



**COMMUNITY DEVELOPMENT/RESOURCE AGENCY  
ENVIRONMENTAL COORDINATION SERVICES**  
County of Placer

**NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Mitigated Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

**PROJECT:** McCourtney Minor Land Division (PLN21-00208)

**PROJECT DESCRIPTION:** Subdivision of an 80.9-acre parcel into four parcels consisting of 21.3 acres, 20.0 acres, 19.2 acres, and 20.4 acres

**PROJECT LOCATION:** 2086 McCourtney Road, Lincoln, Placer County

**APPLICANT:** Morton & Pitalo, Inc., Ken Topper

The comment period for this document closes on May 31, 2022. A copy of the Mitigated Negative Declaration is available for public review at the County's web site:

<https://www.placer.ca.gov/2826/Negative-Declarations>

A copy of the Mitigated Negative Declaration is available for public review at the Community Development Resource Agency public counter, and at the Lincoln Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Parcel Review Committee. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm. Comments may be sent to [cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov) or 3091 County Center Drive, Suite 190, Auburn, CA 95603.

Delivered to 300' Property Owners on May 2, 2022



**COMMUNITY DEVELOPMENT/RESOURCE AGENCY**  
**Environmental Coordination Services**  
County of Placer

**MITIGATED NEGATIVE DECLARATION**

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.
- Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

**PROJECT INFORMATION**

Title: McCourtney Road Minor Land Division and Variance	Project # PLN21-00208
Description: Subdivision of an 80.9-acre parcel into four parcels consisting of 21.3 acres, 20.0 acres, 19.2 acres, and 20.4 acres and a variance to the southern property line of proposed parcel 1 to allow for a reduced rear setback of 11 feet where 30 feet is normally required.	
Location: 2086 McCourtney Road, Lincoln, Placer County.	
Project Owner: Lincoln Land and Livestock, LLC / David Miller	
Project Applicant: Morton & Pitalo, Inc. / Ken Topper	
County Contact Person: Shirlee I. Herrington	530-745-3132

**PUBLIC NOTICE**

The comment period for this document closes on **May 31, 2022**. A copy of the Mitigated Negative Declaration is available for public review at the County's web site (<https://www.placer.ca.gov/2826/Negative-Declarations>), Community Development Resource Agency public counter, and at the Lincoln Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming meeting before the **Parcel Review Committee**. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.



**COMMUNITY DEVELOPMENT/RESOURCE AGENCY**  
**Environmental Coordination Services**  
 County of Placer

# INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section D) and site-specific studies (see Section J) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an Environmental Impact Report (EIR), use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

Project Title: McCourtney Road Minor Land Division and Variance	Project # PLN21-00208
Entitlement(s): Minor Land Division, Variance	
Site Area: 80.9 acres	APN: 021-190-005-000
Location: 2086 McCourtney Road, Lincoln, Placer County.	

**A. BACKGROUND:**

**Project Description:**

The project proposes a minor land division in order to subdivide an 80.9-acre parcel into four parcels consisting of 21.3 acres (Parcel 1), 20.0 acres (Parcel 2), 19.2 acres (Parcel 3), and 20.4 acres (Parcel 4). The proposed Parcel 1 includes several livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn and is accessed from driveways off of McCourtney Road and Fruitvale Road. Proposed Parcel 2 includes an existing primary residence and a portable storage building and is accessed from McCourtney Road. Proposed Parcel 3 includes an existing modular home, and Proposed Parcel 4 is undeveloped, and both are accessed from Fruitvale Road. Each lot would have individual onsite septic disposal systems for sewer service and individual private water wells for domestic water service. All development is required to comply with Placer County development standards including the Land Development Manual, Zoning Ordinance, and California Building Codes.

A proposed Minor Boundary Line Adjustment (MBLA) is currently in staff review for processing as a separate permit (PLN22-00083) prior to approval of this project. The MBLA is for the east property line of Parcel 4. The property line lies east of the existing fence line and currently encroaches into the adjacent property (APN 021-190-029-000) to the west by approximately 0.1 feet on the north end and 11.7 feet on the south end. The MBLA would adjust the property line to match the fence line.

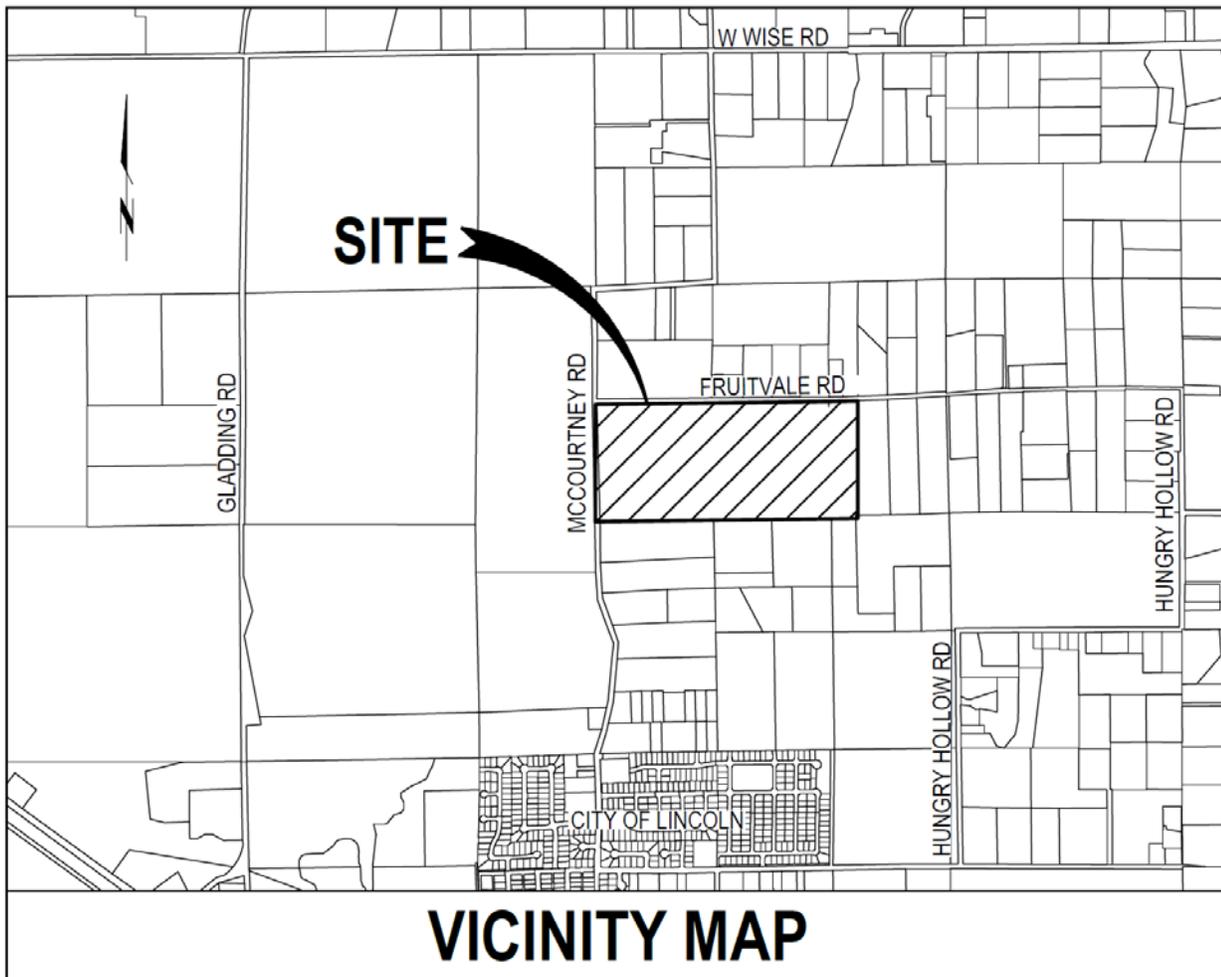
The project also includes a variance request to the southern property line of Parcel 1 to allow for a reduced rear

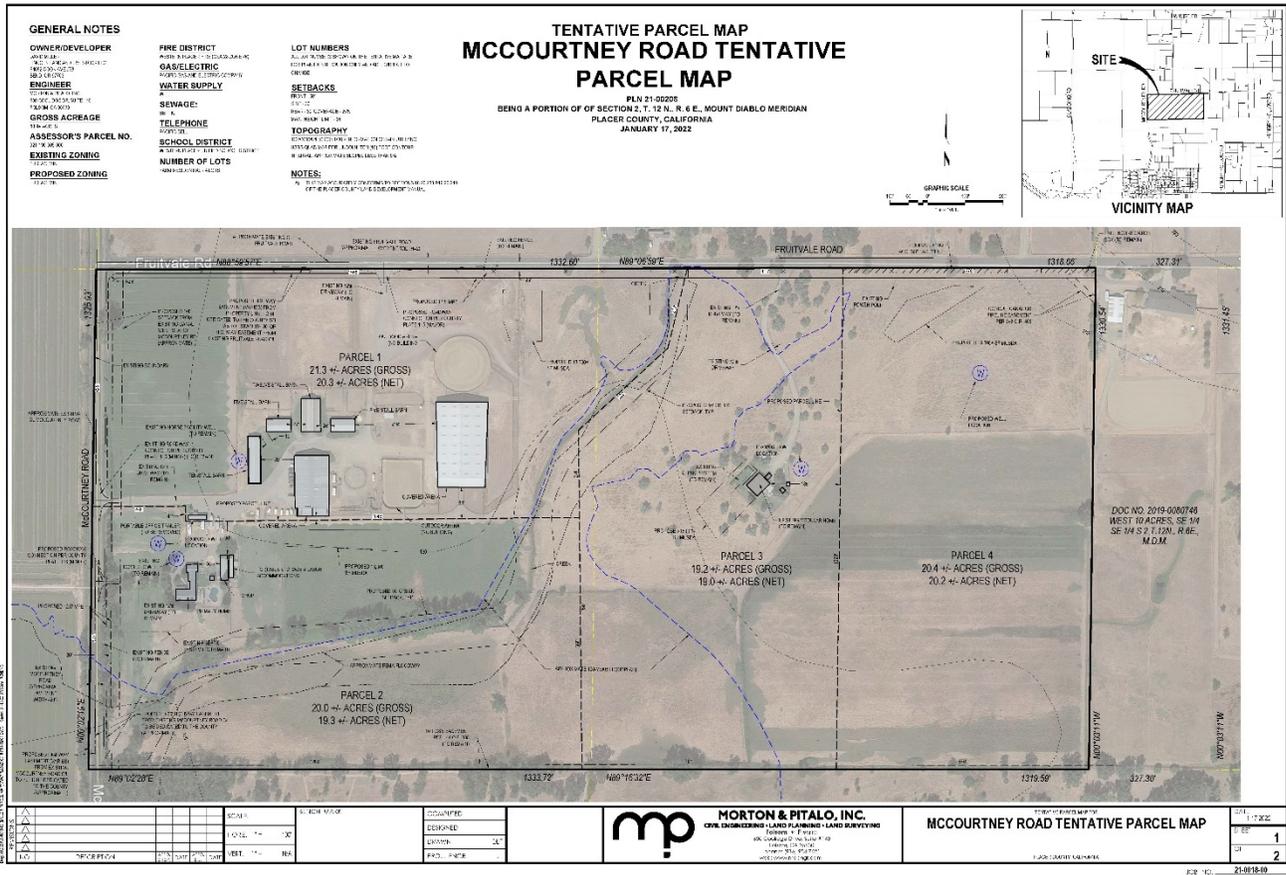
setback (south property line) of 11 feet where normally 30 feet is required to accommodate an existing covered arena structure.

**Project Site** (Background/Existing Setting):

The 80.9-acre parcel is zoned F 4.6 AC. MIN. (Farm 4.6 acre minimum). The project site is designated Rural Residential, 1- to 10-acre minimum. The proposed Parcel 1 includes an existing 12-foot-wide paved driveway that provides access to several livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn. Parcel 2 includes a paved driveway providing access to an existing primary residence which includes a portable storage building with laborer accommodations. Parcel 3 includes an unpaved driveway that provides access to an existing modular home. Parcel 4 is currently undeveloped. There are five existing water wells that serve the property. There are two wells (serving the existing primary residence and irrigation purposes) located on Parcel 2 and one well located on Parcel 1 that serves the livestock area and facilities. Parcel 3 includes a well serving the modular home and there is a well located on the undeveloped Parcel 4. Parcels 2 and 3 both include existing sewer septic systems to serve the residences. The property is surrounded by rural single-family residences and agricultural uses.

The topography of the project site is relatively flat terrain with a gentle slope to the southwest. Two drainage ditches traverse through the center (Parcels 1, 2, and 3) and southern boundary of the property (Parcels 2, 3, and 4). Vegetation is dominated by non-native grasses, with the exception of Valley Oak Woodland that occurs along a portion of the drainage ditch in Parcel 2. There is a scattered growth of olive trees in Parcel 3 that are a remnant of a former olive orchard. There is ornamental landscaping around the two existing residences on the property as well.





**B. Environmental Setting:**

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	F 4.6 AC. MIN. (Farm 4.6 acre minimum)	Rural Residential, 1-10-acre minimum	Single Family residential and livestock facilities
North	F 4.6 AC. MIN. (Farm 4.6 acre minimum)	Rural Residential, 1-10-acre minimum	existing agricultural and rural residential
South	F 4.6 AC. MIN. (Farm 4.6 acre minimum)	Rural Residential, 1-10-acre minimum	existing agricultural and rural residential
East	F 4.6 AC. MIN. (Farm 4.6 acre minimum)	Rural Residential, 1-10-acre minimum	existing agricultural and rural residential
West	F-SP 10 AC. MIN. (Farm combining Special Purpose, 10 acre minimum)	Agriculture/Timberland, 10-acre minimum	existing agricultural use

**C. NATIVE AMERICAN TRIBES:** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

*Pursuant to Assembly Bill 52 (Chapter 532, Statutes of 2014), consultation requests were sent to tribes traditionally and culturally affiliated with the project area on May 12, 2021. Email correspondence from the United Auburn Indian Community (UAIC) declining consultation was received on May 18, 2021.*

**NOTE:** Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project

proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

#### **D. PREVIOUS ENVIRONMENTAL DOCUMENT:**

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR

#### **E. EVALUATION OF ENVIRONMENTAL IMPACTS:**

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
  - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
  - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.

- ➔ **Mitigation measures** – For effects that are checked as “Less Than Significant with Mitigation Measures,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
  
- g) References to information sources for potential impacts (i.e., General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached, and other sources used, or individuals contacted, should be cited in the discussion.

**I. AESTHETICS** – Except as provided in Public Resources Code Section 21099, would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)				X
3. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

**Discussion Item I-1, 2:**

The subject property is not located within a scenic vista or a state scenic highway and as a result, will not have an adverse effect on scenic resources. Therefore, there is no impact.

**Discussion Item I-3, 4:**

The topography of the project site is essentially flat terrain with a gentle slope to the southwest. Two drainage ditches traverse through the center (Parcels 1, 2, and 3) and southern border of the property (Parcels 2, 3, and 4). Vegetation is dominated by non-native grasses, with the exception of Valley Oak Woodland that occurs along a portion of the drainage ditch in Parcel 2. There is a scattered growth of olive trees in Parcel 3 that is a remnant of a former olive orchard. There is ornamental landscaping around the two existing residences on the property as well. The project proposes to subdivide the existing parcel into four parcels. The proposed Parcel 1 includes several existing livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn. Proposed Parcel 2 includes an existing primary residence which includes a portable storage building with laborer accommodations, and proposed Parcel 3 includes an existing modular home. Proposed Parcel 4 is currently undeveloped and can accommodate future development of a single-family residence, similar the other proposed parcels that are already developed. The additional light or glare created by development of a residence would be considered negligible. While the construction of a new residence would modify the visual character and quality of the proposed parcel, such a change is considered less than significant considering the location of the parcel within an existing rural residential area and because the parcel is zoned to allow for residential development to occur along with agricultural activities and operations. No mitigation measures are required.

**II. AGRICULTURAL & FOREST RESOURCES** – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X

3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)				X
4. Result in the loss of forest land or conversion of forest land to non-forest use? (PLN)				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? (PLN)			X	
6. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X

**Discussion Item II-1, 2, 3, 4, 5, 6:**

The subject property is not considered Prime or Unique Farmland or Farmland of Statewide or Local Importance. The property is zoned Farm F 4.6 Ac Min (Farm 4.6 acre minimum) which allows for both residential and agricultural uses to occur simultaneously. Agricultural uses are subject to Placer County's "Right-to-Farm" ordinance, which serves as notification to adjoining landowners that agricultural operations are permitted within Placer County and are not to be considered a nuisance, providing the agricultural uses comply with existing County policies. The property is not enrolled in a Williamson Act contract. Rural single-family residences and agricultural uses are located to the north, east, and south of the project site, and agricultural uses are located to the west of the project site. The property includes several livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn, all of which will be located on the proposed Parcel 1. An existing primary residence which includes a portable storage building with labor accommodations is located on Parcel 2. Parcel 3 includes an existing modular home. Parcel 4 is currently undeveloped but can accommodate future development of a single-family residence, similar to the other proposed parcels that are already developed. Given the limited potential for new residential development on the property, impacts are considered less than significant. No mitigation measures are required.

**III. AIR QUALITY – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (AQ)			X	
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (AQ)			X	
3. Expose sensitive receptors to substantial pollutant concentrations? (AQ)			X	
4. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? (AQ)			X	

**Discussion Item III-1, 2:**

The proposed project is located within the Sacramento Valley Air Basin (SVAB) portion of Placer County and is under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The SVAB is designated non-attainment for the federal and state ozone standards (ROG and NOx), and nonattainment for the state particulate matter standard (PM10). The project proposes a minor land division in order to subdivide an 80.9-acre parcel into four parcels consisting of 21.3 acres (Parcel 1), 20.0 acres (Parcel 2), 19.2 acres (Parcel 3), and 20.4 acres (Parcel 4). The proposed Parcel 1 includes several livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn and is accessed from driveways off of McCourtney Road and Fruitvale Road. Parcel 2 includes an existing primary residence and a portable storage building and is

accessed from McCourtney Road. Parcel 3, which includes an existing modular home, and the undeveloped Parcel 4 are both accessed from Fruitvale Road. There is no proposed construction associated with this project. However, if the property is developed to its full residential density potential, four single family residences and four secondary dwelling units could be developed. Construction would include grading and paving operations for road encroachment improvements. The area of disturbance for these improvements would be anticipated to be relatively minor.

A project would not conflict with or obstruct the implementation of the regional air quality plan, if the project emissions were anticipated within the emission inventory contained in the regional air quality plan, referred to as the State Implementation Plan (SIP), and would not exceed the PCAPCD CEQA thresholds adopted October 13, 2016, as follows:

#### PCAPCD CEQA THRESHOLDS FOR CRITERIA POLLUTANT EMISSIONS

- 1) Construction Threshold of 82 pounds per day for Reactive Organic Gases (ROG), Oxides of Nitrogen (NOx), and particulate matter smaller than 10 microns (PM10);
- 2) Operational Threshold of 55 pounds per day for ROG, NOx and 82 pounds per day for PM10; and
- 3) Cumulative Threshold of 55 pounds per day for ROG, NOx and 82 pounds per day for PM10.

The daily maximum emission thresholds represent an emission level below which the project's contribution to criteria pollutant emissions would be deemed less than significant. This level of operational emissions would be equivalent to a project size of approximately 617 single-family dwelling units, or a 249,100 square foot commercial building.

