provide access internally. A paved public trail will also be constructed in the open space portion of the site that is adjacent to Secret Ravine Creek, and will provide emergency vehicle access to the open space area. In addition, the project includes two roadways that will provide access offsite to the east and west to eventually connect to future planned development. Therefore, when compared with existing conditions, implementation of the project will improve overall emergency access to the site and will reduce the amount of open space areas where emergency access is limited. However, there will still be open space parcels incorporated into the project and access for fire suppression may be needed. Implementation of MMM-5 will ensure that adequate emergency access is provided to all open space areas and will reduce this impact to a less-than-significant level. (Draft EIR, pp. M-11, M-12.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

MMM-5 Adequate emergency vehicle access shall be provided to open space areas as required by the Rocklin Fire Department (e.g., creation of easements). This issue shall be addressed prior to approval of the tentative map and be implemented with the improvement plans for the project. If a Final Map is recorded and security obtained that provides adequate emergency vehicle access to the open space areas from adjacent developments, this requirement will no longer be necessary. (Draft EIR, p. M-11.)

Significance After Mitigation

Less than significant. (Draft EIR, p. M-11.)

Impact M-6: The Project can result in residential development on terrain where slopes reduce acceptable fire access for suppression activities. (Draft EIR, p. M-12.)

Finding:

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

Explanation:

Although the majority of new development within the project site will occur on terrain that is level or of mild topography, portions will be in areas where slope and lack of direct access will potentially contribute to extended response times, which leads to the inability for timely containment of any active fire. The following mitigation measure will ensure rapid acknowledgment and intervention of a fire, while providing sufficient evacuation time of all occupants. This measure is expected to mitigate specific fire and life safety impacts to less-than-significant levels. (Draft EIR, p. M-12.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

MMM-6 Where residential dwellings are developed, all portions of the exterior first floor shall be within 150 feet of the public right-of-way. Structures not capable of meeting this requirement shall be considered a special hazard and fire sprinkler systems shall be installed. This mitigation measure shall be implemented at the time of approval of the Building Permits. (Draft EIR, p. M-12.)

Significance After Mitigation

Less than significant. (Draft EIR, p M-12.)

Impact N-6: The Project will increase demand for wastewater conveyance. (Draft EIR, p. N-13.)

Finding:

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

Explanation:

The Project will increase average wastewater flows in the SPMUD's collection system by approximately 47,600 gpd or 0.047 mgd. Peak daily wastewater flows will average 0.108 mgd. (Draft EIR, p. N-13.)

There is currently a sewer trunk line that runs adjacent to Secret Ravine Creek through the project site. A sewer lateral directly from the trunk line currently serves the existing single family residence located on a parcel surrounded by the project site. That sewer lateral will be abandoned as part of the Project and the residence will be connected to the new sewage system that will serve the Project. The new sewage system will tie into the existing trunk line along Secret Ravine Creek. (Final EIR, p. N-1.)

There is an existing temporary lift station located at the intersection of Monument Springs Drive and Hidden Glen Drive. SPMUD has indicated that, as the bridge is being constructed across Secret Ravine Creek, the temporary lift station will be abandoned and a gravity sewer line constructed alongside the bridge tying into the existing sewer trunk line on the site. According to SPMUD, there is adequate capacity in the existing conveyance facilities to serve the additional 0.047 mgd generated by the Project. (Final EIR, p. N-1.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impact at the project site:

NMM-6 The project applicant shall work with SPMUD, Placer County, and the City of Rocklin to incorporate a sewer crossing within the Monument Springs Bridge. (Draft EIR, p. N-13.)

Significance After Mitigation

Less than significant. (Draft EIR, p. N-13.)

Impact O-1: Implementation of the Project can damage or destroy unidentified historic and/or prehistoric resources. (Draft EIR, p. O-12.)

Finding:

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

Explanation:

No state or federal inventories have listed historic properties within the project site; however, there are three identified prehistoric resources, CA-PLA-668, CA-PLA-671 and CA-PLA-670, that Placer Legacy determined can be eligible for the NRHP. CA-PLA-671 was further excavated and a determination was made that the site had revealed as much information as is available and no further consideration is warranted. CA-PLA-670 is the Boardman Canal. Please see the discussion below of Impact O-2 for impacts related to CA-PLA-688 on the project site. In addition to the known resources on the project site, the site can also contain unidentified resources. Excavation and grading activities during project construction can damage or disturb any undiscovered subsurface historic or

