

## CEQA FINDINGS FOR AN ENVIRONMENTAL IMPACT REPORT

### CALIFORNIA DEPARTMENT OF WATER RESOURCES CEQA RESPONSIBLE AGENCY FINDINGS CITY OF ROSEVILLE AQUIFER STORAGE AND RECOVERY PROJECT FOR CAMPUS OAKS WELL

#### I. ENVIRONMENTAL REVIEW PROCESS

The California Department of Water Resources (“Department”), as a Responsible Agency under the California Environmental Quality Act (“CEQA”), makes the following findings with regard to the application submitted by the City of Roseville (City) for state funding for a portion of the costs of constructing the Campus Oaks Well (Well 13) Project (Project). The City, as the Lead Agency under CEQA, prepared and certified an Environmental Impact Report (EIR) for the Project. In March 2012, the City (SCH # 2009072018) filed a Notice of Determination (“NOD”).

The Project consists of the construction and operation of a groundwater recharge and municipal water supply combined well and pump station within the service area of the City. The Project and potential environmental effects as a result of the Project are described in the EIR completed by the City. This well was planned for and covered by the 2012 EIR and has yet to be constructed. A Supplemental EIR was not necessary for this Project.

The Department, as a Responsible Agency under CEQA, has reviewed and considered the documentation prepared by the City, the Lead Agency. The Department has carefully considered the environmental effects of the Project and has reached its own independent conclusion on whether and how to approve the provision of state funding for the costs of constructing the Project.

The Department’s role in the Project would be to provide funding to the City pursuant to a Funding Agreement (# 4600015463) for the Project’s construction costs. The Department has no police power authority over the Project, and it has no authority over the Project as a permitting or regulatory agency.

Based on its independent review of the Project, the Department makes the following findings.

#### II. SIGNIFICANT ADVERSE IMPACTS THAT ARE REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL BY MITIGATION MEASURES

The relevant impacts and mitigation measures, which are discussed more fully in the Project EIR and the associated CEQA Findings which are incorporated by reference, are briefly listed below:

1. Special-status Species
  - a. Construction and drilling activities have the potential to significantly impact nesting birds, including protected species such as Swainson’s hawk (*Buteo swainsoni*). To mitigate these effects, all construction will be conducted outside the nesting bird season if able. If construction occurs during the nesting bird season, pre-construction surveys will be conducted within 14 days before the start of construction within 500-feet of the project area. Protocol surveys for Swainson’s hawk will be conducted within a 0.5-mile radius of the project area if construction occurs between February 15 and September 15. If any nests are

found, buffers of 50-feet will be put in place for nesting birds, and 0.25-miles for Swainson's hawk, within which no construction activities will occur until chicks have left the nest.

According to the EIR, evaluation of environmental effects determined that the proposed action could have effects on noise and special-status species, but with implementation of mitigation, effects to those resources would be reduced to less-than-significant levels. Based on the Department's independent judgment and analysis, the Department concurs in the determination by the City that there is no substantial evidence that the Project would have a significant effect on the environment.

### III. SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

The Project will result in significant and unavoidable temporary impacts to noise from construction activities.

Based on an independent review, the Department, as a responsible agency, agrees with the analysis conducted by the City that these impacts are significant and unavoidable.

Based on the Department's independent judgement and analysis, the Department concurs with the determination by the City of Roseville that the measures proposed to mitigate the significant and unavoidable adverse noise impacts are sufficient.

### IV. ALTERNATIVES

In preparing and adopting findings, a lead agency need not necessarily address the feasibility of both mitigation measures and environmentally friendly superior alternatives when contemplating the approval of a project with significant environmental impacts. Where the significant impacts can be mitigated to a level of insignificance solely by the adoption of mitigation measures, the lead agency has no obligation in drafting its findings to consider the feasibility of environmentally superior alternatives, even if the impacts would be less severe than those of the project as mitigated. Accordingly, in adopting the findings concerning alternatives for the proposed project, the Department considers only those significant environmental impacts that cannot be avoided or substantially lessened through mitigation.

Accordingly, the Final EIR analyzed one alternative to the Project. The No Project Alternative does not represent a feasible approach to completing this Project. In the Final EIR, mitigation measures are proposed to help mitigate the significant and unavoidable impacts, however these measures cannot reduce the impacts to a less-than-significant level.

### V. STATEMENT OF OVERRIDING CONSIDERATIONS

In approving the Project, the Department having reviewed and considered the information contained in the Final EIR regarding the specific reasons to support its approval of the Project notwithstanding the existence of the significant and unavoidable adverse temporary noise impacts that will occur from construction of the Project, makes and adopts this Statement of Overriding Considerations by which the Department, after balancing the economic, legal, and social benefits of the Project, against the

significant and unavoidable adverse temporary noise impacts, determines that the benefits of the Project outweigh the significant and unavoidable adverse temporary noise impacts.

VI. NO SUPPLEMENTAL OR SUBSEQUENT ENVIRONMENTAL REVIEW IS REQUIRED

The City, in March 2012 prepared an EIR to evaluate the Project for the potential to impact the environment. Based on the Department's independent review, the Department concurs in the determination made by the City.

The Department finds that no supplemental or subsequent environmental review is required. In particular, the Department finds that there are no substantial changes in the Project, no substantial changes in the circumstances surrounding the Project, and no new information of substantial importance, which gives rise to a new significant environmental impact or otherwise triggers the need for additional CEQA review under Section 21166 of the Public Resources Code and Section 15162 of the CEQA guidelines.

VII. ADOPTION OF FINDINGS BY THE DEPARTMENT

The Department hereby formally adopts the findings set forth herein.

Date

7/22/2024

Steve Rothert  
Title: Division Manager

Signature

*Bryan Brock*  
Bryan Brock  
acting for  
Steve Rothert