During construction of the proposed project, various types of equipment and vehicles would temporarily operate. Construction exhaust emissions would be generated from construction equipment, earth movement activities, construction workers' commute, and construction material hauling. No demolition or clearing of vegetation would occur. The project related long-term operational emissions would result from vehicle exhaust, utility usage, and water/wastewater conveyance. Project construction and operational activities would generate air pollutant emissions of criteria pollutants, including ROG, NOx, and PM10.

The proposed project would result in an increase in regional and local emissions from construction of the project but would be below the PCAPCD's thresholds. In order to reduce construction related emissions, the proposed project would be conditioned to list the PCAPCD's Rules and Regulations associated grading/improvement plans.

- Rule 202—Visible Emissions. Requires that opacity emissions from any emission source not exceed 20 percent for more than three minutes in any one hour.
- Rule 217—Cutback and Emulsified Asphalt Paving Materials. Prohibits the use of the following asphalt materials for road paving: rapid cure cutback asphalt; slow cure cutback asphalt; medium cure cutback asphalt; or emulsified asphalt.
- Rule 218—Application of Architectural Coatings. Requires architectural coatings to meet various volatile organic compound (VOC) content limits.
- Rule 225—Wood Burning Applications. Limits emissions of particulate matter entering the atmosphere from the operation of a wood burning appliance.
- Rule 228—Fugitive Dust.
  - Visible emissions are not allowed beyond the project boundary line.
  - Visible emissions may not have opacity of greater than 40 percent at any time.
  - Track-out must be minimized from paved public roadways.

With compliance with APCD Rules and Regulations, impacts related to short-term construction-related emissions would be less than significant.

For the operational phase, the project does not propose to increase density beyond the development anticipated to occur within the SIP. Buildout of the proposed project would not exceed the PCAPCD's screening criteria and therefore would not exceed the PCAPCD's Project-level thresholds of significance. No mitigation measures are required.

#### **Discussion Item III-3:**

Certain air pollutants are classified by the ARB as toxic air contaminants, or TACs, which are known to increase the risk of cancer and/or other serious health effects. Localized concentrations of Carbon Monoxide (CO) can be a TAC and are typically generated by traffic congestion at intersections. The anticipated traffic resulting from the proposed

three additional parcels would not impact the nearby intersections' ability to operate acceptably and would therefore not result in substantial concentration of CO emissions at any intersection.

The construction of the proposed project would result in short-term diesel particulate matter (DPM) emissions from heavy-duty onsite equipment and off-road diesel equipment. The California Air Resources Board (ARB) has identified DPM from diesel exhaust as a toxic air contaminant, with both chronic and carcinogenic public health risks.

The ARB, PCAPCD, and Placer County recognize the public health risk reductions that can be realized by idling limitations for on-road and off-road equipment. The proposed project would be required to comply with the following idling restriction (five-minute limitation) requirements from ARB and Placer County Code during construction activity, including the use of both on-road and off-road equipment:

- California Air Resources Board In-use Off-road Diesel regulation, Section 2449(d)(3): Off-road diesel equipment shall comply with the five-minute idling restriction. Available via the web: [www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf)
- Placer County, Code Section 10.14. Available via the web: <http://qcode.us/codes/placercounty/>

Portable equipment and engines (i.e., back-up generators) 50 horsepower (hp) or greater, used during construction activities and operation require either a registration certificate issued by ARB, based on the California Statewide Portable Equipment Registration Program (PERP) or an Authority to Construct (ATC) permit issued by PCAPCD to operate. The proposed project would be conditioned to obtain all necessary permits from the ARB and PCAPCD prior to construction. With compliance of State and Local regulations, potential public health impacts would be less than significant. No mitigation measures are required.

Sensitive receptors would not be exposed to substantial pollutant concentrations given the dispersive properties of DPM and the temporary nature of the mobilized equipment use. Additionally, the project would not result in substantial CO emissions at intersections. Short-term construction and operationally-generated Toxic Air Contaminant emissions would not expose sensitive receptors to substantial pollutant concentrations and therefore would have a less than significant effect. No mitigation measures are required.

**Discussion Item III-4:**

Future residential development as a result of the proposed project would result in additional air pollutant emissions generated by diesel-powered construction equipment, as well as long-term operational emissions from vehicle exhaust that could create odors. However, residential uses are not typically associated with the creation of objectionable odors. During construction, odors will be temporary and intermittent in nature, and would consist of diesel exhaust that is typical of most construction sites. Furthermore, the project would comply with PCAPCD Rule 205, which prohibits the discharge of air contaminants or other materials that could cause injury, detriment, nuisance, or annoyance to a considerable number of people, causes damage to property, or endangers the health and safety of the public. Compliance with Rule 205 would keep objectionable odors to a less than significant level. No mitigation measures are required.

**IV. BIOLOGICAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service or National Marine Fisheries Service? (PLN)		X		
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community, identified in local or regional plans, policies or regulations, or regulated by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers, or Regional Water		X		

Quality Control Board? (PLN)				
3. Have a substantial adverse effect on federal or state protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by state statute, through direct removal, filling, hydrological interruption, or other means? (PLN)		X		
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)		X		
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)		X		
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X
7. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)		X		
8. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)		X		

**Discussion Item IV-1, 2, 4, 7:**

A Biological Resources Assessment was prepared for the project by ECORP Consulting in October 2021. The assessment is the result of a field study and records searches obtained from the California Department of Fish and Wildlife Natural Diversity Database, (CNDDDB), the U.S. Fish and Wildlife Service, and the California Native Plant Society. The field survey was conducted by ECORP biologists on September 22, 2021, to characterize existing conditions and to assess the potential for sensitive plant and wildlife resources to occur. During the field assessment, plants and animals observed were documented, and habitat types were determined.

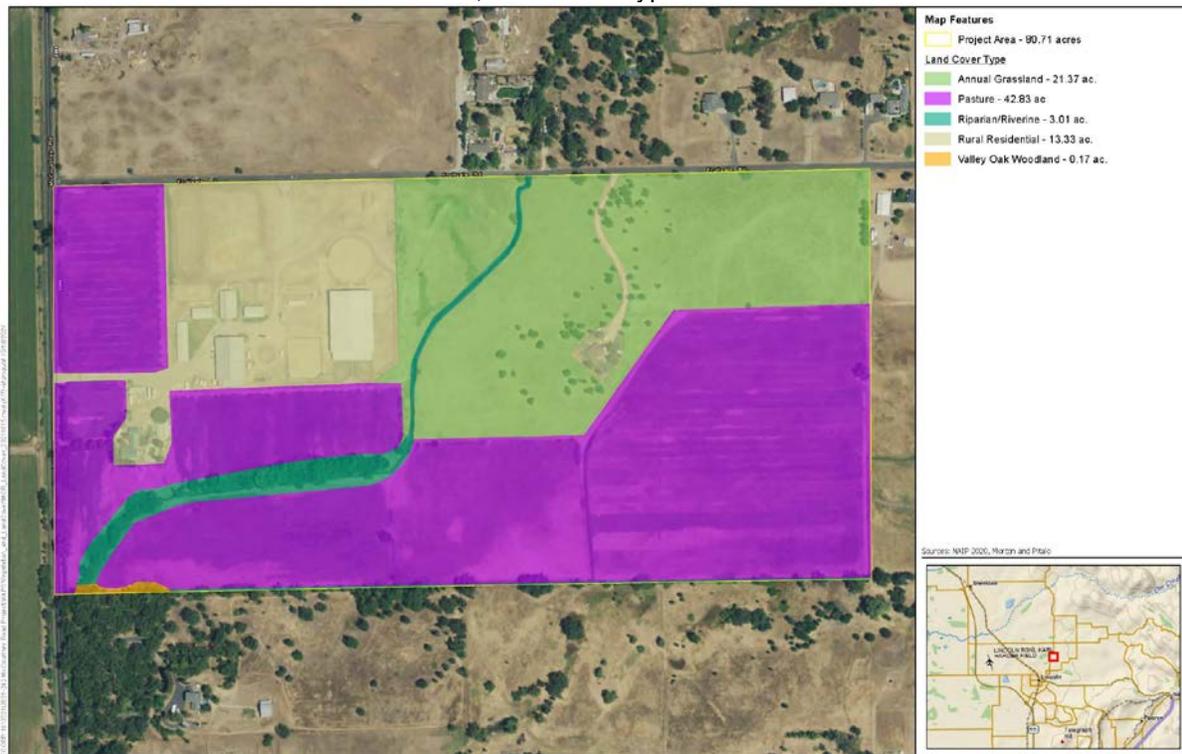


Figure 4. Revised PCCP Land Cover Types  
2021-242 McCourtney Road Project

The topography of the project site is primarily flat terrain with a gentle slope to the southwest. The property is primarily composed of irrigated pastures and heavily grazed annual grassland. Two drainage ditches occur on the project site that traverse through the center (Parcels 1, 2, and 3) and southern border of the property (Parcels 2, 3, and 4) and encompass approximately 0.78 acre. The drainage ditches were vegetated along the banks, with Dallis grass (*Paspalum dilatatum*), Bermuda grass (*Cynodon dactylon*), smartweed, soft rush, South American vervain, and Himalayan blackberry. Floating aquatic vegetation found in slow-moving reaches of the drainage ditches included water primrose (*Ludwigia peploides*) and parrot's feather (*Myriophyllum aquaticum*). Valley Oak Woodland exists along the portion of the drainage ditch that crosses Parcel 2. The proposed Parcel 1 includes several existing livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn. Parcel 2 includes an existing primary residence which includes a portable storage building with labor accommodations, and Parcel 3 includes an existing modular home.

As defined by the Placer County Conservation Plan (PCCP), the property contains the following PCCP land cover types: Annual Grassland (21.4 acres), Pasture (42.8 acres), Riverine/Riparian (3.0 Acres), Rural Residential (13.3 acres), and Valley Oak Woodland (0.17 acre). The Riverine/Riparian land cover onsite is associated with the two drainage ditches which appear to receive perennial runoff from upstream irrigation and rural residential development.

Four CDFW sensitive natural communities, Northern Hardpan Vernal Pool, Northern Volcanic Mud Flow Vernal Pool, Alkali Meadow, and Alkali Seep were identified as having the potential to occur within the Study Area. However, based on the site visit by ECORP Consulting which confirmed a lack of mapped Vernal Pool Complex and Aquatic/wetland Complex PCCP land cover types, none of these sensitive natural communities were found to occur. One PCCP Natural Community, Valley Oak Woodland, was identified onsite.

Since the Study Area is located within a heavily altered matrix of leveled and irrigated pastures, agricultural fields, and rural residences, it is not expected to support significant wildlife movement corridors but the drainage ditches and associated riparian vegetation within the Study Area could serve as a movement corridor for wildlife. The Study Area does not fall within an Essential Habitat Connectivity area mapped by the CDFW.

#### Special-Status Plants

There is one special-status plant species with a potential for occurrence:

- **Sanford's Arrowhead** (*Sagittaria sanfordii*) is not listed pursuant to the federal or California ESAs but is designated as a CRPR 1B.2 species. This species is a perennial rhizomatous herb that occurs in shallow, freshwater marshes and swamps. Sanford's arrowhead blooms from May through October and is known to occur at elevations ranging from 0 to 2,135 feet above MSL. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the drainage ditches present within the Study Area provide suitable habitat for this species. The surveying period for this species is May through October.

There are six special-status plant species with a low potential for occurrence:

- **Mexican Mosquito Fern** (*Azolla microphylla*) is not listed pursuant to either the federal or California ESAs but is designated as a CRPR 4.2 species. This species is an herbaceous annual/perennial that occurs in marshes and swamps (e.g., ponds and slow-moving water). Mexican mosquito fern blooms in August and is known to occur at elevations ranging from 98 to 328 feet above MSL. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the drainage ditches within the Study Area provide marginal habitat for this species. The surveying period for this species is August.
- **Big-Scale Balsamroot** (*Balsamorhiza macrolepis*) is not listed pursuant to either the federal or California ESAs but is designated as a CRPR 1B.2 species. This species is an herbaceous perennial that occurs in chaparral, cismontane woodlands, valley and foothill grassland, and sometimes on serpentinite soils. Big-scale balsamroot blooms from March through June and is known to occur at elevations ranging from 150 to 5,100 feet above MSL. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the Annual Grassland provides marginal habitat for this species. The surveying period for this species is March through June.
- **Valley Brodiaea** (*Brodiaea rosea* ssp. *vallicola*) is not listed pursuant to either the federal or California ESAs but is designated as a CRPR 4.2 plant. This species is a bulbiferous perennial herb that occurs in old alluvial

terraces and silt, sandy, or gravelly soils in vernal pools and swales within Valley and foothill grassland. Valley brodiaea blooms from April through May (sometimes June) and is known to occur at elevations ranging from 32 feet to 1,100 feet above MSL. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the drainage ditches within the Study Area provide marginal habitat for this species. The surveying period for this species is April through May.

- **Dwarf Downingia** (*Downingia pusilla*) is not listed pursuant to either the federal or California ESAs but is designated as a CRPR 2B.2 species. This species is an herbaceous annual that occurs in vernal pools and mesic areas in Valley and foothill grasslands. Dwarf downingia also appears to have an affinity for slight disturbance since it has been found in manmade features such as tire ruts, scraped depressions, stock ponds, and roadside ditches (Baldwin et al. 2012, CDFW 2021a). This species blooms from March through May and is known to occur at elevations ranging from 3 to 1,460 feet above MSL. There are several documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). The drainage ditches within the Study Area provide marginal habitat for this species. The surveying period for this species is March through May
- **Stinkbells** (*Fritillaria agrestis*) is not listed pursuant to either the federal or California ESAs but is designated as a CRPR 4.2 species. This species is a perennial bulbiferous herb that occurs in clay, sometimes serpentinite areas in chaparral, cismontane woodland, pinyon and juniper woodland, and valley and foothill grassland. Stinkbells bloom from March through June and is known to occur at elevations ranging from 33 to 5,102 feet above MSL. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the Annual Grassland within the Study Area provide suitable habitat for this species. The surveying period for this species is March through June.
- **Bristly leptosiphon** (*Leptosiphon acicularis*) is not listed pursuant to either the federal or California ESAs but is designated as a CRPR 4.2 species. This species is an annual herb that occurs in chaparral, cismontane woodland, coastal prairie, and valley and foothill grassland. Bristly leptosiphon blooms from April through July and is known to occur at elevations ranging from 180 to 4,921 feet above MSL. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the Annual Grassland in the Study Area provides marginal habitat for this species. The surveying period for this species is April through July.

#### Special-Status Wildlife

There are fourteen special-status wildlife species with a moderate potential for occurrence. Those wildlife species are:

- **Valley elderberry longhorn beetle** (*Desmocerus californicus dimorphus*) is listed as threatened by the federal Endangered Species Act (ESA). Live blue elderberry shrubs (*Sambucus mexicana*) are this borer's exclusive host plant. Elderberry shrubs are primarily associated with riparian corridors and moist oak woodlands at elevations below 2,500 feet. Exit holes made by the emerging adults are distinctive small oval openings (approx. ¼-inch width). Adults eat elderberry foliage until about June when they mate. Females lay eggs in crevices in the bark before dying a short time later. Upon hatching the larvae then begin to tunnel into the tree where they spend 1-2 years eating the interior wood, which is their sole food source. There is one documented CNDDDB occurrence of this species located within five miles of the Study Area (CDFW 2021a). While no elderberry (*Sambucus* sp.) shrubs were observed during the site visit, a protocol level survey was not conducted. PCCP-Modeled Species Habitat for VELB is also present within the Study Area.
- **Northwestern Pond Turtle** (*Actinemys marmorata*) is not listed pursuant to either the federal or California ESAs; however, it is designated as a CDFW Species of Special Concern (SSC) and is a PCCP Covered Species. Western pond turtles occur in a variety of fresh and brackish water habitats including marshes, lakes, ponds, and slow-moving streams (Jennings and Hayes 1994). This species is primarily aquatic; however, they typically leave aquatic habitats in the fall to reproduce and to overwinter (Jennings and Hayes 1994). Deep, still water with abundant emergent woody debris, overhanging vegetation, and rock outcrops is optimal for basking and thermoregulation. Although adults are habitat generalists, hatchlings and juveniles require shallow edge water with relatively dense submergent or short emergent vegetation in which to forage. Western pond turtles are typically active between March and November. Mating generally occurs during late April and early May and eggs are deposited between late April and early August (Jennings and Hayes 1994). Eggs are deposited within excavated nests in upland areas, with substrates that typically have high clay or silt fractions (Jennings and Hayes 1994). There are two documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). PCCP-Modeled Species Habitat is present within

the Study Area for northwestern pond turtle and the drainage ditches within the Study Area provide suitable habitat for this species.

- **White-tailed kite** (*Elanus leucurus*) is not listed pursuant to either the California or federal ESAs; however, the species is fully protected pursuant to Section 3511 of the California Fish and Game Code. This species is a common resident in the Central Valley and the entire length of the California coast, and all areas up to the Sierra Nevada foothills and southeastern deserts (Dunk 2020). In Northern California, white-tailed kite nesting occurs from March through early August, with nesting activity peaking from March through June. Nesting occurs in trees within riparian, oak woodland, savannah, and agricultural communities that are near foraging areas such as low elevation grasslands, agricultural, meadows, farmlands, savannahs, and emergent wetlands (Dunk 2020). There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, trees found throughout the Study Area provide potentially suitable nesting habitat for this species, and the Annual Grassland and pastures within the Study Area provide suitable foraging habitat.
- **Swainson's hawk** (*Buteo swainsoni*) is listed as a threatened species and protected pursuant to the California ESA and is a PCCP Covered Species. This species nests in North America (Canada, western United States, and Mexico) and typically winters from South America north to Mexico. However, a small population has been observed wintering in the Sacramento-San Joaquin River Delta (Bechard et al. 2020). In California, the nesting season for Swainson's hawk ranges from mid-March to late August. Swainson's hawks nest within tall trees in a variety of wooded communities including riparian, oak woodland, roadside landscape corridors, urban areas, and agricultural areas, among others. Foraging habitat includes open grassland, savannah, low-cover row crop fields, and livestock pastures. In the Central Valley, Swainson's hawks typically feed on a combination of California vole (*Microtus californicus*), California ground squirrel (*Spermophilus beecheyi*), ring-necked pheasant (*Phasianus colchicus*), many passerine birds, and grasshoppers (*Melanoplus* species). Swainson's hawks are opportunistic foragers and will readily forage in association with agricultural mowing, harvesting, disking, and irrigating (Estep 1989). The removal of vegetative cover by such farming activities results in more readily available prey items for this species. There are three documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). PCCP-Modeled Species Habitat for Swainson's hawk occurs within the Study Area. The larger trees found within the Annual Grassland, Valley Oak Woodland, and rural residential areas within the Study Area provide potentially suitable nesting habitat, and the annual grassland and pastures provide suitable foraging habitat for this species.
- **Burrowing Owl** (*Athene cunicularia*) is not listed pursuant to either the California or federal ESAs; however, it is designated as Birds of conservation concern (BCC) by USFWS, an SSC by CDFW and is a PCCP Covered Species. Burrowing owls inhabit dry open rolling hills, grasslands, desert floors, and open bare ground with gullies and arroyos. They can also inhabit developed areas such as golf courses, cemeteries, roadsides within cities, airports, vacant lots in residential areas, school campuses, and fairgrounds (Poulin et al. 2020). This species typically uses burrows created by fossorial mammals, most notably the California ground squirrel (*Spermophilus beecheyi*) but may also use man-made structures such as concrete culverts or pipes; concrete, asphalt, or wood debris piles; or openings beneath concrete or asphalt pavement (California Department of Fish and Game [CDFG] 2012). The breeding season typically occurs between February 1 and August 31 (California Burrowing Owl Consortium 1993; CDFG 2012). There is one documented CNDDDB occurrence of this species located within five miles of the Study Area (CDFW 2021a). PCCP-Modeled Species Habitat for burrowing owl occurs within the Study Area and the Annual Grassland within the Study Area provides suitable foraging and nesting habitat for this species.
- **Tricolored blackbird** (*TRBL*, *Agelaius tricolor*) was granted emergency listing for protection under the California ESA in December 2014, but the listing status was not renewed in June 2015. After an extensive status review, the California Fish and Game Commission listed tricolored blackbirds as a threatened species in 2018. In addition, it is currently considered a BCC by USFWS, an SSC by CDFW and is a PCCP Covered Species. This colonial nesting species is distributed widely throughout the Central Valley, Coast Range, and into Oregon, Washington, Nevada, and Baja California (Beedy et al. 2020). Tricolored blackbirds nest in colonies that can range from several pairs to several thousand pairs, depending on prey availability, the presence of predators, or level of human disturbance. TRBL nesting habitat includes emergent marsh, riparian woodland/scrub, blackberry thickets, densely vegetated agricultural and idle fields (e.g., wheat, triticale, safflower, fava bean fields, thistle, mustard, cane, and fiddleneck), usually with some nearby standing water or ground saturation (Beedy et al. 2020). They feed mainly on grasshoppers during the breeding season but may also forage upon a variety of other insects, grains, and seeds in open grasslands,

wetlands, feedlots, dairies, and agricultural fields (Beedy et al. 2020). The nesting season is generally from March through August. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, the blackberry thickets found throughout the site provide potentially suitable nesting habitat for this species, and the Annual Grassland and pastures provide potential foraging habitat.