archaeological resources. CEQA Guidelines section 15064.5, reflecting state statutory law, sets forth clear requirements regarding what steps should be taken where, during construction, a landowner or developer accidentally discovers either archaeological resources or human remains. (See also Pub. Resources Code, §§ 15097.98, 21083.2.) Mitigation Measures OMM-1(a) and OMM-1(b), to which the applicant has voluntarily assented, go well beyond these requirements in order to accommodate the wishes of the United Auburn Indian Community of the Auburn Rancheria ("Indian Community"). State law will not necessarily require the project applicant to do any of the following: guarantee the preservation of any and all Native American artifacts or sites discovered during construction; notify the Indian Community directly of any discovered human remains; or require the applicant to allow the Indian Community to take custody, if legally permissible, of any remains and associated grave goods identified as being associated with the historic United Auburn Indian Community. Even so, the project applicant has agreed to all of those steps as an accommodation to the Indian Community. Mitigation Measure OMM-1(a) and (b) will ensure that if the project applicant discovered any unknown resources during project construction the appropriate entities will be contacted. (Draft EIR, pp. O-14, O-15.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

- OMM-1(a) If, during construction outside of the areas designated as CA-PLA-668 and CA-PLA-671, the project applicant, any successor in interest, or any agents or contractors of the applicant or successor discovers a cultural resource that can qualify as either an historical resource or a unique archaeological resource, work shall immediately stop within 100 feet of the find, and both the City of Rocklin and the United Auburn Indian Community of the Auburn Rancheria ("Indian Community") shall be immediately notified. Work within the area surrounding the find (i.e., an area created by a 100-foot radius emanating from the location of the find) shall remain suspended while a qualified archaeologist, retained at the applicant's expense, conducts an onsite evaluation, develops an opinion as to whether the resource qualifies as either an historical resource or an unique archaeological resource, and makes recommendations regarding the possible implementation of avoidance measures or other appropriate mitigation measures. Based on such recommendations, as well as any input obtained from the Indian Community within 72 hours (excluding weekends and State and federal holidays) of its receipt of notice regarding the find, the City shall determine what mitigation is appropriate. At a minimum, any Native American artifacts shall be respectfully treated and offered to the Indian Community for permanent storage or donation, at the Indian Community's discretion, and any Native American sites, such as grinding rocks, shall be respectfully treated and preserved intact. In

considering whether to impose any more stringent mitigation measures, the City shall consider the potential cost to the applicant and any implications that additional mitigation may have for project design and feasibility. Where a discovered cultural resource is neither a Native American artifact, a Native American site, a historical resource, nor a unique archaeological resource, the City shall not require any additional mitigation, consistent with the policies set forth in Public Resources Code sections 21083.2 and 21084.1.

OMM-1(b) If, during construction outside of the areas designated as CA-PLA-668 and CA-PLA-671, the applicant, any successor in interest, or any agents or contractors of the project applicant or successor discovers any human remains, the following steps should be taken:

(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

(A) The project applicant or its successor in interest contacts the Placer County Coroner so that Coroner can determine whether any investigation of the cause of death is required, and

(B) If the Coroner determines the remains to be Native American:

1. The Coroner shall contact the Native American Heritage Commission within 24 hours (excluding weekends and State and federal holidays).

2. After hearing from the Coroner, the project applicant or its successor in interest shall immediately notify the City of Rocklin and the United Auburn Indian Community of the Auburn Rancheria ("Indian Community") of the Coroner's determination, and shall provide the Indian Community the opportunity, within 72 hours (excluding weekends and State and federal holidays) thereafter, to identify the most likely descendant.

3. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

4. The most likely descendent, as identified by either the Native American Heritage Commission or the Indian Community, may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

(2) Subject to the terms of paragraph (3) below, where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours (excluding weekends and State and federal holidays) after being notified by the Commission.

(B) The Indian Community is unable to identify a most likely descendent, or the most likely descendant identified by the Indian Community failed to make a recommendation within 72 hours (excluding weekends and State and federal holidays) after the project applicant or its successor notified the Indian Community of the discovery of human remains; or

(C) The landowner or its authorized representative rejects the recommendation of the descendant identified by the Commission, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(3) In the event that the Coroner determines that the remains are Native American in origin, and the Native American Heritage Commission and the Indian Community agree that the remains are of a person associated with the historic United Auburn Indian Community, the project applicant or its successor, if permitted by state law, shall provide the remains and any associated grave goods to the Indian Community with the understanding that the Indian Community will provide for burial with appropriate dignity at an appropriate location that will not be subject to future disturbance.

(Draft EIR, pp. O-12, O-13, O-14.)

Significance After Mitigation

Less than significant. (Draft EIR, p. O-14.)

Impact O-2: Implementation of the Project can damage or destroy prehistoric resource CA-PLA-668. (Draft EIR, p. O-15.)

Finding:

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

Explanation:

The various studies referenced in the final EIR found that, although CA-PLA-671 has already yielded enough information to permit disturbance there without further mitigation, CA-PLA-668 remains important because, despite the extensive excavations that have occurred to date, the site has the potential to provide still further information that can contribute to an improved understanding of regional prehistory. Its potential eligibility for listing on the National Register of Historical Places arises solely due to that informational potential. Because the careful excavation of CA-PLA-668 has the potential to reveal to trained cultural resource specialists the information now present in the soils at that site, excavation is preferable to leaving the site untouched by development. Although avoidance of archaeological resources may be a favored form of mitigation where such resources have intrinsic values that are best left untouched, here a careful excavation process is the only means to obtain from the site the information it may still yield. Avoidance will only leave that same sort of excavation process for another day. Because the Granite Lake Estates project applicant, as opposed to some unknown future entity, can be required to fund such excavation as part of the project construction process, and because the existing (March 1999) MOA between USACE, the California State Historic Preservation Officer, and the (federal) Advisory Council on Historic Preservation already requires a very careful approach to excavation, the City concludes that implementation of

the 1997 Data Recovery Plan will fully satisfy the City's CEQA obligations, in addition to the Corps' obligations pursuant to the National Historic Preservation Act. (Draft EIR, p. O-16.)

Notably, the United Auburn Indian Community of the Auburn Rancheria ("Indian Community") has reviewed the 1997 Data Recovery Plan and has informed the City of his view that, with three additions set forth in Mitigation Measures OMM-2(b), OMM-2(c), and OMM-2(e), the Plan will adequately protect the cultural resources found in CA-PLA-668 and CA-PLA-671. These additions require the following:

- (i) the presence during excavation and construction of a monitor from the Indian Community;
- (ii) the preservation of a single grinding stone located within CA-PLA-668; and
- (iii) notification to the Indian Community 30 days in advance of road construction on CA-PLA-668.

(Draft EIR, p. O-17.)

Compliance with these measures will ensure that any resources found will be preserved according to the wishes of the tribe. This will reduce the significance of the impact to a less-than-significant level. (Draft EIR, p. O-17.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

OMM-2(a) The project applicant shall implement the terms set forth in a June 1997 document entitled, "Archaeological Data Recovery Program, CA-PLA-668 and CA-PLA-671, Granite Lake Estates Development, Rocklin, California" ("1997 Data Recovery Plan"). This document identifies specific research questions to be addressed through data recovery and provides for excavation and processing techniques that will ensure a thorough analysis of subsurface materials at CA-PLA-668.

OMM-2(b) A member of the United Auburn Indian Community of the Auburn Rancheria ("Indian Community") shall be present on-site during excavation of CA-PLA-668 and CA-PLA-671 in order to observe implementation of the Data Recovery Plan, and during subsequent construction on those two sites. Such monitor will be able to communicate to the Indian Community if any human remains or notable artifacts are discovered during excavation. In the event that any human remains are

discovered during excavation, the project applicant or its successor shall follow the procedure outlined in Mitigation Measure OMM-1(b).

- OMM-2(c) The project applicant shall preserve within CA-PLA-668 a large grinding stone ("site") identified by a representative of the Indian Community as being worthy of preservation, and shall record a deed restriction for that site, in the name of the Indian Community, requiring the preservation of the site. This deed restriction shall run with the land, and shall bind all successors in interest. In order to avoid disclosing the exact location of that grinding stone, and thus subjecting it to the danger of vandalism, the precise location of the stone shall not be revealed to the public.
- OMM-2(d) In the event that project construction activities commence on some portions of the Granite Lake Estates property prior to completion of data recovery activities mandated by the 1997 Data Recovery Plan, the project applicant shall erect a fence around CA-PLA-668 to ensure that construction activities do not harm CA-PLA-668 prior to completion of mandated data recovery activities.
- OMM-2(e) The project applicant or its successor shall notify the Tribal Historic Preservation Committee of the Indian Community 30 days prior to the construction of the proposed roadway through CA-PLA-668.

(Draft EIR, pp. O-15, O-16.)

Significance After Mitigation

Less than significant. (Draft EIR, p. O-16.)

Impact O-3: Construction of offsite infrastructure can damage or destroy undiscovered archeological and/or historic resources. (Draft EIR, p. O-17.)