- **Nuttall's woodpecker** (*Dryobates nuttallii*) is not listed as protected under either state or federal ESAs but is considered a USFWS BCC. They are resident from Siskiyou County south to Baja California. Nuttall's woodpeckers nest in tree cavities primarily within oak woodlands, but also can be found in riparian woodlands (Lowther et al. 2020). Breeding occurs during April through July. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the Valley Oak Woodland present within the Study Area provides suitable nesting habitat for this species.
- **Oak titmouse** (*Baeolophus inornatus*) is not listed and protected under either state or federal Endangered Species Acts but are considered a USFWS bird of conservation concern. Oak titmouse breeding range includes southwestern Oregon south through California's Coast, Transverse and Peninsular ranges, western foothills of the Sierra Nevada, into Baja California; they are absent from the humid northwestern coastal region and the San Joaquin Valley (Cicero et al. 2020). They are found in dry oak or oak-pine woodlands but may also use scrub oaks or other brush near woodlands (Cicero et al. 2020). Nesting occurs during March through July. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the Valley Oak Woodland within the Study Area provides potentially suitable nesting habitat for this species.
- **Wrentit** (*Chamaea fasciata*) is not listed in accordance with either the California or federal Endangered Species Acts but is designated as a bird of conservation concern by the USFWS. Wrentit are a sedentary resident along the west coast of North America from the Columbia River south to Baja California (Geupel and Ballard 2020). Wrentit are found in coastal sage scrub, northern coastal scrub, and coastal hard and montane chaparral and breed in the dense understory of Valley oak riparian, Douglas-fir and redwood forests, early-successional forests, riparian scrub, coyote bush and blackberry thickets, suburban parks and larger gardens (Geupel and Ballard 2020). Nesting occurs during March through August. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). The blackberry thickets in the Riparian/Riverine land cover within the Study Area provide suitable nesting habitat for this species.
- **California thrasher** (*Toxostoma redivivum*) is not listed and protected under either Federal or California ESA's; however, it is considered a species of conservation concern according to the U.S. Fish and Wildlife Service. In northern California, the California thrasher is a non-migratory resident from Humboldt Co., Trinity Co., Siskiyou Co., and Mendocino Co. south in Coast Ranges and on western slope of Sierra Nevada; on foothill slopes both east and west of the Central Valley, but sporadic on valley floor (Cody 2020). They are found in chaparral habitat. Can also be found in riparian and oak woodlands with dense understory (Cody 2020). Breeding season includes January through July. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the Valley Oak Woodland and riparian vegetation along the ditch within the Study Area provide marginally suitable nesting habitat for this species.
- **Song sparrow** (*Melospiza melodia*) is considered one of the most polytypic songbirds in North America (Miller 1956 as cited in Arcese et al. 2002). The subspecies *Melospiza melodia heermanni* includes as synonyms *M. m. mailliardi* (the "Modesto song sparrow") and *M. m. cooperi* (Arcese et al. 2002). The "Modesto song sparrow" is not listed and protected pursuant to either the federal or California ESAs but is considered a CDFW SSC. The subspecies *M. m. heermanni* can be found in central and southwestern California to northwestern Baja California (Arcese et al. 2002). Song sparrows in this group may have slight morphological differences but they are genetically indistinguishable from each other. The "Modesto song sparrow" occurs in the Central Valley from Colusa County south to Stanislaus County, and east of the Suisun Marshes (Grinnell and Miller 1944). Nesting habitat includes riparian thickets and freshwater marsh communities, with nesting occurring from April through June. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a). However, the riparian vegetation along the ditch and blackberry thickets within the Study Area provide suitable nesting habitat for this species.
- **Yellow-breasted chat** (*Icteria virens*) is not listed pursuant to the federal or California ESAs; however, it is considered a CDFW SSC. Yellow-breasted chat nest in North America and winter from southern Texas into

Mexico and Guatemala (Comrack 2008). In California, the breeding range generally includes northern and northwestern California, the Sierra Nevada foothills south to Kern County, coastal valleys from Santa Clara County south to Baja California, scattered locations east of the Sierran crest, along the Colorado River. Yellow-breasted chat typically nests within early successional riparian habitat with well-developed shrub layers and an open canopy along creeks, streams, sloughs, and rivers (Comrack 2008). Nesting occurs during May through August. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, the riparian vegetation along the ditch including blackberry thickets within the Study Area provide suitable nesting habitat for this species.

- **Pallid bat** (*Antrozous pallidus*) is not listed pursuant to either the California or federal ESAs; however, it is designated as an SSC by the CDFW and a United States Department of Agriculture Forest Service sensitive species. The species range extends from British Columbia to central Mexico (Harvey et al. 2011). Pallid bat has a strong association with arid regions with rocky outcrops near water (Harvey et al. 2011). Roosting usually occurs in rock crevices and buildings, but is also found in tree cavities, caves, mines, and piles of rocks (Harvey et al. 2011). Pallid bat roosts in small colonies of 20 or more individuals (Harvey et al. 2011). This species will give birth to one to two offspring in May or June (Harvey et al. 2011). There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, the man-made structures (e.g., residences and equine training center buildings) and the Valley oak woodland present within the Study Area provide suitable roosting habitat for this species.
- **Western red bat** (*Lasiurus blossevillii*) is not listed pursuant to either the federal or California ESAs; however, this species is considered an SSC by CDFW. The western red bat is easily distinguished from other western bat species by its distinctive red coloration. This species is broadly distributed, its range extending from southern British Columbia in Canada through Argentina and Chile in South America and including much of the western United States. This solitary species day roosts primarily in the foliage of trees or shrubs in edge habitats bordering streams or open fields, in orchards, and occasionally urban areas. They may be associated with intact riparian habitat, especially with willows, cottonwoods, and sycamores. This species may occasionally utilize caves for roosting as well. They feed on a variety of insects, and generally begin to forage one to two hours after sunset. This species is considered highly migratory; however, the timing of migration and the summer ranges of males and females may be different. Winter behavior of this species is poorly understood (WBWG 2021). There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, the trees of the valley oak woodland within the Study Area provide suitable roosting habitat for this species.

There are two special-status wildlife species with a low potential for occurrence. Those wildlife species are:

- **Golden Eagle** (*Aquila chrysaetos*) is not listed pursuant to either the California or federal ESAs; however, it is fully protected according to Section 3511 of the Fish and Game Code of California and the federal Bald and Golden Eagle Protection Act. Golden eagles generally nest on cliff ledges and/or large lone trees in rolling to mountainous terrain. Golden eagles nest throughout California except the flat portions of the Central Valley, the immediate coast, and portions of southeastern California (Katzner et al. 2020). Occurrences within the Central Valley are usually dispersing post-breeding birds, non-breeding sub-adults, or migrants. Foraging habitat includes open grassland and savannah. Nesting occurs during February through August. There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, the Annual Grassland within the Study Area provide marginally suitable foraging habitat for this species.
- **Townsend's big-eared bat** (*Corynorhinus townsendii*) is not listed pursuant to either the California or federal ESAs; however, it is designated as an SSC by the CDFW and a United States Department of Agriculture Forest Service sensitive species. This species is found in all alpine and subalpine habitats throughout California and may be found any season throughout its range (Zeiner et al. 1990). Roosting habitat includes caves, tunnels, mines, buildings, bridges and other manmade structures (Zeiner et al. 1990). Maternity roosts are found in caves, tunnels, mines, and buildings in small groups (usually fewer than 100 individuals) of females and young (Zeiner et al. 1990). Maternity colonies are in warmer parts of caves with males apparently solitary during the maternity period (Harvey et al. 2011). Townsend's big-eared bat will return each year to roosting sites (Harvey et al. 2011). Mating occurs during autumn and continues into winter with one offspring born in June (Harvey et al. 2011). There are no documented CNDDDB occurrences of this species located within five miles of the Study Area (CDFW 2021a); however, the man-made structures (e.g., residences and equine training center buildings) within the Study Area provide marginally suitable roosting habitat for this species.

Any new site disturbance over 5,000 square feet on Parcels 1, 2 or 3 may require a PCCP application for direct impacts. Parcel 4 will require a PCCP application for land conversion for any new development and tree impacts covered under the PCCP. With the following mitigation measures (which include PCCP mitigation measures), potential impacts to these special-status species would be reduced to a less than significant level. Note: the mitigation measures below include both planning-level surveys, which are typically conducted a year or more before ground disturbance, and preconstruction surveys, which are typically conducted immediately before construction is slated to occur. Submitting a PCCP application to the PCA early to ensure all PCCP Conditions on Covered Activities are satisfied at the appropriate time is strongly recommended.

**Mitigation Measure Item IV-1, 2, 4, 7:**

MM IV.1

Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to Sanford's Arrowhead, and other Special-Status plant species (note: the PCCP does not cover plant species):

- A qualified biologist shall perform floristic plant surveys according to applicable USFWS, CDFW, and CNPS protocols prior to construction, timed according to the appropriate phenological stage for identifying target species. Known reference populations shall be visited or local herbaria records shall be reviewed, if available, prior to surveys to confirm the phenological stage of the target species. If no special-status plants are found within the Project site, no further measures pertaining to special-status plants are necessary.
- If special-status plants are identified within 25-feet of the Project impact area, the following mitigation measures shall be required:
  - If avoidance of special-status plants is feasible, establish and clearly demarcate avoidance zones for special-status plant occurrences prior to construction. Demarcation can be accomplished via high visibility flagging or fencing. Avoidance zones shall include the extent of the special-status plants plus a 25-foot buffer, unless otherwise determined by a qualified biologist, and shall be maintained until the completion of construction. A qualified biologist/biological monitor shall be present if work must occur within the 25-foot avoidance buffer to ensure special-status plants are not impacted by the work.
  - If avoidance of special-status plants is not feasible, the applicant shall mitigate for impacts to special status plants. Mitigation measures shall be developed in consultation with CDFW. Mitigation measures may include permanent preservation of onsite or offsite habitat for special-status plants via deed restriction or conservation easement, translocation of plants or seeds from impacted areas to unaffected habitats.

MM IV.2

Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to the Valley Elderberry Longhorn Beetle:

*PCCP Species Condition 8: Valley Elderberry Longhorn Beetle*

Planning surveys for valley elderberry longhorn beetle are required for PCCP Covered Activities within the following habitat features when below 650 feet elevation (above mean sea level):

1. Riparian constituent habitat
2. Valley oak woodland community
3. Stream System (excluding frequently disked or flooded agricultural lands such as rice that would not likely support elderberry shrubs)

The project applicant shall apply avoidance and minimization measures as specified in the USFWS's Conservation Guidelines for the Valley Elderberry Longhorn Beetle (U.S. Fish and Wildlife Service 1999b) or the current Wildlife Agency-approved avoidance and minimization protocol. When take is authorized, the project applicant shall coordinate with the Placer Conservation Authority (PCA) to provide transplants and seedlings/cuttings of elderberry for planting in suitable habitat on the Reserve System consistent with the USFWS Guidelines/Framework.

MM IV.3

Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to the Western Pond Turtle:

PCCP General Condition 1: Watershed Hydrology and Water Quality

Prior to site disturbance and issuance of Building Permits for future development, the project shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ); including requirements to develop a project-based Storm Water Pollution Prevention Plan (SWPPP); and applicable NPDES program requirements as implemented by the County. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation.

The project shall comply with the West Placer Storm Water Quality Design Manual (Design Manual).

The project shall implement the following BMPs. This list shall be included on the Notes page of the improvement/grading plans and shall be shown on the plans:

1. When possible, vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas. When vehicle parking areas are to be established as a temporary facility, the site will be recovered to pre-project or ecologically improved conditions within 1 year of start of groundbreaking to ensure effects are temporary (refer to Section 6.3.1.4, General Condition 4, Temporary Effects, for the process to demonstrate temporary effects).
2. Trash generated by Covered Activities will be promptly and properly removed from the site.
3. Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) will be used on site to reduce siltation and runoff of contaminants into avoided wetlands, ponds, streams, or riparian vegetation.
  - a. Erosion control measures will be of material that will not entrap wildlife (i.e., no plastic monofilament). Erosion control blankets will be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians.
  - b. Erosion control measures will be placed between the area of disturbance and any avoided aquatic feature, within an area identified with highly visible markers (e.g., construction and erosion-control fencing, flagging, silt barriers) prior to commencement of construction activities. Such identification will be properly maintained until construction is completed and the soils have been stabilized.
  - c. Fiber rolls used for erosion control will be certified by the California Department of Food and Agriculture or any agency that is a successor or receives delegated authority during the permit term as weed free.
  - d. Seed mixtures applied for erosion control will not contain California Invasive Plant Council–designated invasive species (<http://www.cal-ipc.org/paf/>) but will be composed of native species appropriate for the site or sterile non-native species. If sterile non-native species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive non-natives.
4. If the runoff from the development will flow within 100 feet of a wetland or pond, vegetated storm water filtration features, such as rain gardens, grass swales, tree box filters, infiltration basins, or similar LID features to capture and treat flows, shall be installed consistent with local programs and ordinances.

Community Condition 2.1, Riverine and Riparian Avoidance and Minimization

The project shall not modify any area within a buffer that extends 50 feet outward from the outermost bounds of the riparian vegetation. The (improvement or grading plans) shall show the location of the riverine/riparian buffer.

Community Condition 2.2, Minimize Riverine and Riparian Effects

Prior to land conversion authorization, the applicant shall coordinate with the PCA to determine which In-Stream and Stream System Best Management Practices (BMPs) from Table 7-1 of the User's Guide apply to the proposed project. The applicant shall identify the applicable BMPs on the project's (improvement or grading) plans. The selected BMPs will be incorporated into the project's Land Conversion Authorization letter.

Prior to land conversion authorization approval, the unavoidable effects to riverine and riparian habitat or their buffers shall be mitigated through payment of special habitat fees. The fees to be paid shall be those in effect at the time of land conversion authorization.

Community Condition 3, Valley Oak Woodland Avoidance and Minimization, and Mitigation Measures

This project does not propose development activities within 50 feet of the canopy of any valley oak woodland stand greater than one acre, as shown on Figure 4 of the (Biological Resources Assessment) prepared by Ecorp Consulting, dated (March 23, 2022). Irrigation shall be prohibited in and around the valley oak woodland. Alteration of onsite

hydrology (including from onsite sewage disposal system installation) shall be prohibited to ensure the valley oak woodland receives no additional water than pre-project conditions. The Landscape Plans (if applicable) shall demonstrate that irrigation is not placed within the critical root zone of protected trees.

Unavoidable effects to individual valley oak trees or valley oak woodlands or their 50-foot buffers shall pay the Plan land conversion fee by quantifying impacts as described in Effects on Valley Oak Woodlands of the PCCP User's Guide.

Stream System Condition 1, Stream System Avoidance and Minimization

This project does not propose development activities within a stream system, as shown on Figure 4 of the (Biological Resources Assessment) prepared by Ecorp Consulting, dated (March 23, 2022). The project shall comply with MM IV.X above (PCCP Community Condition 1.1: Stream System Avoidance.)

PCCP Species Condition 4: Tricolored Blackbird

Prior to initiation of PCCP Covered Activities, the qualified biologist(s) shall conduct preconstruction surveys to evaluate the presence of tricolored blackbird nesting colonies. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all potential nest colony site(s) from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird nesting activity.

Surveys shall be conducted at least twice, with at least one month between surveys, during the nesting season one year prior to initial ground disturbance for the Covered Activity (if feasible), and the year of ground disturbance for the Covered Activity (required). If Covered Activities will occur in the project work area during the nesting season, three surveys shall be conducted within 15 days prior to the Covered Activity, with one of the surveys occurring within five days prior to the start of the Covered Activity. The survey methods will be based on Kelsey (2008) or a similar protocol approved by the PCA and the Wildlife Agencies based on site-specific conditions.

If the first survey indicates that suitable nesting habitat is not present on the project site or within 1,300 feet of the project work area, additional surveys for nest colonies are not required.

If an active colony is known to occur within 3 miles of the project site, a qualified biologist shall conduct two surveys of foraging habitat within the project site and within a 1,300-foot radius around the project site to determine whether foraging habitat is being actively used by foraging tricolored blackbirds. The qualified biologist shall map foraging habitat, as defined by the land cover types listed above, within a 1,300-foot radius around the project site to delineate foraging habitat that will be surveyed. The surveys shall be conducted approximately one week apart, with the second survey occurring no more than five calendar days prior to ground-disturbing activities.

Each survey shall last four hours, and begin no later than 8:00 a.m. The qualified biologist shall survey the entire project site and a 1,300-foot radius around the project site by observing and listening from accessible vantage points that provide views of the entire survey area. If such vantage points are not available, the qualified biologist shall survey from multiple vantage points to ensure that the entire survey area is surveyed. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all foraging habitat from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird foraging activity. The qualified biologist shall map the locations on the site and within a 1,300-foot radius around the project site where tricolored blackbirds are observed and record an estimate of the numbers of tricolored blackbirds observed (estimated by 10s, 100s, or 1,000s), the frequency of visits (e.g., if individuals or a flock makes repeated foraging visits to the site during the survey period), whether tricolored blackbirds are leaving the site with food in their bills, and the direction they fly to/from.

Construction activity or other covered activities that may disturb an occupied nest colony site, as determined by a qualified biologist, will be prohibited during the nesting season (March 15 through July 31) or until the chicks have fledged or the colony has been abandoned on its own) within a 1,300-foot buffer zone around the nest colony, to the extent practicable. The intent of this condition is to prevent disturbance to occupied nest colony sites on or near project sites so they can complete their nesting cycle. This condition is not intended to preserve suitable breeding habitat on project sites but to ensure impacts to active colony sites only take place once the site is no longer occupied by the nesting colony. The buffer will be applied to extend beyond the nest colony site as follows: 1) if the colony is nesting in a wetland, the buffer must be established from the outer edge of all hydric vegetation associated with the colony, or 2) if the colony is nesting in non-wetland vegetation (e.g., Himalayan blackberry), the buffer must be established from the edge of the colony substrate. This buffer may be modified to a minimum of 300 feet, with written

approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the occupied active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; where sound curtains have been installed; or other methods developed in consultation with the Wildlife Agencies where conditions warrant reduction of the buffer distance. If tricolored blackbirds colonize habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA. The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone.

Construction activity or other covered activities that may disturb foraging tricolored blackbirds, as determined by a qualified biologist, will be prohibited within 1,300-feet of the foraging site to the extent feasible during the nesting season (March 15 through July 31 or until the chicks have fledged or the colony has been abandoned on its own) if the foraging habitat was found to be actively used by foraging tricolored blackbirds during at least one of the two foraging habitat surveys conducted under Tricolored Blackbird 2. If survey results indicate that the area provides marginal foraging habitat (e.g., tricolored blackbirds were observed foraging, but only briefly, and most were not successfully capturing prey), or site-specific conditions may warrant a reduced buffer, the PCA technical staff will consult with the Wildlife Agencies to evaluate whether the project needs to avoid the foraging habitat or whether a reduced buffer may be appropriate. In such cases, additional surveys may be needed to assess site conditions and the value of the foraging habitat.

The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone. This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the actively used foraging habitat; where there is sufficient topographic relief to protect foraging birds from excessive noise or visual disturbance; or in consultation with the Wildlife Agencies if other conditions warrant reduction of the buffer distance. If tricolored blackbird begins using foraging habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA.

The intent of this condition is to allow actively nesting colonies on or near project sites to complete their nesting cycle prior to the loss of the foraging habitat on site. Protecting actively used-foraging habitat during the nesting season will help to enable the tricolored blackbird nesting colony to complete its nesting cycle, as loss of valuable foraging habitat could cause the nesting colony to fail. This condition is not intended to preserve suitable foraging habitat on project sites in the long term.)

Active nesting colonies that occur within the no-disturbance buffer shall be monitored by the qualified biologist(s) to verify the Covered Activity is not disrupting the nesting behavior of the colony. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.

If the qualified biologist(s) determines that the Covered Activity is disrupting nesting and/or foraging behavior, the qualified biologist(s) shall notify the project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and nesting behavior of tricolored blackbird returns to normal.

Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), delaying Covered Activities (or the portion of Covered Activities causing the disruption) until the colony is finished breeding and chicks have left the nest site, temporarily relocating staging areas, or temporarily rerouting access to the project work area. The project proponent shall notify the PCA and Wildlife Agencies within 24 hours if nests or nestlings are abandoned. If the nestlings are still alive, the qualified biologist(s) shall work with the Wildlife Agencies to determine appropriate actions for salvaging the eggs or nestlings. Notification to PCA and Wildlife Agencies shall be via telephone or email, followed by a written incident report. Notification shall include the date, time, location, and circumstances of the incident.

Foraging habitat within the buffer shall be monitored by the qualified biologist(s) to verify that the Covered Activity is not disrupting tricolored blackbird foraging behavior. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of foraging tricolored blackbirds. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.

If the qualified biologist(s) determines that the Covered Activity is disrupting foraging behavior, the qualified biologist(s) shall notify project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and foraging behavior of tricolored blackbird returns to normal. Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), temporarily relocating staging areas, or temporarily rerouting access to the project work area.

*PCCP Species Condition 6: Western Pond Turtle*

Impacts to Western Pond Turtle are addressed through implementation of PCCP General Condition 1; Community Conditions 1.1, 1.2, 2 and 3; Stream System Condition 1; Species Conditions 4 and 7. In addition, General Condition 3 (Land Conversion) provides the process for accounting for loss of natural and semi-natural land cover that is more encompassing than standard practice. This approach better addresses the piecemeal loss of high-quality contiguous habitat that would occur without a plan such as the HCP/NCCP. Applicant compliance with these applicable conditions would be triggered through application to the PCCP when site disturbance is anticipated. No additional avoidance and minimization measures specific to this species are required by the PCCP. If individual WPT (or their nest) are identified on-site, contact the monitoring biologist immediately to relocate the nest prior to further ground disturbance.

*General Condition 3, Land Conversion*

The project will result in a permanent land cover conversion from a natural condition to a rural residential condition. The project shall pay a land conversion fee for the permanent conversion of natural land cover. The fees to be paid shall be those in effect at the time of ground disturbance authorization for each project step and shall be the per acre fee based on the amount of land disturbance resulting from the activity. For example, the entity responsible for constructing the [improvement or grading] plans would be obligated to submit the per-acre PCCP Fee (1b, 2c, and 2d) based on the area of disturbance and future homeowners would be obligated to submit the remainder of the per-acre and per-dwelling fees PCCP Fee (1b, 2c, and 2d). **Note that the specific impacts and associated fees are not known at the time of preparation of this document.**

An application for PCCP Authorization shall accompany the permit application for each project step (i.e., improvement plans → grading permit → building permit). If the applicant will not be developing the future lots, the subsequent homebuilder shall pay the remaining fee obligation based on the total applicable fee minus a credit for any prior fee payment apportioned equally among all final lots.

MM IV.4

Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to PCCP-covered birds:

*PCCP Species Condition 1: Swainson's Hawk*

If construction must occur during the nesting season (approximately February 1 to September 15), planning-level Swainson's hawk surveys are required a year in advance of construction using the survey guidelines developed for the PCCP. Planning-level surveys are intended to identify nest trees to guide avoidance during project tree removal and construction.

Additionally, year of construction (starting in March) and pre-construction (no more than 15 days prior to ground disturbance) surveys shall be conducted within a 1,320-foot radius of the project. Surveys shall be conducted consistent with PCCP guidelines (based on Swainson's Hawk Technical Advisory Committee 2000). In instances where an adjacent parcel is not accessible to survey, the qualified biologist shall scan all potential nest trees from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars

and/or a spotting scope. Surveys are typically required from February 1 to September 15 (or sooner if it is determined that birds are nesting earlier in the year) so contact the PCA for assistance with survey timing. If a Swainson's hawk nest is located and presence confirmed, only one follow-up visit is required.

During the nesting season (approximately February 1 to September 15 or sooner if it is determined that birds are nesting earlier in the year), ground-disturbing activities within 1,320 feet of occupied nests or nests under construction shall be prohibited to minimize the potential for nest abandonment. While the nest is occupied, activities outside the buffer can take place provided they do not stress the breeding pair.

If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to the PCA for a reduction in the buffer distance or waiver. A qualified biologist shall be required to monitor the nest and determine that the reduced buffer does not cause nest abandonment. If a qualified biologist determines nestlings have fledged, PCCP-Covered Activities can proceed normally.

Construction monitoring shall be conducted by a qualified biologist and shall focus on ensuring that activities do not occur within the buffer zone. The qualified biologist performing the construction monitoring shall ensure that effects on Swainson's hawks are minimized. If monitoring indicates that construction outside of the buffer is affecting nesting, the buffer shall be increased if space allows (e.g., move staging areas farther away). If space does not allow, all construction activities shall cease until the young have fledged from the nest (as confirmed by a qualified biologist).

The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on Swainson's hawks are minimized. The qualified biologist shall train construction personnel on the avoidance procedures and buffer zones.

*PCCP Species Condition 3: Western Burrowing Owl*

Two surveys shall be conducted by a qualified biologist within 15 days prior to ground disturbance to establish the presence or absence of burrowing owls. The surveys shall be conducted at least 7 days apart (if burrowing owls are detected on the first survey, a second survey is not needed) for both breeding and non-breeding season surveys. All burrowing owls observed shall be counted and mapped.

During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or within 250 feet of the project area.

During the non-breeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any area to be disturbed. Survey results will be valid only for the season (breeding or non-breeding) during which the survey was conducted.

The Qualified Biologist shall survey the proposed footprint of disturbance and a 250-foot radius from the perimeter of the proposed footprint to determine the presence or absence of burrowing owls. The site will be surveyed by walking line transects, spaced 20 to 60 feet apart, adjusting for vegetation height and density. At the start of each transect and at least every 300 feet, the surveyor, with use of binoculars, shall scan the entire visible project area for burrowing owls. During walking surveys, the surveyor shall record all potential burrows used by burrowing owls, as determined by the presence of one or more burrowing owls, pellets, prey remains, whitewash, or decoration. Some burrowing owls may be detected by their calls; therefore, observers will also listen for burrowing owls while conducting the survey. Adjacent parcels under different land ownership shall be surveyed only if access is granted. If portions of the survey area are on adjacent sites for which access has not been granted, the qualified biologist shall get as close to the non-accessible area as possible and use binoculars to look for burrowing owls.

The presence of burrowing owl or their sign anywhere on the site or within the 250-foot accessible radius around the site shall be recorded and mapped. Surveys shall map all burrows and occurrence of sign of burrowing owl on the project site. Surveys must begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites.

If burrowing owls are found during the breeding season (approximately February 1 to August 31, the project applicant shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging). The applicant shall establish a 250-foot non-disturbance buffer zone around nests. The

buffer zone shall be flagged or otherwise clearly marked. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer will be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. Construction may only occur within the 250-foot buffer zone during the breeding season if a qualified raptor biologist monitors the nest and determines that the activities do not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with Wildlife Agency approval and provided a biological monitor confirms that such measures do not cause agitated behavior.

If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a 160-foot buffer zone around active burrows. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with Wildlife Agency approval and provided a biological monitor confirms that such measures do not cause agitated behavior.

After all alternative avoidance and minimization measures are exhausted as confirmed by the Wildlife Agencies, a qualified biologist may passively exclude birds from those burrows during the non-breeding season. A burrowing owl exclusion plan shall be developed by a qualified biologist consistent with the most recent guidance from the Wildlife Agencies (e.g., California Department of Fish and Game 2012) and submitted to and approved by the PCA and the Wildlife Agencies. Burrow exclusion will be conducted for burrows located in the project footprint and within a 160-foot buffer zone as necessary.

A biological monitor shall be present on site daily to ensure that no PCCP-Covered Activities occur within the buffer zone. The qualified biologist performing the construction monitoring shall ensure that effects on burrowing owls are minimized. If monitoring indicates that construction outside of the buffer is affecting nesting, the buffer shall be increased if space allows (e.g., move staging areas farther away). If space does not allow, construction shall cease until the young have fledged from all the nests in the colony (as confirmed by a qualified biologist) or until the end of the breeding season, whichever occurs first.

A biological monitor shall conduct training of construction personnel on the avoidance procedures, buffer zones, and protocols in the event a burrowing owl flies into an active construction zone.

*PCCP Species Condition 4: Tricolored Blackbird*

Prior to initiation of PCCP Covered Activities, the qualified biologist(s) shall conduct preconstruction surveys to evaluate the presence of tricolored blackbird nesting colonies. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all potential nest colony site(s) from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird nesting activity.

Surveys shall be conducted at least twice, with at least one month between surveys, during the nesting season one year prior to initial ground disturbance for the Covered Activity (if feasible), and the year of ground disturbance for the Covered Activity (required). If Covered Activities will occur in the project work area during the nesting season, three surveys shall be conducted within 15 days prior to the Covered Activity, with one of the surveys occurring within five days prior to the start of the Covered Activity. The survey methods will be based on Kelsey (2008) or a similar protocol approved by the PCA and the Wildlife Agencies based on site-specific conditions.

If the first survey indicates that suitable nesting habitat is not present on the project site or within 1,300 feet of the project work area, additional surveys for nest colonies are not required.

If an active colony is known to occur within 3 miles of the project site, a qualified biologist shall conduct two surveys of foraging habitat within the project site and within a 1,300-foot radius around the project site to determine whether foraging habitat is being actively used by foraging tricolored blackbirds. The qualified biologist shall map foraging habitat, as defined by the land cover types listed above, within a 1,300-foot radius around the project site to delineate foraging habitat that will be surveyed. The surveys shall be conducted approximately one week apart, with the second survey occurring no more than five calendar days prior to ground-disturbing activities.

Each survey shall last four hours, and begin no later than 8:00 a.m. The qualified biologist shall survey the entire project site and a 1,300-foot radius around the project site by observing and listening from accessible vantage points that provide views of the entire survey area. If such vantage points are not available, the qualified biologist shall survey from multiple vantage points to ensure that the entire survey area is surveyed. In instances where an adjacent

parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all foraging habitat from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird foraging activity. The qualified biologist shall map the locations on the site and within a 1,300-foot radius around the project site where tricolored blackbirds are observed and record an estimate of the numbers of tricolored blackbirds observed (estimated by 10s, 100s, or 1,000s), the frequency of visits (e.g., if individuals or a flock makes repeated foraging visits to the site during the survey period), whether tricolored blackbirds are leaving the site with food in their bills, and the direction they fly to/from.

Construction activity or other covered activities that may disturb an occupied nest colony site, as determined by a qualified biologist, will be prohibited during the nesting season (March 15 through July 31) or until the chicks have fledged or the colony has been abandoned on its own) within a 1,300-foot buffer zone around the nest colony, to the extent practicable. The intent of this condition is to prevent disturbance to occupied nest colony sites on or near project sites so they can complete their nesting cycle. This condition is not intended to preserve suitable breeding habitat on project sites but to ensure impacts to active colony sites only take place once the site is no longer occupied by the nesting colony. The buffer will be applied to extend beyond the nest colony site as follows: 1) if the colony is nesting in a wetland, the buffer must be established from the outer edge of all hydric vegetation associated with the colony, or 2) if the colony is nesting in non-wetland vegetation (e.g., Himalayan blackberry), the buffer must be established from the edge of the colony substrate. This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the occupied active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; where sound curtains have been installed; or other methods developed in consultation with the Wildlife Agencies where conditions warrant reduction of the buffer distance. If tricolored blackbirds colonize habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA. The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone.

Construction activity or other covered activities that may disturb foraging tricolored blackbirds, as determined by a qualified biologist, will be prohibited within 1,300-feet of the foraging site to the extent feasible during the nesting season (March 15 through July 31 or until the chicks have fledged or the colony has been abandoned on its own) if the foraging habitat was found to be actively used by foraging tricolored blackbirds during at least one of the two foraging habitat surveys conducted under Tricolored Blackbird 2. If survey results indicate that the area provides marginal foraging habitat (e.g., tricolored blackbirds were observed foraging, but only briefly, and most were not successfully capturing prey), or site-specific conditions may warrant a reduced buffer, the PCA technical staff will consult with the Wildlife Agencies to evaluate whether the project needs to avoid the foraging habitat or whether a reduced buffer may be appropriate. In such cases, additional surveys may be needed to assess site conditions and the value of the foraging habitat.

The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone. This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the actively used foraging habitat; where there is sufficient topographic relief to protect foraging birds from excessive noise or visual disturbance; or in consultation with the Wildlife Agencies if other conditions warrant reduction of the buffer distance. If tricolored blackbird begins using foraging habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA.

The intent of this condition is to allow actively nesting colonies on or near project sites to complete their nesting cycle prior to the loss of the foraging habitat on site. Protecting actively used-foraging habitat during the nesting season will help to enable the tricolored blackbird nesting colony to complete its nesting cycle, as loss of valuable foraging habitat could cause the nesting colony to fail. This condition is not intended to preserve suitable foraging habitat on project sites in the long term.)

Active nesting colonies that occur within the no-disturbance buffer shall be monitored by the qualified biologist(s) to verify the Covered Activity is not disrupting the nesting behavior of the colony. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.

If the qualified biologist(s) determines that the Covered Activity is disrupting nesting and/or foraging behavior, the qualified biologist(s) shall notify the project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and nesting behavior of tricolored blackbird returns to normal.

Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), delaying Covered Activities (or the portion of Covered Activities causing the disruption) until the colony is finished breeding and chicks have left the nest site, temporarily relocating staging areas, or temporarily rerouting access to the project work area. The project proponent shall notify the PCA and Wildlife Agencies within 24 hours if nests or nestlings are abandoned. If the nestlings are still alive, the qualified biologist(s) shall work with the Wildlife Agencies to determine appropriate actions for salvaging the eggs or nestlings. Notification to PCA and Wildlife Agencies shall be via telephone or email, followed by a written incident report. Notification shall include the date, time, location, and circumstances of the incident.

Foraging habitat within the buffer shall be monitored by the qualified biologist(s) to verify that the Covered Activity is not disrupting tricolored blackbird foraging behavior. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of foraging tricolored blackbirds. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.

If the qualified biologist(s) determines that the Covered Activity is disrupting foraging behavior, the qualified biologist(s) shall notify project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and foraging behavior of tricolored blackbird returns to normal. Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), temporarily relocating staging areas, or temporarily rerouting access to the project work area.

Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to nesting birds and raptors:

*Nesting Raptors*

A qualified biologist shall conduct a preconstruction survey for nesting raptors, within the Study Area and a 500-foot buffer, within 3 days of commencement of Project activities (can be conducted concurrently with nesting bird surveys, as appropriate). If an active nest is located, a no-disturbance buffer will be established as determined by the biologist in consultation with CDFW, if possible, and maintained until a qualified biologist determines the young have fledged and are no longer reliant upon the nest for survival.

*Nesting Birds*

A qualified biologist shall conduct a preconstruction nesting bird survey (can be conducted concurrently with raptor surveys, as appropriate) of all areas associated with construction activities, and a 100-foot buffer around these areas, within 3 days prior to commencement of construction during the nesting season (February 1 through August 31). If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist in consultation with the CDFW, if possible. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary.

**Discussion Item IV-3:**

A preliminary aquatic resources assessment was conducted as part of the Biological Resources Assessment prepared for the project site which identified two drainage ditches which appear to consist of perennial flows from runoff from upstream irrigation and rural residential development. These features have not been verified by the

USACE or the Central Valley RWQCB and jurisdictional status of waters (Waters of the U.S. and/or Waters of the State) has not been determined. Under the PCCP/CARP, these drainage ditches, which cover 0.78 acre, would be classified as Riverine and be considered part of the PCCP/CARP Stream System.

There is a 100-foot-wide creek setback for the drainage ditch that traverses through the center of the property (Parcels 1, 2, and 3). There is no creek setback for the drainage ditch that runs along the southern boundary of the property (Parcels 2, 3, and 4).

Any new site disturbance over 5,000 square feet on Parcels 1, 2 or 3 may require PCCP application for direct impacts. Any new development or tree impacts on Parcel 4 will require a PCCP application for land conversion. With the following mitigation measures (which include PCCP/CARP mitigation measures), potential impacts would be reduced to a less than significant level.

**Mitigation Measure Item IV-3:**

MM IV.5

If construction occurs within the Study Area, the following measures shall be implemented to reduce the potential for sediment or pollutants.