Finding:

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

Explanation:

The Project will require the construction of offsite infrastructure, specifically the extension of Monument Springs Road to connect to China Garden Road, north of the project site. There is the potential for subsurface cultural resources to exist in this area and be discovered during construction activities. (Draft EIR, p. O-17.)

Pacific Legacy completed a cultural records search for this area in September 1998, along with a field survey, which involved walking the proposed roadway corridor in tightly spaced transects. Based on the records search, two previously recorded sites (CA-PLA-674 and CA-PLA-671) were identified as having the potential for being on a portion of the proposed roadway corridor. After the field survey, it was determined that only one previously recorded site (CA-PLA-674) was on a portion of the project site and will be affected by development of the roadway. Pacific Legacy identified the presence of various features including bedrock-milling features in this area. A portion of site CA-PLA-674 was previously evaluated by Peak & Associates in 1991 for a roadway project associated with the Secret Ravine Villages project. Peak & Associates conducted test excavations in this area and determined that the site contained low quantities of cultural resources and that the site lacked any further research potential. (Draft EIR, pp. O-17, O-18.)

Given that the Peak & Associates conducted test excavations on a portion of the site and did not identify the site as having the potential to yield additional resources, Pacific Legacy did not recommend further archaeological testing in this area in their report. No subsurface resources are present that can be damaged or destroyed by grading and/or construction activities. Compliance with Mitigation Measure OMM1(a) and (b) will ensure that proper procedures are followed if any resources are uncovered during project construction. (Draft EIR, p. O-18.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

OMM-3 Implement Mitigation Measure OMM-1(a) and (b). (Draft EIR, p. O-17.)

Significance After Mitigation

Less than significant. (Draft EIR, p. O-17.)

Impact P-2: Development of the project site can expose construction workers and the public to contaminated soil and/or groundwater. (Draft EIR, p. P-10.)

Finding:

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

Explanation:

The project site is currently undeveloped with the exception of a single residence, which will remain in its place during and after construction of the Project. (Draft EIR, p. P-11.)

Although the Phase I Environmental Site Assessment, through review of historical information and reconnaissance of the project site, did not reveal any evidence that hazardous waste use or disposal had occurred, there is the potential that hazardous materials may have been buried or disposed on the project site in the past and were unobservable during the site reconnaissance. For purposes of this analysis, it is conservatively assumed that there is the potential, although small, for soil or groundwater contamination to be present at the project site. Unknown contaminated soils can be disturbed or released to the environment through earth-moving activities associated with construction. If unknown contaminants in soil have migrated to shallow or perched groundwater, natural seepage or dewatering for underground utility line installation or other subsurface work can draw contaminated water into the trench or excavation. (Draft EIR, p. P-11.)

The extent to which any of these activities can expose construction workers or current or future on-site or off-site populations or the environment to a hazardous situation, if any, will depend on the following: the physical, chemical, and toxicological properties of the material(s) present; the type and extent of contamination; the type of construction activity and the pathway through which the release occurred (e.g., inhalation or skin contact); and the characteristics of the individual(s) exposed to the hazard. By complying with the mitigation measures, however, the potential hazards associated with unknown site contamination will be considered less-than-significant impacts. (Draft EIR, p. P-11.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

- PMM-2(a) If evidence of soil contamination, such as stained soil, or other evidence of hazardous materials is encountered during construction activities, work shall cease until an environmental professional, retained at the developer's expense, has evaluated the situation and identified necessary and appropriate follow-up actions. As part of this process, the City shall ensure that any necessary investigation or remediation activities conducted in the project area are coordinated with the Placer County Division of Environmental Health and, if needed, other appropriate state agencies.
- PMM-2(b) If, during construction, groundwater is encountered and dewatering is necessary, the water shall be analyzed by an environmental professional, retained at the developer's expense, to determine if the water contains elevated levels of contaminants that can present a risk to construction workers and to identify appropriate disposal methods prior to removal. Work shall not continue until results of the water analyses have been reported and the Placer County Division of Environmental Health has been informed and provided guidance.

(Draft EIR, p. P-10.)

Significance After Mitigation

Less than significant. (Draft EIR, p. P-10.)

Impact P-3: Development of the Project will occur around two granite quarries, potentially exposing the public and the environment to physical hazards. (Draft EIR, p. P-11.)

Finding:

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

Explanation:

The Phase I Environmental Site Assessment prepared for the project site did not reveal any "recognized environmental conditions" associated with the historical operations at the abandoned granite quarries that will create an environmental or health concern during construction or occupation of the Project. In addition, a water sample was collected from the larger of the two quarries and was analyzed for over 200 organic compounds and 23 inorganic compounds; none of the detected compounds exceeded any health-based or enforceable drinking water standards. Therefore, based on the conclusions presented in the Phase I Environmental Site Assessment, there are no known chemical hazards present at the quarry. (Draft EIR, pp. P-11, P-12.)