- To the extent feasible, implement erosion control measures and Best Management Practices to reduce the potential for sediment or pollutants within the Study Area. Measures may include: flagging of work areas, erosion control native seed mixtures, removal of trash, refueling in upland areas only and use of appropriate secondary containment, and a mandatory Worker Environmental Awareness Program for all contractors, work crews, and any onsite personnel.
  - a) Conduct an aquatic resource delineation and obtain verification of Waters of the U.S. from the USACE and/or Waters of the State from the Central Valley Regional Water Quality Control Board (CVRWQCB).
  - b) In lieu of pursuing authorization from USACE for impacts to Waters of the U.S., the Project applicant may instead apply for authorization under the PCCP/CARP for impacts to aquatic features to streamline the permitting process. Mitigation would be required in the form of PCCP land cover conversion fees and/or fees for impacts to aquatic features, per the PCCP/CARP. Should the Project propose impacts within the 50-foot buffer of the Stream System located within the Study Area, the Project would be subject to a stream encroachment fee.
    - Construction contractor shall adhere to all conditions outlined in the PCCP/CARP below
    - As an alternative to the PCCP/CARP authorization, permit authorization to fill wetlands under the Section 404 of the federal Clean Water Act (Section 404 Permit) can be obtained from USACE prior to discharging any dredged or fill materials into any waters of the U.S. Final mitigation measures will be developed as part of the Section 404 Permit process to ensure no-net-loss of wetland function and values.
  - c) A permit authorization from the CVRWQCB pursuant to Section 401 of the Clean Water Act and the California Porter-Cologne Water Quality Act must be obtained prior to the discharge of material in an area that could affect waters of the U.S./state. Mitigation requirements for discharge to waters of the U.S./state will be developed in consultation with the CVRWQCB.
  - d) A Streambed Alteration Agreement (SAA) from CDFW pursuant to Section 1602 of the California Fish and Game Code must be obtained for impacts to features (e.g., the bed, channel, or bank of any river, stream, or lake) that may be subject to Section 1600 of the Fish and Game Code.
    - The construction contractor shall adhere to all conditions outlined in the Section 1602 SAA.

*PCCP General Condition 1: Watershed Hydrology and Water Quality*

Prior to site disturbance and issuance of Building Permits for future development, the project shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ); including requirements to develop a project-based Storm Water Pollution Prevention Plan (SWPPP); and applicable NPDES program requirements as implemented by the County. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation.

The project shall comply with the West Placer Storm Water Quality Design Manual (Design Manual).

The project shall implement the following BMPs. This list shall be included on the Notes page of the improvement/grading plans and shall be shown on the plans:

1. When possible, vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas. When vehicle parking areas are to be established as a temporary facility, the site will be recovered to pre-project or ecologically improved conditions within 1 year of start of groundbreaking to ensure effects are temporary (refer to Section 6.3.1.4, General Condition 4, Temporary Effects, for the process to demonstrate temporary effects).
2. Trash generated by Covered Activities will be promptly and properly removed from the site.
3. Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) will be used on site to reduce siltation and runoff of contaminants into avoided wetlands, ponds, streams, or riparian vegetation.
  - a. Erosion control measures will be of material that will not entrap wildlife (i.e., no plastic monofilament). Erosion control blankets will be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians.
  - b. Erosion control measures will be placed between the area of disturbance and any avoided aquatic feature, within an area identified with highly visible markers (e.g., construction and erosion-control fencing, flagging, silt barriers) prior to commencement of construction activities. Such identification will be properly maintained until construction is completed and the soils have been stabilized.
  - c. Fiber rolls used for erosion control will be certified by the California Department of Food and Agriculture or any agency that is a successor or receives delegated authority during the permit term as weed free.
  - d. Seed mixtures applied for erosion control will not contain California Invasive Plant Council–designated invasive species (<http://www.cal-ipc.org/paf/>) but will be composed of native species appropriate for the site or sterile non-native species. If sterile non-native species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive non-natives.
4. If the runoff from the development will flow within 100 feet of a wetland or pond, vegetated storm water filtration features, such as rain gardens, grass swales, tree box filters, infiltration basins, or similar LID features to capture and treat flows, shall be installed consistent with local programs and ordinances.

CARP Authorization Condition V

- All work within the Plan Area that impacts Aquatic Resources of Placer County shall be completed according to the plans and documents included in the CARP application, Water Quality Certification, and, if applicable, WDRs. All changes to those plans shall be reported to Placer County. Minor changes may require an amendment to the CARP Authorization, Water Quality Certification, and, if applicable, WDRs. Substantial changes may render the authorization, Water Quality Certification, and, if applicable, WDRs, void, and a new application may be required.
- A copy of the CARP conditions and Water Quality Certification and WDRs shall be given to individuals responsible for activities on the site. Site personnel, (employees, contractors, and subcontractors) shall be adequately informed and trained to implement all permit, Water Quality Certification, and WDR conditions and shall have a copy of all permits available onsite at all times for review by site personnel and agencies.
- Any construction within the Stream System shall be implemented in a way to avoid and minimize impacts to vegetation outside the construction area. All preserved wetlands, other Aquatic Resources of Placer County, and the Stream Zone shall be protected with bright construction fencing. Temporary fencing shall be removed immediately upon completion of the project.
- Before beginning construction, the project Applicant must have a valid CARP authorization or waiver notice. In order to obtain a permit, the Applicant must pay all mitigation fees or purchase appropriate credits from an agency-approved mitigation bank.
- All deviations from plans and documents provided with the Application and approved by Placer County CDRA must be reported to Placer County CDRA immediately.
- Erosion control measures shall be specified as part of the CARP application, and the application shall not be

complete without them. All erosion control specified in the permit application shall be in place and functional before the beginning of the rainy season and shall remain in place until the end of the season. Site supervisors shall be aware of weather forecasts year-round and shall be prepared to establish erosion control on short notice for unusual rain events. Erosion control features shall be inspected and maintained after each rainfall period. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.

- All required setbacks shall be implemented according to the HCP/NCCP Condition 4 (HCP/NCCP Section 6.1.2).
- All work in aquatic resources within the Stream System shall be restricted to periods of low flow and dry weather between April 15 and October 15, unless otherwise permitted by Placer County CDRA and approved by the appropriate State and federal regulatory agency. Work within aquatic resources in the Stream System outside of the specified periods may be permitted under some circumstances. The Applicant must provide Placer County CDRA with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work in the Stream System.
- Following work in a stream channel, the low flow channel shall be returned to its natural state to the extent possible. The shape and gradient of the streambed shall be restored to the same gradient that existed before the work to the extent possible.
- Work shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds, any disturbance shall occur between September 1 and February 1 prior to the nesting season. Tree removal, earthmoving or other disturbance at other times is at Placer County CDRA's discretion and will require surveys by a qualified biologist to determine the absence of nesting birds prior to the activity.
- All trees marked for removal within the Stream System must be shown on maps included with the Application. Native trees over five inches diameter at breast height (DBH) shall not be removed without the consent of Placer County CDRA.
- Except for site preparation for the installation and removal of dewatering structures, no excavation is allowed in flowing streams unless dredging WDRs are issued by the RWQCB. Detailed plans for dewatering must be part of the Application.
- Temporary crossings as described in the Application shall be installed no earlier than April 15 and shall be removed no later than October 15, unless otherwise permitted by Placer County CDRA and approved by the appropriate State and federal regulatory agency. This work window could be modified at the discretion of Placer County and the CDFW.
- No vehicles other than necessary earth-moving and construction equipment shall be allowed within the Stream System after the section of stream where work is performed is dewatered. The equipment and vehicles used in the Stream System shall be described in the Application.
- Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment operated within the Stream System must be positioned over drip-pans. Equipment entering the Stream System must be inspected daily for leaks that could introduce deleterious materials into aquatic resources. All discharges, unintentional or otherwise, shall be reported immediately to Placer County CDRA. Placer County CDRA shall then immediately notify the appropriate state and federal agencies.
- Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed a minimum of 50 feet away from aquatic environments. All discharges, unintentional or otherwise, shall be reported immediately to Placer County CDRA. Placer County CDRA shall then immediately notify the appropriate state and federal agencies.
- During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources; nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site upon completion of the project.

- Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to Placer County CDRA before use. The PCCP does not authorize the use of herbicides; herbicide application is not a Covered Activity.
- Placer County CDRA shall be notified immediately if threatened or endangered species that are not Covered Species are discovered during construction activities. Placer County CDRA shall suspend work and notify the USFWS, NMFS, and the CDFW for guidance.
- Wildlife entering the construction site shall be allowed to leave the area unharmed or shall be flushed or herded humanely in a safe direction away from the site.
- All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife, except for those pipes that are being used to divert stream flow.
- At the end of each workday, all open trenches will be provided with a ramp of dirt or wood to allow trapped animals to escape.
- If human remains or cultural artifacts are discovered during construction, the Applicant shall stop work in the area and notify Placer County CDRA immediately. Work will not continue in the area until the County coroner and a qualified archaeologist have evaluated the remains, conducted a survey, prepared an assessment, and required consultations are completed.

**Discussion Item IV-5, 8:**

A Biological Resources Assessment was prepared for the project by ECORP Consulting in October 2021, and a field survey was conducted by ECORP biologists on September 22, 2021. A total of 0.17 acre of Valley Oak Woodland has been identified to existing on the southwestern portion of the property, more specifically along the creek in Parcel 2. Valley Oak Woodland is characterized by the PCCP as land cover dominated by large and broad-crowned valley oak trees occurring in stands and blending into riparian habitat of valley oak or mixed tree species along stream courses and on active floodplains.

Impacts to native trees from site disturbance on Parcel 2 would conflict with the Placer County Woodland Conservation Ordinance and would have a substantial environmental effect on the conversion of oak woodlands for residential development. However, with implementation of the following mitigation measures (which include PCCP mitigation measures), potential impacts would be reduced to less than significant.

**Mitigation Measure Item IV-5, 8:**

The project applicant shall comply with the following PCCP Measure:

**MM IV.6**

PCCP Community Condition 3: Valley Oak Woodland Avoidance and Minimization

Unavoidable effects to individual valley oak trees or valley oak woodlands or their 50-foot buffers shall pay the Plan land conversion fee by quantifying impacts as described in Effects on Valley Oak Woodlands of the PCCP User’s Guide.

**Discussion Item IV-6:**

Placer County has adopted Placer County Conservation Program (PCCP). This proposed project incorporates PCCP mitigation measures to address potentially significant impacts. Therefore, there is no impact.

**V. CULTURAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section				X

15064.5? (PLN)				
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)		X		
3. Disturb any human remains, including those interred outside of dedicated cemeteries? (PLN)		X		
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)		X		
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X

**Discussion Item V-1, 2, 3, 4, 5:**

A records search through the North Central Information Center (NCIC) was conducted by Michael Brandman Associates on April 6, 2006, as part of a Cultural Resources Assessment that was prepared in May 2006. The results of the NCIC search indicated that no cultural resources sites have been previously recorded with the project area or within a 0.25-mile radius. The search results also indicated one previous cultural resources study had been conducted within a 0.25-mile radius of the property, but it did not cover any portion of the project area. A records search through the Native American Heritage Commission (NAHC) of the Sacred Lands File (SLF) was completed on April 5, 2006, as requested by Michael Brandman Associates. The results were negative.

A pedestrian survey of the project was conducted by Michael Brandman Associates on April 12 and 13, 2006 as part of their 2006 Cultural Resources Assessment. The pedestrian survey did not find any evidence of archaeological resources from any time period on the project site. Due to the lack of historic or prehistoric resources with the project area, it was not recommended that additional cultural resource work should be conducted.

No human remains are known to be buried at the project site. However, there is always the possibility that subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered artifacts or human remains.

However, with the following mitigation measure, potential impacts would be reduced to a less than significant level.

**Mitigation Measures Item V-1, 2, 3, 4, 5:**MM V.1

If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work shall cease within 100 feet of the find (based on the apparent distribution of cultural resources). Examples of potential cultural materials include midden soil, artifacts, chipped stone, exotic (non-native) rock, or unusual amounts of baked clay, shell, or bone.

A qualified cultural resources specialist and Native American Representative from the traditionally and culturally affiliated Native American Tribe(s) will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of further construction activities by Tribal representatives of the traditionally and culturally affiliated Native American Tribe, and/or returning objects to a location within the project area where they will not be subject to future impacts. The United Auburn Indian Community (UAIC) does not consider curation of TCRs to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by the Tribe.

If articulated or disarticulated human remains are discovered during construction activities, the County Coroner and Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) who will work with the project proponent to define appropriate treatment and disposition of the burials.

Following a review of the find and consultation with appropriate experts, the authority to proceed may be accompanied by the addition of development requirements which provide for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. The treatment recommendations made by the cultural

resource specialist and the Native American Representative will be documented in the project record. Any recommendations made by these experts that are not implemented, must be documented and explained in the project record. Work in the area(s) of the cultural resource discovery may only proceed after authorization is granted by the Placer County Community Development Resource Agency following coordination with cultural resources experts and tribal representatives as appropriate.

#### VI. ENERGY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (PLN)			X	
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (PLN)				X

#### Discussion Item VI-1:

The main forms of available energy supply are electricity, natural gas, and oil. Energy would be used to construct the proposed project, and once constructed, energy would be used for the lifetime of the future structures.

Construction of the proposed project is required to comply with the California Green Building Standards Code (CBSC, also known as the CAL Green Code) and the 2019 Building Energy Efficient Standards (which is a portion of the CBSC). All construction equipment and operation thereof would be regulated per the California Air Resources Board (CARB) In-Use Off-Road Diesel Vehicle Regulation. The purpose of the CBSC is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. Building Energy Efficient Standards achieve energy reductions through requiring high-efficacy lighting, improved water heating system efficiency, and high-performance attics and walls. CARB standards for construction equipment include measures to reduce emissions from vehicles by subjecting fleet owners to retrofit or accelerated replacement/repower requirements and imposing idling limitations on owners, operators, renters, or lessees of off-road diesel vehicles. The proposed project construction would also be required to comply with all applicable Placer County Air Pollution Control District (PCAPCD) rules and regulations.

Energy use associated with operation of the proposed project would be typical of residential uses, requiring electricity and natural gas for interior and exterior building lighting, HVAC, electronic equipment, machinery, refrigeration, appliances, and security systems. In addition, maintenance activities during operations, such as landscape maintenance, would involve the use of electric or gas-powered equipment.

While the proposed project would introduce new operational energy demands to the proposed project area, this demand does not necessarily mean that the proposed project would have an impact related to energy sources. The proposed project would result in an impact if a project would result in the inefficient use or waste of energy. The proposed project is required to comply with all applicable standards and regulations regarding energy conservation and fuel efficiency, which would ensure that the future uses would be designed to be energy efficient to the maximum extent practicable. Accordingly, the proposed project would not be considered to result in a wasteful, inefficient, or unnecessary use of energy, and impacts related to construction and operational energy would be considered less than significant. No mitigation measures are required.

#### Discussion Item VI-2:

Placer County does not currently have an adopted plan for renewable energy or energy efficiency. The Placer County Sustainability Plan (PCSP), adopted by the Placer County Board of Supervisors on January 28, 2020, includes goals and policies for energy efficiency. The proposed project is consistent with the PCSP. Therefore, there is no impact.

**VII. GEOLOGY & SOILS** – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Result in substantial soil erosion or the loss of topsoil? (ESD)			X	
2. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (ESD)			X	
3. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial direct or indirect risks to life or property? (ESD)		X		
4. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (EH)			X	
5. Directly or indirectly destroy a unique paleontological resource or unique geologic or physical feature? (PLN)		X		
6. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)			X	
7. Result in substantial change in topography or ground surface relief features? (ESD)			X	
8. Result in exposure of people or property to geologic and geomorphological (i.e., Avalanches) hazards such as earthquakes, landslides, mudslides, seismic-related ground failure, or similar hazards? (PLN, ESD)			X	

**Discussion Items VII-1, 6, 7:**

The project site is made up of an approximately 80.9-acre parcel with existing equestrian facilities, single family home, and modular home, proposed to be divided into four parcels consisting of Parcel 1 (approximately 21.3 acres), Parcel 2 (approximately 20.0 acres), Parcel 3 (approximately 19.2 acres), and Parcel 4 (approximately 20.4 acres). The parcels are mildly sloped and are surrounded by rural residential development and agricultural uses.

According to the United States Department of Agriculture (USDA) Soil Survey of Placer County and the United States Department of Agriculture - Natural Resources Conservation Service Web Soil Survey, the proposed project improvements are located on soils classified as about 55% San Joaquin-Cometa sandy loams, 1 to 5 percent, and about 45 percent Xerofluvents, frequently flooded.

The San Joaquin-Cometa sandy loams (1 to 5 percent slopes) are about 40 percent San Joaquin soil and 30 percent Cometa soil. The San Joaquin is a well-drained claypan soil that is moderately deep over a hardpan. It formed in alluvium from predominantly granitic sources. Typically, the surface layer is a reddish yellow sandy loam about 15 inches thick. The subsoil is reddish yellow clay loam and yellowish red clay. At a depth of about 35 inches is the hardpan. Permeability is very slow, the surface runoff is slow, and the erosion hazard is slight. The Cometa is a deep, well drained claypan soil. It formed in alluvium, mainly from granitic sources. Typically, the surface layer is brown sandy loam about 18 inches thick. The subsoil is brown clay. At a depth of about 29 inches is very pale brown sandy loam that is slightly compacted. Permeability is very slow, the surface runoff is slow, and the erosion hazard is slight.

The major limitations to construction on the Cometa soil are the very slow permeability of the subsoil, the shrink-swell potential, and the limited ability of the soil to support a load. The major limitations to construction on the San Joaquin soil are the very slow permeability of the subsoil, the moderate depth to the hardpan, the shrink-swell potential, and the limited ability of the soil to support a load. Dwelling and road construction can be designed to offset the shrink-swell potential and the low bearing strength of the soils.

The Xerofluents, frequently flooded, consist of narrow stringers of somewhat poorly drained recent alluvium adjacent to stream channels. These are variable colored, stratified gravelly sandy loams, gravelly loams, and gravelly clay loams that generally grade to sand and gravel with increasing depth. The depth to underlying restrictive material is greater than 36 inches. Permeability is variable, surface runoff is slow, and the erosion hazard is high. Areas are subject to frequent flooding and channelization.

The Xerofluents are not suited to urban use because of the flood hazard. However, the 100-year FEMA floodplain is shown on the Tentative Map, and the existing structures are all located outside of the 100-year floodplain, and any proposed structures would be required to be located outside of the 100-year floodplain.

The project proposal has the potential to result in the construction of one new single-family residence on both proposed Parcels 1 and 4 and one Accessory Dwelling Unit on each of the four new parcels with associated infrastructure including encroachment improvements, driveways, utilities, wells and septic systems. To construct the improvements proposed, disruption of soils onsite would occur, including excavation/compaction for homes, driveways, encroachment improvements, and various utilities. The area of disturbance for these improvements per the submitted site plan is approximated at 28,000 square feet (0.64 acre) which is approximately 0.79 percent of the approximate 80.9-acre project area. The project site is fairly flat, so cuts and fills would be relatively minor. Any erosion potential would only occur during the short time of the construction of the improvements.

The project's site-specific impacts associated with soil disruptions, soil erosion and topography changes are less than significant. No mitigation measures are required.

**Discussion Items VII-2, 8:**

The project is located within Placer County. The California Department of Mines and Geology classifies the project site as a low severity earthquake zone. The project site is considered to have low seismic risk with respect to faulting, ground shaking, seismically related ground failure and liquefaction. There is a potential for the site to be subjected to at least moderate earthquake shaking during the useful life of any future buildings. However, the future residential units would be constructed in compliance with the California Building Code, which includes seismic standards.

The project is not located in a sensitive geologic area or in an area that typically experiences soil instability. The Soil Survey indicates that the soils on the site are capable of supporting residential structures and circulation improvements. The proposed project would comply with Placer County construction and improvement standards to reduce impacts related to soils, including on or offsite landslides, lateral spreading, subsidence, liquefaction, or collapse. The Soil Survey does not identify significant limitation of the soil types present on the site.

Therefore, the impacts of unstable soil and geologic/seismic hazards are less than significant. No mitigation measures are required.

**Discussion Items VII-3:**

The Soil Survey identifies potentially significant expansive soils and limited ability of the soil to support a load as a limitation of the soil types present on the site. The project would be required to obtain a geotechnical report for recommendations for the construction of a proposed home on proposed Parcel 1 and 4 due to these limitations. The development of homes would be in compliance with the California Building Code which would also reduce impacts related to expansive (shrink-swell) soils.

Therefore, the impacts of expansive soils can be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures Item VII-3:**

MMVII.1

Prior to Building Permit issuance, submit a final geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer for Engineering and Surveying Division review and approval. The report shall address and make recommendations on the following:

- A) Structural foundations
- B) Special problems discovered on-site, (i.e., shrink-swell potential, and the limited ability of the soil to support a load)

Once approved by the Engineering and Surveying Division (ESD), two copies of the final report shall be provided to the ESD and one copy to the Building Services Division for its use. It is the responsibility of the developer to provide

for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report.

If the geotechnical engineering report indicates the presence of critically expansive or other soil problems that, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report shall be required for subdivisions, prior to issuance of Building Permits. This certification may be completed on a lot- by-lot basis. This shall be so noted on the Informational Sheet filed with the Final Parcel Map(s). (ESD)

#### MMVII.2

The United States Department of Agriculture (USDA) Soil Survey of Placer County and the United States Department of Agriculture - Natural Resources Conservation Service Web Soil Survey indicated the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects.

For non-pad graded lots, prior to Building Permit Issuance, the applicant shall submit to the Building Services Division for review and approval, a soil investigation of each lot in the subdivision produced by a California Registered Civil or Geotechnical Engineer (Section 17953-17955 California Health and Safety Code).

The soil investigations shall include recommended corrective action that is likely to prevent structural damage to each proposed dwelling. A note shall be included on the Informational Sheet filed with the Final Parcel Map(s), which indicates the requirements of this condition. (ESD)

#### **Discussion Item VII-4:**

The project would eventually result in the construction of two new on-site sewage disposal systems. Soils testing has been conducted by a qualified consultant and reports submitted showing the types of sewage disposal systems required on the proposed parcels that would adequately treat the sewage effluent generated by the project. A total of four sewage disposal systems (two existing sewage disposal systems on lots 2 and 3 and two proposed sewage disposal systems on lots 1 and 4) would be located on the project and thus the impacts from these sewage disposal systems are considered to be less than significant. No mitigation measures are required.

#### **Discussion Item VII-5:**

A Paleontological Resources Report that was prepared for the project by Kenneth L. Finger, Ph.D. Consulting Paleontologist on September 24, 2021, included a paleontological records search conducted on the University of California Museum of Paleontology (UCMP) database. The results of the paleontological records search indicated no recorded fossil sites within the proposed project boundaries. The project site is underlain by the Laguna Formation and Riverbank Formation. The records list many vertebrate localities from unnamed Pleistocene units in the Sacramento Basin which could in fact belong to the Riverbank Formation. Therefore, the Riverbank Formation has a high sensitivity but low potential for significant paleontological resources.

With the following mitigation measures, potential impacts would be reduced to a less than significant level.

#### **Mitigation Measure VII-5:**

##### MM VII.1

Prior to construction on Parcels 1, 2, 3, and 4, a professional paleontologist shall provide the construction crew with a pre-construction orientation and training on the significant paleontological resources (i.e., fossils) that may be encountered and the appropriate procedures to follow should any fossils be unearthed.

##### MM VII.2

If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until Placer County is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples should be collected and processed to determine the small fossil potential on the Project Site. If work resumes work in a location where paleontological remains have been discovered and cleared, Placer County will have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation activities should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

**VIII. GREENHOUSE GAS EMISSIONS** – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (PLN, Air Quality)			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (PLN, Air Quality)			X	

**Discussion Item IX-1, 2:**

Greenhouse gas (GHG) emissions of primary concern from land use projects include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Construction related activities resulting in exhaust emissions may come from fuel combustion for heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, material delivery trucks, and worker commuter trips. Operational GHG emissions would result from motor vehicle trips generated by the residents and visitors, as well as on-site fuel combustion for landscape maintenance equipment. The proposed project could ultimately result in grading, subsequent paving and the construction of residential and accessory buildings, along with the construction of associated utilities and roadways.

The California Global Warming Solutions Act (AB32) signed into law in September 2006, requires statewide GHG emissions to be reduced to 1990 levels by 2020. AB32 established regulatory, reporting, and market mechanisms to achieve this goal and provides guidance to help attain quantifiable reductions in emissions efficiently, without limiting population and economic growth. In September of 2016, Senate Bill (SB) 32 was signed by the Governor, to establish a California GHG reduction target of 40 percent below 1990 levels by 2030.

On October 13, 2016, the Placer County Air Pollution Control District (PCAPCD) adopted CEQA significance thresholds for GHG emissions as shown below. The Bright-line Threshold of 10,000 metric tons (MT) CO<sub>2</sub>e/yr threshold for construction and operational phases, and the De Minimis level of 1,100 MT CO<sub>2</sub>e/yr for operational, were used to determine significance. GHG emissions from projects that exceed 10,000 MT CO<sub>2</sub>e/yr would be deemed to have a cumulatively considerable contribution to global climate change. For a land use project, this level of emissions is equivalent to a project size of approximately 646 single-family dwelling units, or a 323,955 square feet commercial building.

The De Minimis Level for the operational phases of 1,100 MT CO<sub>2</sub>e/yr represents an emissions level which can be considered as less than cumulatively considerable and be excluded from the further GHG impact analysis. This level of emissions is equivalent to a project size of approximately 71 single-family units, or a 35,635 square feet commercial building.

**PCAPCD CEQA THRESHOLDS FOR GHG EMISSIONS**

- 1) Bright-line Threshold of 10,000 metric tons of CO<sub>2</sub>e per year for the construction and operational phases of land use projects as well as the stationary source projects
- 2) Efficiency Matrix for the operational phase of land use development projects when emissions exceed the De Minimis Level, and
- 3) De Minimis Level for the operational phases of 1,100 metric tons of CO<sub>2</sub>e per year.

Buildout of the proposed project would not exceed the PCAPCD's screening criteria and therefore would not exceed the PCAPCD's Bright-line threshold, or De Minimis level and therefore would not substantially hinder the State's ability to attain the goals identified in SB 32. Thus, the construction and operation of the project would not generate substantial greenhouse gas emissions, either directly or indirectly, which may be considered to have a significant impact on the environment, nor conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and is therefore considered to have a less than significant impact. No mitigation measures are required.

**IX. HAZARDS & HAZARDOUS MATERIALS** – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (EH)			X	
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EH)			X	
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (AQ)			X	
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EH)		X		
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (PLN)				X
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (PLN)				X
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (PLN)			X	

**Discussion Item IX-1, 2:**

The use of hazardous substances during normal construction and residential activities is expected to be limited in nature and would be subject to standard handling and storage requirements. Accordingly, impacts related to the release of hazardous substances are considered less than significant. No mitigation measures are required.

**Discussion Item IX-3:**

There are no existing or proposed school sites within one-quarter mile of the project site. Further, operation of the proposed project does not propose a use that involves activities that would emit hazardous substances or waste that would affect a substantial number of people and is therefore considered to have a less than significant impact. No mitigation measures are required.

**Discussion Item IX-4:**

The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Environmental Health has reviewed the "Phase I Environmental Site Assessment", prepared by Youngdahl Consulting Group, Inc., the "Phase II Environmental Site Assessment" and the "Environmental Summary", both prepared by ENGEO, for the project site. The reports summarize the results of soil sampling activities to evaluate the property for potential contamination. Elevated levels of lead and toxaphene were identified around the southwestern residence (within future Parcel 2). ENGEO concludes that the existing soil conditions do not present a health risk to the current occupants because the impacted soil is located within existing landscaped areas and no structures are proposed for demolition at this time. ENGEO recommends preparation of a Soil Management Plan be prepared to address soil impacts if future demolition and/or re-development is planned.

This is considered a potentially significant impact that would be reduced to less than significant impact with the implementation of the following mitigations measure. These mitigations measures require a plan to address soil impacts in the future if soil would be disturbed.

**Mitigation Measures Item IX-4:**

**MM IX.4**

Prior to any future demolition activities of the existing residence located in the southwestern portion of the property (within future Parcel 2), a Soil Management Plan shall be submitted to Environmental Health to address impacted soil as identified in the “Phase II Environmental Site Assessment”.

**Discussion Item IX-5:**

The project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip and would not result in a safety hazard for people residing or working in the project area. Therefore, there is no impact.

**Discussion Item IX-6:**

The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, there is no impact.

**Discussion Item IX-7:**

The project site is located within an area determined by CalFire to be at moderate risk for wildland fires and is located within a California State Responsibility Area. Standard fire regulations and conditions shall apply to the proposed project, including installation of fire sprinklers in single family residences and standard fire safe setbacks. With the implementation of said regulations and fire safe practices, impacts related to wildland fires would be less than significant. No mitigation measures are required.

**X. HYDROLOGY & WATER QUALITY – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade ground water quality? (EH)			X	
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (EH)			X	
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: a) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; b) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems? (ESD)			X	
4. Create or contribute runoff water which would include substantial additional sources of polluted runoff or otherwise substantially degrade surface water quality either during construction or in the post-construction condition? (ESD)			X	
5. Place housing or improvements within a 100-year flood hazard area either as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map which would: a) impede or redirect flood flows; or b) expose people or structures to risk of loss, injury, or death involving flooding c) risk release of pollutants due to project inundation?		X		

(ESD)				
6. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (EH)			X	

**Discussion Item X-1:**

The project would utilize onsite individual water wells for each parcel and onsite sewage disposal systems for each parcel which are installed in accordance with permits obtained from Placer County Environmental Health (PCEH). The location of the water wells are beyond the required 100-feet from the onsite sewage disposal system areas. The water wells here are drilled and are protected from contaminants at the ground surface by sanitary seals and annular seals. With the setback distances required by County Ordinances and California State Law and that the septic systems and water wells must be placed in locations approved by PCEH, the likelihood of this project having impacts associated with septic systems upon wells is considered to be less than significant. No mitigation measures are required.

**Discussion Item X-2:**

The project currently has four wells that are drilled on the proposed project site. All the wells meet the County standard for providing adequate water supply for each of the proposed parcels. Each of the wells produce an adequate amount of water meeting County development standards. A single-family dwelling is a low use as compared to an industrial use or an agricultural use thus the potential to deplete the groundwater supply is considered to be less than significant in this project. No mitigation measures are required.

**Discussion Item X-3:**

The proposed project has the potential to ultimately include the construction of two new single family residential homes and four Accessory Dwelling Units along with driveway and encroachment improvements. The existing site generally slopes from northeast to southwest, and drainage is conveyed via sheet flow and the large onsite drainage way that starts at the midpoint of the northern property line and flows to the northwest corner of the parcel.

The project would add approximately 24,800 square feet (0.57 acre) of impervious surfaces resulting in a 0.70 percent increase as compared to the entire project area, approximately 80.9 acres. No downstream drainage facility or property owner would be significantly impacted by any minimal increase in surface runoff.

Therefore, the impacts to substantially altering the existing drainage pattern of the site, substantially increasing the surface runoff, or exceeding the capacity of drainage systems are less than significant. No mitigation measures are required.

**Discussion Item X-4:**

Approximately 0.64 acre of the 80.9-acre site would be disturbed during construction activities. After construction, an estimated 0.70 percent of the 80.9-acre site will be covered with impervious surfaces including driveways, structures, and associated utilities. Potential water quality impacts are present both during project construction and after project development. Construction activities will disturb soils and cause potential introduction of sediment into stormwater during rain events. Through the implementation of Best Management Practices (BMPs) for minimizing contact with potential stormwater pollutants at the source and erosion control methods, this potentially significant impact will be reduced to less than significant levels. In the post-development condition, the project could potentially introduce contaminants such as oil and grease, sediment, nutrients, metals, organics, pesticides, and trash from activities such as roadway and driveway runoff, outdoor storage, landscape fertilizing and maintenance. Project-related stormwater discharges are subject to Placer County's Stormwater Quality Ordinance (Placer County Code, Article 8.28). This project will reduce pollutants in stormwater discharges to the maximum extent practicable and prevent non-stormwater discharges from leaving the site, both during and after construction.

Erosion potential and water quality impacts are always present and occur when protective vegetative cover is removed, and soils are disturbed. The disruption of soils on the site is minimal and will be less than significant. The project will be required to provide stormwater quality treatment and erosion control as part of the Building Permit and Encroachment Permit process. Therefore, the proposed project's impacts associated with soil erosion and surface water quality are less than significant. No mitigation measures are required.

**Discussion Item X-5:**

The project site is located within a 100-year flood hazard area as defined and mapped by the Federal Emergency

Management Agency (FEMA). The 100-year FEMA floodplain will be required to be shown on the Final Parcel Map similar to the Tentative Parcel Map. The existing and ultimate project improvements are not proposed within the FEMA 100-year flood hazard area, or a local 100-year flood hazard area and no flood flows will be impeded or redirected after construction of any improvements.

Therefore, the impacts of/to flood flows and exposing people or structures to flooding risk can be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures Item X-5:**

MM X.1

On the Information Sheet(s) filed with the Final Parcel Map(s) show the limits of the 100-year flood plain for the drainageway that runs from about the midway point along the northern property line and flows northeast to southwest through the project to the southwest corner and designate same as a building setback line unless greater setbacks are required by other conditions contained herein. In addition, include the following note “No grading activities of any kind may take place within the 100-year floodplain of the drainageway.” (ESD)

**Discussion Item X-6:**

This project would utilize four existing wells. With this project only proposing four residential parcels, the project would not substantially deplete groundwater supplies or interfere with groundwater recharge. Therefore, impacts are anticipated to be less than significant. No mitigation measures are required.

**XI. LAND USE & PLANNING – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (EH, ESD, PLN)				X
3. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)			X	
4. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

**Discussion Item XI-1, 3, 4:**

The project proposes to subdivide an 80.9-acre parcel into four parcels consisting of 21.3 acres (Parcel 1), 20.0 acres (Parcel 2), 19.2 acres (Parcel 3), and 20.4 acres (Parcel 4). The parcel is zoned F 4.6 AC. MIN. (Farm 4.6 acre minimum). The project site is within the Placer County General Plan Area and is designated Rural Residential, 1-10-acre minimum. The proposed Parcel 1 includes several existing livestock facilities, including two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn. Parcel 2 includes an existing primary residence which includes a portable storage building with laborer accommodations, and Parcel 3 includes an existing modular home. Parcel 4 is currently undeveloped can potentially accommodate future development of a single-family residence. Rural single-family residences and agricultural uses are located to the north, east, and south of the project site, and agricultural uses are located to the west of the project site. The proposed project will not cause economic or social changes that would result in adverse physical changes to the environment. Therefore, the project will have no impacts related to land use and planning. No mitigation measures are required.

The project also includes a variance request for Parcel 1 to allow for a reduced rear setback (south property line) of 11 feet where normally 30 feet is required to accommodate an existing covered arena structure and existing “cattle alleyway”. The variance would allow the property to follow the existing southern fence line and avoid encroachment onto the existing irrigation system and grazing area located on the property to the south. The request for the variance appears justifiable given these unique circumstances on the project site. Impacts are less than significant. No mitigation measures are required.

**Discussion Item XI-2:**

The proposal does not conflict with any Environmental Health land use plans, policies or regulations, and as such, there are no impacts expected. The proposed project does not conflict with any land use plans, policies or regulations and does not conflict with General Plan/Community Plan/Specific Plan policies related to grading, drainage, and transportation. Therefore, there is no impact.

**XII. MINERAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

**Discussion Item XII-1, 2:**

The Mineral Land Classification of Placer County, California Department of Conservation – Division of Mines and Geology 1995, was prepared for the purpose of identifying and documenting the various mineral compounds found in the soils of Placer County. The Classification is comprised of five primary mineral deposits formed by hydrothermal processes (lode gold, silver, copper, zinc and tungsten); and construction aggregate resources, industrial mineral deposits and other deposits formed by magmatic segregation processes (sand, gravel, crushed stone, decomposed granite, clay, shale, quartz and chromite).

With respect to those deposits formed by mechanical concentration, the site and immediate vicinity are classified as Mineral Resource Zone MRZ-1, meaning, this is an area where geologic information indicates there is little likelihood for the presence of significant mineral resources. No significant mineral resources have been identified on the property.

The project site has never been mined and no valuable, locally important mineral resources have been identified on the project site. Therefore, there is no impact.

**XIII. NOISE – Would the project result in:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (PLN)		X		
2. Generation of excessive groundborne vibration or groundborne noise levels? (PLN)			X	
3. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

**Discussion Item XIII-1:**

The proposed project would not result in an exposure of persons to or generation of noise levels in excess of

standards established in the Placer County General Plan, or the Placer County Noise Ordinance. Construction of the proposed project improvements would create a temporary increase in ambient noise levels, which could adversely affect adjacent residences. However, with the incorporation of the following mitigation measure, which is consistent with the County’s Noise Ordinance, impacts associated with temporary construction noise would be reduced to less than significant levels:

**Mitigation Measure Item XIII-1:**

MM XIII.1

Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays and shall only occur:

- a. Monday through Friday, 6:00am to 8:00pm (during daylight savings)
- b. Monday through Friday, 7:00am to 8:00pm (during standard time)
- c. Saturdays, 8:00am to 6:00pm

**Discussion Item XIII-2**

The project proposes to subdivide an 80.9-acre parcel into four parcels. Parcel 1 includes several livestock facilities (two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn). Parcel 2 includes an existing primary residence and Parcel 3 includes an existing modular home. Parcel 4 is currently undeveloped, but the parcel could be developed with a single-family resident with the approval of this subdivision. Vehicle trips generated from the subdivision would be periodic in nature and given the relatively low density of the surrounding area, would not be excessive. The proposed project would not create a substantial permanent increase in ambient noise levels in the project vicinity. Therefore, this impact is considered less than significant. No mitigation measures

**Discussion Item XIII-3:**

The proposed project is not located within the vicinity of a private airstrip, an airport land use plan, or within two miles of a public airport and would not expose people residing or working in the project area to excessive noise levels. Therefore, there is no impact.

**XIV. POPULATION & HOUSING – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial unplanned population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (PLN)			X	
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

**Discussion Item XIV-1:**

The project proposes to subdivide an 80.9-acre parcel into four parcels. Parcel 1 includes several livestock facilities (two covered arena buildings, two uncovered arena areas, two 5-stall barns, one 10-stall barn, and one 12-stall barn). Parcel 2 includes an existing primary residence and Parcel 3 includes an existing modular home. Parcel 4 is currently undeveloped, but the parcel could be developed with a single-family resident with the approval of this Minor Land Division. If the property is developed to its full residential density potential, four single family residences and four secondary dwelling units could be developed. This would cause a negligible increase to population growth. Therefore, this impact is considered less than significant. No mitigation measures are required.

**Discussion Item XIV-2:**

The proposed project would not displace any existing housing. Therefore, there is no impact.