The reported use of the two on-site quarries has been the extraction of dioritic bedrock (granite), the process for which does not require the use of chemicals. However, the quarries can attract curious individuals, thereby exposing them to unknown physical hazards. Physical hazards can vary greatly and are the most common source of death and injury at former mining operations. The risk of injury is greatest for people who are usually unaware of the potential dangers. Domestic animals (pets, for example) can also be attracted to the quarries and can be harmed. Physical hazards at a quarry can include weak or fractured rock that may break loose suddenly, falling rocks, unstable ground, or discarded and buried explosives. In addition, the depth water at the larger quarry was determined to vary between 14 and more than 50 feet, which is of sufficient depth to result in drowning accidents. Although obvious physical hazards exist at the former quarry, compliance with the above-mentioned mitigation measure will reduce this impact to a less-than-significant level. (Draft EIR, p. P-12.)

Mitigation Measures:

The following mitigation measure will substantially reduce the impacts at the project site:

PMM-3 Prior to site development, safety measures, such as fencing and warning signs, shall be constructed and placed around the quarries to prevent unauthorized access. (Draft EIR, p. P-11.)

Significance After Mitigation

Less than significant. (Draft EIR, p. P-11.)

Impact P-5: Implementation of the Project can increase the potential for wildland fires. (Draft EIR, p. P-13.)

Finding:

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

Explanation:

The project site is currently covered with grasslands and oak trees that are highly combustible native vegetation, especially during the dry season from May to October. Large groves of oaks are found in the ravines on the project site, which can be extremely fast conductors of flames. In general, the oak-covered ravines and highly vegetated areas of the project site have been incorporated into the open space areas of the Project. The open space areas can present a moderate to high fire hazard. In accordance with Rocklin Municipal Code, the Project will comply with Title 8, which will abate the amount of nuisance weeds in open spaces that can help spread wildfires. (Draft EIR, pp. P-13, P-14.)

Since all of the proposed residences on the project site will be constructed in accordance with the Uniform Fire Code as part of its building regulations, and lawns and landscaping throughout the development will generally be irrigated, the potential for wildland fires will be reduced when compared to existing conditions. (Draft EIR, p. P-14.)

Implementation of the second phase of the Project will result in the extension of Monument Springs Drive onto the project site, as well as several interior roads that will provide access internally. A paved public trail will also be constructed in the portion of the site that is adjacent to Secret Ravine Creek. (Draft EIR, p. P-14.)

In addition, the project includes two roadways that will provide access off-site to the east and west to eventually connect to future planned development. If necessary, the project will also include ten-foot wide temporary emergency fire access easements. One easement will run from the southeastern project boundary to the southwestern project boundary and connect to an existing 30-foot roadway on the southeast portion of the site to provide for emergency fire access along the south and southeast boundaries. Another easement will run parallel to the easterly property on the northeastern portion of the site. Therefore,

when compared with existing conditions, implementation of the project will improve emergency access to the site and will reduce the amount of open space areas where emergency access is limited. Also, development of a previously undeveloped area will provide additional firebreaks (roads) and will provide new water sources to use in firefighting. Implementation of MMM-5 will ensure that adequate emergency vehicle access is provided to remaining open space parcels within the development. Implementation of PMM-5 will ensure that vegetation within the open space areas is properly managed to reduce wildland fire hazard risks to less-than-significant levels. The addition of public utilities to the project site is also expected to mitigate project specific fire safety impacts. (Draft EIR, p. P-14.)

Mitigation Measures:

The following mitigation measures will substantially reduce the impacts at the project site:

PMM-5(a) An open space management plan shall be prepared by the project applicant and approved by the City prior to recording of any final maps for the project. The Open Space Management Plan shall include a Fuels Modification Plan, which addresses the following:

- The removed brush and trees (under 6-inches diameter at breast height) within all fuel breaks should be chipped.
- All undeveloped lots shall be subject to the City's Weed Abatement Program and follow established guidelines for fuel modifications.
- Access points should be developed for open space areas, and the fuel break should have emergency vehicle access through the entire area.

Implementation of the Open Space Management Plan must be carried out by the Homeowners Association within all open space parcels that are not dedicated to the City.

PMM-5(b) Implement Mitigation Measure MMM-5.

(Draft EIR, p. P-13.)

Significance After Mitigation

Less than significant. (Draft EIR, p. P-13.)