**XV. PUBLIC SERVICES** – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)				X
3. Schools? (ESD, PLN)				X
4. Parks? (PLN)				X
5. Other public facilities? (ESD, PLN)				X
6. Maintenance of public facilities, including roads? (ESD, PLN)			X	

**Discussion Item XV-1:**

The Placer County Fire Protection District (Cal Fire) has reviewed the proposed project. The proposed project does not generate the need for new, significant fire protection facilities as part of this proposed project. Therefore, this impact is less than significant. No mitigation measures are required.

**Discussion Item XV-2, 3, 4, 5:**

The California Department of Forestry & Fire Protection/Placer County Fire Department (CalFire) provides fire protection services to the project area; the Placer County Sheriff's Department provides police protection services to the project area; the Placer County Department of Public Works is responsible for maintaining County roads, and the project is within the Western Placer Unified School District. The project proposes to subdivide an 80.8-acre parcel into four parcels. Parcel 1 includes several livestock facilities. Parcel 2 includes an existing primary residence and Parcel 3 includes an existing modular home. Parcel 4 is currently undeveloped, but the parcel could be developed with a single-family resident with the approval of this subdivision. If Parcel 3 is developed to its full residential density potential, one single family residence and one secondary dwelling unit could be developed thereby increasing the number of residents in the project area. However, the proposed project would create a modest incremental increase in the need for Sheriff protection facilities, schools, parks, or other public facilities because the increase in the number of residents is considered negligible and is not beyond the number of residents that were analyzed in the Placer County General Plan. Therefore, there is no impact.

**Discussion Item XV-6:**

The project proposes a minor land division in order to subdivide an 80.9-acre parcel into four parcels consisting of 21.3 acres (Parcel 1), 20.0 acres (Parcel 2), 19.2 acres (Parcel 3), and 20.4 acres (Parcel 4). The proposed Parcel 1 is accessed from driveways off of McCourtney Road and Fruitvale Road. Parcel 2 is accessed from McCourtney Road. Parcel 3 and the undeveloped Parcel 4 are both accessed from Fruitvale Road. The proposed project would not generate any more impacts on the maintenance of public roads than was anticipated with the development of the Placer County General Plan. Therefore, the impact is less than significant. No mitigation measures are required.

**XVI. RECREATION:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)			X	
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)			X	

**Discussion Item XVI-1:**

There would be a negligible increase in the use of existing public parks and recreational areas in the surrounding area as a result of the proposed Minor Land Division. The increase would not result in a substantial deterioration of facilities as park improvements are offset by the payment of park dedication fees to pay for the capital construction of new or expanded recreation facilities. Impacts are considered less than significant. No mitigation measures are required.

**Discussion Item XVI-2:**

The proposed project does not include recreational facilities nor require the construction or expansion of recreational facilities that might have an adverse effect on the environment. Moreover, the County has an adopted fee program to require each new residence to pay a capital impact facility fee for construction of new public park facilities. During review of Improvement Plans for the Final Map, the Parks Division would determine the amount of fee credit due to the project based on the final design of onsite and offsite recreation improvements. That portion of the new recreation demand created by the project that is not met by the provision of new onsite recreation facilities would be charged as a pro-rata fee (Park Preservation Fee) to each unit at the time of building permit approval in accordance with adopted County code and policy. This is a less than significant impact. No mitigation measures are required.

**XVII. TRANSPORTATION – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with a program, plan, ordinance or policy, except LOS (Level of Service) addressing the circulation system (i.e., transit, roadway, bicycle, pedestrian facilities, etc.)? (ESD)			X	
2. Substantially increase hazards to vehicle safety due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)			X	
3. Result in inadequate emergency access or access to nearby uses? (ESD)			X	
4. Result in insufficient parking capacity on-site or off-site? (ESD, PLN)			X	
5. Would the project result in VMT (Vehicle Miles Traveled) which exceeds an applicable threshold of significance, except as provided in CEQA Guidelines section 15064.3, subdivision (b)? (PLN)			X	

**Discussion Item XVII-1:**

The proposed project will not significantly conflict with any existing policies or preclude anticipated future policies, plans, or programs supporting the circulation system. The proposed design/improvements do not significantly impact the construction of bus turnouts, bicycle racks, planned roadway, bicycle, or pedestrian facilities, etc. Therefore, this impact is less than significant. No mitigation measures are required.

The Placer County General Plan includes a fully funded Capital Improvement Program (CIP) that requires payment of traffic fees for the ultimate construction of the CIP improvements. A Condition of Approval on the project would be included requiring the payment of traffic fees (estimated to be \$4,629 per single family residential unit) to the Placer County Department of Public Works prior to Building Permit issuance. The traffic fees represent the project's fair share towards cumulative roadway improvement projects.

**Discussion Item XVII-2:**

The project will include improvements to the existing encroachments for proposed Parcels 1 and 2 on both McCourtney Road and Fruitvale Road to meet County standards.

The project will remove/trim trees and other shrubbery as necessary per the site distance exhibit provided to ensure adequate corner site distance is achieved for the two proposed driveways accessing McCourtney Road.

Therefore, the impacts of vehicle safety are less than significant. No mitigation measures are required.

**Discussion Item XVII-3:**

The servicing fire district has reviewed the proposed project and has not identified any significant impacts to emergency access. The proposed project does not significantly impact the access to any nearby use. Therefore, this is a less than significant impact. No mitigation measures are required.

**Discussion Item XVII-4:**

The Placer County Zoning Ordinance Section 17.54.060 requires two parking spots per dwelling unit. At the time that any of the newly created parcels are developed, a review for conformance with the parking standards outlined by the Placer County Zoning Ordinance would be performed to verify that minimum onsite parking requirements would be met. Therefore, this is a less than significant impact. No mitigation measures are required.

**Discussion Item XVII-5:**

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

In response to PRC 21099(b)(2), CEQA Guidelines Section 15064.3 notes that "Generally, vehicle miles traveled is the most appropriate measure of transportation impacts." As of July 1, 2020, the requirement to analyze transportation impacts in CEQA using Vehicle Miles Traveled (VMT) went into effect.

Parcel 1 includes several existing livestock facilities, Parcel 2 includes an existing primary residence which includes a portable storage building with labor accommodations, and Parcel 3 includes an existing modular home. The Parcel 4 is the only undeveloped parcel. If the property is developed to its full residential density potential, four single family residences and four secondary dwelling units could be developed. This would cause a negligible increase to population growth, and ultimately to VMT; further, the project is screenable as a small project under the County's VMT screening criteria. Therefore, this is a less than significant impact. No mitigation measures are required.

**XVIII. TRIBAL CULTURAL RESOURCES** – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (PLN)		X		
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (PLN)		X		

The United Auburn Indian Community (UAIC) is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Indians and are traditionally and culturally affiliated with the project area. The Tribe possesses the expertise concerning tribal cultural resources in the area and are contemporary stewards of their culture and the landscapes. The Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe’s goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

**Discussion Item XVIII-1, 2:**

The identification of Tribal Cultural Resources (TCR) for this project by UAIC included a review of pertinent literature and historic maps, and a records search using UAIC’s Tribal Historic Information System (THRIS). UAIC’s THRIS database is composed of UAIC’s areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the CHRIS North Central Information Center (NCIC) as well as historic resources and survey data.

A records search through the Native American Heritage Commission (NAHC) of the Sacred Lands File (SLF) was completed on April 5, 2006, as requested by Michael Brandman Associates. The results were negative.

Pursuant to Assembly Bill 52 (Chapter 532, Statutes of 2014), consultation requests were sent to tribes traditionally and culturally affiliated with the proposed project area on May 12, 2021. Placer County received email correspondence from the United Auburn Indian Community (UAIC) on May 18, 2021, declining consultation. No other tribes contacted the County.

Despite the lack of identified TCRs on the project site, there is always the potential to unearth sensitive cultural resources during ground disturbance activities. With the following mitigation measure, potential impacts to TCRs would be reduced to a less than significant level.

**Mitigation Measures Item XVIII-1, 2:**

MM V.1

**XIX. UTILITIES & SERVICE SYSTEMS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (EH, ESD, PLN)			X	
2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (EH)			X	
3. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (EH, ESD)			X	
4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (EH)			X	
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (EH)			X	

**Discussion Item XIX-1, 3:**

Storm water would continue to be collected and conveyed in new culverts constructed under proposed driveways and roadside vegetated swales. No downstream drainage facility or property owner would be significantly impacted by any minimal increase in surface runoff. No new significant storm water drainage facilities or expansion of existing facilities is required.

There are five existing water wells that serve the property. There are two wells located on Parcel 2 (one serving the existing primary residence and one for irrigation purposes), one well located on Parcel 1 that serves the livestock area and facilities, one well on Parcel 3 serving the modular home, and one well located on the undeveloped Parcel 4.

The proposed project would utilize private septic systems for the method of sewage disposal. Therefore, there would be no significant increase in new or expanded wastewater systems/treatment or water systems.

The project does not require any significant relocation or construction of electric, gas, or telecommunication facilities that would cause significant environmental effects.

Therefore, these impacts are less than significant. No mitigation measures are required.

**Discussion Item XIX-2:**

The project currently has four existing water wells drilled under permit through Placer County Environmental Health. The location of the project is in an area of adequate yielding wells. There is sufficient water available to serve this project as the four existing wells meet the minimum standards set for the by PCEH for water supply to serve each parcel. Thus, the concern about whether this parcel has sufficient water available for this project is considered to be less than significant. No mitigation measures are required.

**Discussion Item XIX-4, 5:**

The project lies in an area of the County that is served by the local franchised refuse hauler (Recology) and is served by a landfill with sufficient permitted capacity. The concern whether this project is served by a landfill with sufficient capacity is considered to be less than significant. No mitigation measures are required.

**XX. WILDFIRE** – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially impair an adopted emergency response plan or emergency evacuation plan? (PLN)				X
2. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (PLN)			X	
3. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) the construction or operation of which may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (PLN)			X	
4. Expose people or structures to significant risks, including downslope or downstream flooding, mudslides, or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (PLN)			X	

**Discussion Item XX-1:**

Placer County adopted a Community Wildfire Protection Plan (CWPP) in 2013 in order to provide guidance to reduce the threat of wildfire-related damages to people, property, ecological elements, and other important values identified by residents. The proposed project would be required to adhere to California Public Resources Code (PRC) 4290 and 4291 regulations which are aligned with the Goals and Objectives of the Placer County CWPP. The proposed project would not impair any existing emergency response plan or evacuation plan. Therefore, there is no impact.

**Discussion Item XX-2, 3:**

The proposed project is within the State Responsibility Area (SRA), is designed Local Responsibility Area Moderate, and is surrounded by properties with the same designation. PRC 4290 and 4291 create minimum fire safety standards for structures and buildings in the State Responsibility Area (SRA) and in Hazardous Fire Areas. These standards include, but are not limited to, defensible space, fire access, fuel breaks, and building standards.

With full compliance with these regulations, the impact would be less than significant. No mitigation measures are required.

**Discussion Item XX-4:**

The proposed project site and surrounding area is rural in character. The topography of the project site is relatively flat terrain with a gentle slope to the southwest, and therefore does not present unique or unusual challenges to preventing or suppressing wildland fires. A drainage ditch traverses through the property trending in a southwesterly direction from Fruitvale Road to McCourtney Road. The topography would not expose people or structures to significant risks such as flooding, mudslides or landslides as a result of runoff or post-fire instability. Therefore, there this impact would be less than significant. No mitigation measures are required.

**F. MANDATORY FINDINGS OF SIGNIFICANCE:**

Environmental Issue	Yes	No
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. OTHER RESPONSIBLE AND TRUSTEE AGENCIES** whose approval is required:

<input checked="" type="checkbox"/> California Department of Fish and Wildlife	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input checked="" type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input checked="" type="checkbox"/> U.S. Army Corps of Engineers
<input type="checkbox"/> California Department of Transportation	<input checked="" type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/>
<input checked="" type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/>

**H. DETERMINATION** – The Environmental Review Committee finds that:

<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.
-------------------------------------	---

**I. ENVIRONMENTAL REVIEW COMMITTEE** (Persons/Departments consulted):

Planning Services Division, Nick Trifiro, Chairperson  
 Planning Services Division-Air Quality, Nick Trifiro  
 Engineering and Surveying Division, Candace Bartlett, P.E.  
 Department of Public Works-Transportation, Katie Jackson  
 DPW-Environmental Engineering Division, Sarah Gillmore, P.E.  
 Flood Control and Water Conservation District, Katherine Conkle  
 DPW- Parks Division, Ted Rel  
 HHS-Environmental Health Services, Danielle Pohlman  
 Placer County Fire Planning/CDF, Jeff Hoag and/or Dave Bookout

Signature  Date May 2, 2022  
 Leigh Chavez, Environmental Coordinator

**J. supporting information sources:** The following public documents were utilized, and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Auburn, CA 95603.

<b>County Documents</b>	<input checked="" type="checkbox"/> Air Pollution Control District Rules & Regulations
	<input checked="" type="checkbox"/> Community Plan
	<input checked="" type="checkbox"/> Environmental Review Ordinance
	<input checked="" type="checkbox"/> General Plan
	<input checked="" type="checkbox"/> Grading Ordinance
	<input checked="" type="checkbox"/> Land Development Manual
	<input checked="" type="checkbox"/> Land Division Ordinance
	<input checked="" type="checkbox"/> Stormwater Management Manual
	<input checked="" type="checkbox"/> Tree Ordinance
	<input type="checkbox"/>

<b>Trustee Agency Documents</b>	<input type="checkbox"/> Department of Toxic Substances Control	
<b>Site-Specific Studies</b>	Planning Services Division	<input checked="" type="checkbox"/> Biological Study
		<input checked="" type="checkbox"/> Cultural Resources Pedestrian Survey
		<input checked="" type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input checked="" type="checkbox"/> Paleontological Survey
		<input type="checkbox"/> Tree Survey & Arborist Report
		<input type="checkbox"/> Visual Impact Analysis
		<input type="checkbox"/> Wetland Delineation
		<input type="checkbox"/> Acoustical Analysis
		<input type="checkbox"/>
	Engineering & Surveying Division, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Stormwater & Surface Water Quality BMP Plan
		<input checked="" type="checkbox"/> West or East Placer Storm Water Quality Design Manual
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
		<input checked="" type="checkbox"/> Tentative Map
		<input checked="" type="checkbox"/> Site Distance Exhibit
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input checked="" type="checkbox"/> Phase I and Phase II Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
	<input type="checkbox"/>	
	Planning Services Division, Air Quality	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction Emission & Dust Control Plan
		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> CalEEMod Model Output
		<input type="checkbox"/>
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic & Circulation Plan
<input type="checkbox"/>		

Exhibit A: Mitigation Monitoring Plan

# EXHIBIT A

## MITIGATION MONITORING PROGRAM Mitigated Negative Declaration – PLN21-00208 McCourtney Minor Land Division

Section 21081.6 of the Public Resources Code requires all public agencies to establish monitoring or reporting procedures for mitigation measures adopted as a condition of project approval in order to mitigate or avoid significant effects on the environment. Monitoring of such mitigation measures may extend through project permitting, construction, and project operations, as necessary.

Said monitoring shall be accomplished by the county's standard mitigation monitoring program and/or a project specific mitigation reporting program as defined in Placer County Code Chapter 18.28, Mitigation Monitoring and Reporting Program.

### Standard Mitigation Monitoring Program (pre-project implementation):

The following mitigation monitoring program (and following project specific reporting plan, when required) shall be utilized by Placer County to implement Public Resources Code Section 21081.6. Mitigation measures adopted for discretionary projects must be included as conditions of approval for that project. Compliance with conditions of approval is monitored by the county through a variety of permit processes as described below. The issuance of any of these permits or County actions which must be preceded by a verification that certain conditions of approval/mitigation measures have been met, shall serve as the required monitoring of those condition of approval/mitigation measures. These actions include design review approval, improvement plan approval, improvement construction inspection, encroachment permit, recordation of a final map, acceptance of subdivision improvements as complete, building permit approval, and/or certification of occupancy.

The following mitigation measures, identified in the McCourtney Minor Land Division Negative Declaration, have been adopted as conditions of approval on the project's discretionary permit and will be monitored according to the above Standard Mitigation Monitoring Program verification process:

Mitigation #	Text	Date Satisfied
MM IV.1	<p>Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to Sanford's Arrowhead, and other Special-Status plant species (note: the PCCP does not cover plant species):</p> <ul style="list-style-type: none"><li>• A qualified biologist shall perform floristic plant surveys according to applicable USFWS, CDFW, and CNPS protocols prior to construction, timed according to the appropriate phenological stage for identifying target species. Known reference populations shall be visited or local herbaria records shall be reviewed, if available, prior to surveys to confirm the phenological stage of the target species. If no special-status plants are found within the Project site, no further measures pertaining to special-status plants are necessary.</li><li>• If special-status plants are identified within 25-feet of the Project impact area, the following mitigation measures shall be required:<ul style="list-style-type: none"><li>○ If avoidance of special-status plants is feasible, establish and clearly demarcate avoidance zones for special-status plant occurrences prior to construction. Demarcation can be accomplished via high visibility flagging or fencing. Avoidance zones shall include the extent of the special-status</li></ul></li></ul>	

## EXHIBIT A

	<p>plants plus a 25-foot buffer, unless otherwise determined by a qualified biologist, and shall be maintained until the completion of construction. A qualified biologist/biological monitor shall be present if work must occur within the 25-foot avoidance buffer to ensure special-status plants are not impacted by the work.</p> <ul style="list-style-type: none"> <li>○ If avoidance of special-status plants is not feasible, the applicant shall mitigate for impacts to special status plants. Mitigation measures shall be developed in consultation with CDFW. Mitigation measures may include permanent preservation of onsite or offsite habitat for special-status plants via deed restriction or conservation easement, translocation of plants or seeds from impacted areas to unaffected habitats.</li> </ul>	
<p><u>MM IV.2</u></p>	<p>Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to the Valley Elderberry Longhorn Beetle:</p> <p><i>PCCP Species Condition 8: Valley Elderberry Longhorn Beetle</i>            Planning surveys for valley elderberry longhorn beetle are required for PCCP Covered Activities within the following habitat features when below 650 feet elevation (above mean sea level):</p> <ol style="list-style-type: none"> <li>1. Riparian constituent habitat</li> <li>2. Valley oak woodland community</li> <li>3. Stream System (excluding frequently disked or flooded agricultural lands such as rice that would not likely support elderberry shrubs)</li> </ol> <p>The project applicant shall apply avoidance and minimization measures as specified in the USFWS's Conservation Guidelines for the Valley Elderberry Longhorn Beetle (U.S. Fish and Wildlife Service 1999b) or the current Wildlife Agency-approved avoidance and minimization protocol. When take is authorized, the project applicant shall coordinate with the Placer Conservation Authority (PCA) to provide transplants and seedlings/cuttings of elderberry for planting in suitable habitat on the Reserve System consistent with the USFWS Guidelines/Framework.</p>	
<p><u>MM IV.3</u></p>	<p>Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to the Western Pond Turtle:</p> <p><i>PCCP General Condition 1: Watershed Hydrology and Water Quality</i>            Prior to site disturbance and issuance of Building Permits for future development, the project shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ); including requirements to develop a project-based Storm Water Pollution Prevention Plan (SWPPP); and applicable</p>	

## EXHIBIT A

	<p>NPDES program requirements as implemented by the County. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation.</p> <p>The project shall comply with the West Placer Storm Water Quality Design Manual (Design Manual).</p> <p>The project shall implement the following BMPs. This list shall be included on the Notes page of the improvement/grading plans and shall be shown on the plans:</p> <ol style="list-style-type: none"><li>1. When possible, vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas. When vehicle parking areas are to be established as a temporary facility, the site will be recovered to pre-project or ecologically improved conditions within 1 year of start of groundbreaking to ensure effects are temporary (refer to Section 6.3.1.4, General Condition 4, Temporary Effects, for the process to demonstrate temporary effects).</li><li>2. Trash generated by Covered Activities will be promptly and properly removed from the site.</li><li>3. Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) will be used on site to reduce siltation and runoff of contaminants into avoided wetlands, ponds, streams, or riparian vegetation.<ol style="list-style-type: none"><li>a. Erosion control measures will be of material that will not entrap wildlife (i.e., no plastic monofilament). Erosion control blankets will be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians.</li><li>b. Erosion control measures will be placed between the area of disturbance and any avoided aquatic feature, within an area identified with highly visible markers (e.g., construction and erosion-control fencing, flagging, silt barriers) prior to commencement of construction activities. Such identification will be properly maintained until construction is completed and the soils have been stabilized.</li><li>c. Fiber rolls used for erosion control will be certified by the California Department of Food and Agriculture or any agency that is a successor or receives delegated authority during the permit term as weed free.</li><li>d. Seed mixtures applied for erosion control will not contain California Invasive Plant Council–designated invasive species (<a href="http://www.cal-ipc.org/paf/">http://www.cal-ipc.org/paf/</a>) but will be composed of native species appropriate for the site or sterile non-native species. If sterile non-native species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive non-natives.</li></ol></li><li>4. If the runoff from the development will flow within 100 feet of a</li></ol>	
--	--	--

## EXHIBIT A

wetland or pond, vegetated storm water filtration features, such as rain gardens, grass swales, tree box filters, infiltration basins, or similar LID features to capture and treat flows, shall be installed consistent with local programs and ordinances.

*Community Condition 2.1, Riverine and Riparian Avoidance and Minimization*

The project shall not modify any area within a buffer that extends 50 feet outward from the outermost bounds of the riparian vegetation. The (improvement or grading plans) shall show the location of the riverine/riparian buffer.

*Community Condition 2.2, Minimize Riverine and Riparian Effects*

Prior to land conversion authorization, the applicant shall coordinate with the PCA to determine which In-Stream and Stream System Best Management Practices (BMPs) from Table 7-1 of the User's Guide apply to the proposed project. The applicant shall identify the applicable BMPs on the project's (improvement or grading) plans. The selected BMPs will be incorporated into the project's Land Conversion Authorization letter.

Prior to land conversion authorization approval, the unavoidable effects to riverine and riparian habitat or their buffers shall be mitigated through payment of special habitat fees. The fees to be paid shall be those in effect at the time of land conversion authorization.

*Community Condition 3, Valley Oak Woodland Avoidance and Minimization, and Mitigation Measures*

This project does not propose development activities within 50 feet of the canopy of any valley oak woodland stand greater than one acre, as shown on Figure 4 of the (Biological Resources Assessment) prepared by Ecorp Consulting, dated (March 23, 2022). Irrigation shall be prohibited in and around the valley oak woodland. Alteration of onsite hydrology (including from onsite sewage disposal system installation) shall be prohibited to ensure the valley oak woodland receives no additional water than pre-project conditions. The Landscape Plans (if applicable) shall demonstrate that irrigation is not placed within the critical root zone of protected trees.

Unavoidable effects to individual valley oak trees or valley oak woodlands or their 50-foot buffers shall pay the Plan land conversion fee by quantifying impacts as described in Effects on Valley Oak Woodlands of the PCCP User's Guide.

*Stream System Condition 1, Stream System Avoidance and Minimization*

This project does not propose development activities within a stream system, as shown on Figure 4 of the (Biological Resources Assessment) prepared by Ecorp Consulting, dated (March 23, 2022). The project shall comply with MM IV.X above (PCCP Community Condition 1.1: Stream System Avoidance.)

## EXHIBIT A

### PCCP Species Condition 4: Tricolored Blackbird

Prior to initiation of PCCP Covered Activities, the qualified biologist(s) shall conduct preconstruction surveys to evaluate the presence of tricolored blackbird nesting colonies. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all potential nest colony site(s) from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird nesting activity.

Surveys shall be conducted at least twice, with at least one month between surveys, during the nesting season one year prior to initial ground disturbance for the Covered Activity (if feasible), and the year of ground disturbance for the Covered Activity (required). If Covered Activities will occur in the project work area during the nesting season, three surveys shall be conducted within 15 days prior to the Covered Activity, with one of the surveys occurring within five days prior to the start of the Covered Activity. The survey methods will be based on Kelsey (2008) or a similar protocol approved by the PCA and the Wildlife Agencies based on site-specific conditions.

If the first survey indicates that suitable nesting habitat is not present on the project site or within 1,300 feet of the project work area, additional surveys for nest colonies are not required.

If an active colony is known to occur within 3 miles of the project site, a qualified biologist shall conduct two surveys of foraging habitat within the project site and within a 1,300-foot radius around the project site to determine whether foraging habitat is being actively used by foraging tricolored blackbirds. The qualified biologist shall map foraging habitat, as defined by the land cover types listed above, within a 1,300-foot radius around the project site to delineate foraging habitat that will be surveyed. The surveys shall be conducted approximately one week apart, with the second survey occurring no more than five calendar days prior to ground-disturbing activities.

Each survey shall last four hours, and begin no later than 8:00 a.m. The qualified biologist shall survey the entire project site and a 1,300-foot radius around the project site by observing and listening from accessible vantage points that provide views of the entire survey area. If such vantage points are not available, the qualified biologist shall survey from multiple vantage points to ensure that the entire survey area is surveyed. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all foraging habitat from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird foraging activity. The qualified biologist shall map the locations on the site and within a 1,300-foot radius around the project site where tricolored blackbirds are observed and record an estimate of the numbers of tricolored blackbirds observed (estimated by 10s, 100s, or 1,000s), the frequency of visits (e.g., if

## EXHIBIT A

individuals or a flock makes repeated foraging visits to the site during the survey period), whether tricolored blackbirds are leaving the site with food in their bills, and the direction they fly to/from.

Construction activity or other covered activities that may disturb an occupied nest colony site, as determined by a qualified biologist, will be prohibited during the nesting season (March 15 through July 31) or until the chicks have fledged or the colony has been abandoned on its own) within a 1,300-foot buffer zone around the nest colony, to the extent practicable. The intent of this condition is to prevent disturbance to occupied nest colony sites on or near project sites so they can complete their nesting cycle. This condition is not intended to preserve suitable breeding habitat on project sites but to ensure impacts to active colony sites only take place once the site is no longer occupied by the nesting colony. The buffer will be applied to extend beyond the nest colony site as follows: 1) if the colony is nesting in a wetland, the buffer must be established from the outer edge of all hydric vegetation associated with the colony, or 2) if the colony is nesting in non-wetland vegetation (e.g., Himalayan blackberry), the buffer must be established from the edge of the colony substrate. This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the occupied active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; where sound curtains have been installed; or other methods developed in consultation with the Wildlife Agencies where conditions warrant reduction of the buffer distance. If tricolored blackbirds colonize habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA. The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone.

Construction activity or other covered activities that may disturb foraging tricolored blackbirds, as determined by a qualified biologist, will be prohibited within 1,300-feet of the foraging site to the extent feasible during the nesting season (March 15 through July 31 or until the chicks have fledged or the colony has been abandoned on its own) if the foraging habitat was found to be actively used by foraging tricolored blackbirds during at least one of the two foraging habitat surveys conducted under Tricolored Blackbird 2. If survey results indicate that the area provides marginal foraging habitat (e.g., tricolored blackbirds were observed foraging, but only briefly, and most were not successfully capturing prey), or site-specific conditions may warrant a reduced buffer, the PCA technical staff will consult with the Wildlife Agencies to evaluate whether the project needs to avoid the foraging habitat or whether a reduced buffer may be appropriate. In such cases, additional surveys may be needed to assess site conditions and the value of the foraging habitat.

The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone. This buffer may be

## EXHIBIT A

	<p>modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the actively used foraging habitat; where there is sufficient topographic relief to protect foraging birds from excessive noise or visual disturbance; or in consultation with the Wildlife Agencies if other conditions warrant reduction of the buffer distance. If tricolored blackbird begins using foraging habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA.</p> <p>The intent of this condition is to allow actively nesting colonies on or near project sites to complete their nesting cycle prior to the loss of the foraging habitat on site. Protecting actively used-foraging habitat during the nesting season will help to enable the tricolored blackbird nesting colony to complete its nesting cycle, as loss of valuable foraging habitat could cause the nesting colony to fail. This condition is not intended to preserve suitable foraging habitat on project sites in the long term.)</p> <p>Active nesting colonies that occur within the no-disturbance buffer shall be monitored by the qualified biologist(s) to verify the Covered Activity is not disrupting the nesting behavior of the colony. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.</p> <p>If the qualified biologist(s) determines that the Covered Activity is disrupting nesting and/or foraging behavior, the qualified biologist(s) shall notify the project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and nesting behavior of tricolored blackbird returns to normal.</p> <p>Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), delaying Covered Activities (or the portion of Covered Activities causing the disruption) until the colony is finished breeding and chicks have left the nest site, temporarily relocating staging areas, or temporarily rerouting access to the project work area. The project proponent shall notify the PCA and Wildlife Agencies within 24 hours if nests</p>	
--	--	--

## EXHIBIT A

	<p>or nestlings are abandoned. If the nestlings are still alive, the qualified biologist(s) shall work with the Wildlife Agencies to determine appropriate actions for salvaging the eggs or nestlings. Notification to PCA and Wildlife Agencies shall be via telephone or email, followed by a written incident report. Notification shall include the date, time, location, and circumstances of the incident.</p> <p>Foraging habitat within the buffer shall be monitored by the qualified biologist(s) to verify that the Covered Activity is not disrupting tricolored blackbird foraging behavior. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of foraging tricolored blackbirds. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.</p> <p>If the qualified biologist(s) determines that the Covered Activity is disrupting foraging behavior, the qualified biologist(s) shall notify project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and foraging behavior of tricolored blackbird returns to normal. Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), temporarily relocating staging areas, or temporarily rerouting access to the project work area.</p> <p><u><i>PCCP Species Condition 6: Western Pond Turtle</i></u> Impacts to Western Pond Turtle are addressed through implementation of PCCP General Condition 1; Community Conditions 1.1, 1.2, 2 and 3; Stream System Condition 1; Species Conditions 4 and 7. In addition, General Condition 3 (Land Conversion) provides the process for accounting for loss of natural and semi-natural land cover that is more encompassing than standard practice. This approach better addresses the piecemeal loss of high-quality contiguous habitat that would occur without a plan such as the HCP/NCCP. Applicant compliance with these applicable conditions would be triggered through application to the PCCP when site disturbance is anticipated. No additional avoidance and minimization measures specific to this species are required by the PCCP. If individual WPT (or their nest) are identified on-site, contact the monitoring biologist immediately to relocate the nest prior to further ground disturbance.</p>	
--	---	--

## EXHIBIT A

	<p><u><i>General Condition 3, Land Conversion</i></u>  The project will result in a permanent land cover conversion from a natural condition to a rural residential condition. The project shall pay a land conversion fee for the permanent conversion of natural land cover. The fees to be paid shall be those in effect at the time of ground disturbance authorization for each project step and shall be the per acre fee based on the amount of land disturbance resulting from the activity. For example, the entity responsible for constructing the [improvement or grading] plans would be obligated to submit the per-acre PCCP Fee (1b, 2c, and 2d) based on the area of disturbance and future homeowners would be obligated to submit the remainder of the per-acre and per-dwelling fees PCCP Fee (1b, 2c, and 2d). <b>Note that the specific impacts and associated fees are not known at the time of preparation of this document.</b></p> <p>An application for PCCP Authorization shall accompany the permit application for each project step (i.e., improvement plans → grading permit → building permit). If the applicant will not be developing the future lots, the subsequent homebuilder shall pay the remaining fee obligation based on the total applicable fee minus a credit for any prior fee payment apportioned equally among all final lots.</p>	
<p><u>MM IV.4</u></p>	<p>Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to PCCP-covered birds:</p> <p><u><i>PCCP Species Condition 1: Swainson's Hawk</i></u>  If construction must occur during the nesting season (approximately February 1 to September 15), planning-level Swainson's hawk surveys are required a year in advance of construction using the survey guidelines developed for the PCCP. Planning-level surveys are intended to identify nest trees to guide avoidance during project tree removal and construction.</p> <p>Additionally, year of construction (starting in March) and pre-construction (no more than 15 days prior to ground disturbance) surveys shall be conducted within a 1,320-foot radius of the project. Surveys shall be conducted consistent with PCCP guidelines (based on Swainson's Hawk Technical Advisory Committee 2000). In instances where an adjacent parcel is not accessible to survey, the qualified biologist shall scan all potential nest trees from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope. Surveys are typically required from February 1 to September 15 (or sooner if it is determined that birds are nesting earlier in the year) so contact the PCA for assistance with survey timing. If a Swainson's hawk nest is located and presence confirmed, only one follow-up visit is required.</p> <p>During the nesting season (approximately February 1 to September 15 or sooner if it is determined that birds are nesting</p>	

## EXHIBIT A

earlier in the year), ground-disturbing activities within 1,320 feet of occupied nests or nests under construction shall be prohibited to minimize the potential for nest abandonment. While the nest is occupied, activities outside the buffer can take place provided they do not stress the breeding pair.

If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to the PCA for a reduction in the buffer distance or waiver. A qualified biologist shall be required to monitor the nest and determine that the reduced buffer does not cause nest abandonment. If a qualified biologist determines nestlings have fledged, PCCP-Covered Activities can proceed normally.

Construction monitoring shall be conducted by a qualified biologist and shall focus on ensuring that activities do not occur within the buffer zone. The qualified biologist performing the construction monitoring shall ensure that effects on Swainson's hawks are minimized. If monitoring indicates that construction outside of the buffer is affecting nesting, the buffer shall be increased if space allows (e.g., move staging areas farther away). If space does not allow, all construction activities shall cease until the young have fledged from the nest (as confirmed by a qualified biologist).

The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on Swainson's hawks are minimized. The qualified biologist shall train construction personnel on the avoidance procedures and buffer zones.

### *PCCP Species Condition 3: Western Burrowing Owl*

Two surveys shall be conducted by a qualified biologist within 15 days prior to ground disturbance to establish the presence or absence of burrowing owls. The surveys shall be conducted at least 7 days apart (if burrowing owls are detected on the first survey, a second survey is not needed) for both breeding and non-breeding season surveys. All burrowing owls observed shall be counted and mapped.

During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or within 250 feet of the project area.

During the non-breeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any area to be disturbed. Survey results will be valid only for the season (breeding or non-breeding) during which the survey was conducted.

The Qualified Biologist shall survey the proposed footprint of disturbance and a 250-foot radius from the perimeter of the proposed footprint to determine the presence or absence of

## EXHIBIT A

burrowing owls. The site will be surveyed by walking line transects, spaced 20 to 60 feet apart, adjusting for vegetation height and density. At the start of each transect and at least every 300 feet, the surveyor, with use of binoculars, shall scan the entire visible project area for burrowing owls. During walking surveys, the surveyor shall record all potential burrows used by burrowing owls, as determined by the presence of one or more burrowing owls, pellets, prey remains, whitewash, or decoration. Some burrowing owls may be detected by their calls; therefore, observers will also listen for burrowing owls while conducting the survey. Adjacent parcels under different land ownership shall be surveyed only if access is granted. If portions of the survey area are on adjacent sites for which access has not been granted, the qualified biologist shall get as close to the non-accessible area as possible and use binoculars to look for burrowing owls.

The presence of burrowing owl or their sign anywhere on the site or within the 250-foot accessible radius around the site shall be recorded and mapped. Surveys shall map all burrows and occurrence of sign of burrowing owl on the project site. Surveys must begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites.

If burrowing owls are found during the breeding season (approximately February 1 to August 31, the project applicant shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging). The applicant shall establish a 250-foot non-disturbance buffer zone around nests. The buffer zone shall be flagged or otherwise clearly marked. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer will be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. Construction may only occur within the 250-foot buffer zone during the breeding season if a qualified raptor biologist monitors the nest and determines that the activities do not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with Wildlife Agency approval and provided a biological monitor confirms that such measures do not cause agitated behavior.

If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a 160-foot buffer zone around active burrows. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with Wildlife Agency approval and provided a biological monitor confirms that such measures do not cause agitated behavior.

## EXHIBIT A

After all alternative avoidance and minimization measures are exhausted as confirmed by the Wildlife Agencies, a qualified biologist may passively exclude birds from those burrows during the non-breeding season. A burrowing owl exclusion plan shall be developed by a qualified biologist consistent with the most recent guidance from the Wildlife Agencies (e.g., California Department of Fish and Game 2012) and submitted to and approved by the PCA and the Wildlife Agencies. Burrow exclusion will be conducted for burrows located in the project footprint and within a 160-foot buffer zone as necessary.

A biological monitor shall be present on site daily to ensure that no PCCP-Covered Activities occur within the buffer zone. The qualified biologist performing the construction monitoring shall ensure that effects on burrowing owls are minimized. If monitoring indicates that construction outside of the buffer is affecting nesting, the buffer shall be increased if space allows (e.g., move staging areas farther away). If space does not allow, construction shall cease until the young have fledged from all the nests in the colony (as confirmed by a qualified biologist) or until the end of the breeding season, whichever occurs first.

A biological monitor shall conduct training of construction personnel on the avoidance procedures, buffer zones, and protocols in the event a burrowing owl flies into an active construction zone.

#### PCCP Species Condition 4: Tricolored Blackbird

Prior to initiation of PCCP Covered Activities, the qualified biologist(s) shall conduct preconstruction surveys to evaluate the presence of tricolored blackbird nesting colonies. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all potential nest colony site(s) from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird nesting activity.

Surveys shall be conducted at least twice, with at least one month between surveys, during the nesting season one year prior to initial ground disturbance for the Covered Activity (if feasible), and the year of ground disturbance for the Covered Activity (required). If Covered Activities will occur in the project work area during the nesting season, three surveys shall be conducted within 15 days prior to the Covered Activity, with one of the surveys occurring within five days prior to the start of the Covered Activity. The survey methods will be based on Kelsey (2008) or a similar protocol approved by the PCA and the Wildlife Agencies based on site-specific conditions.

If the first survey indicates that suitable nesting habitat is not present on the project site or within 1,300 feet of the project work area, additional surveys for nest colonies are not required.

## EXHIBIT A

	<p>If an active colony is known to occur within 3 miles of the project site, a qualified biologist shall conduct two surveys of foraging habitat within the project site and within a 1,300-foot radius around the project site to determine whether foraging habitat is being actively used by foraging tricolored blackbirds. The qualified biologist shall map foraging habitat, as defined by the land cover types listed above, within a 1,300-foot radius around the project site to delineate foraging habitat that will be surveyed. The surveys shall be conducted approximately one week apart, with the second survey occurring no more than five calendar days prior to ground-disturbing activities.</p> <p>Each survey shall last four hours, and begin no later than 8:00 a.m. The qualified biologist shall survey the entire project site and a 1,300-foot radius around the project site by observing and listening from accessible vantage points that provide views of the entire survey area. If such vantage points are not available, the qualified biologist shall survey from multiple vantage points to ensure that the entire survey area is surveyed. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all foraging habitat from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird foraging activity. The qualified biologist shall map the locations on the site and within a 1,300-foot radius around the project site where tricolored blackbirds are observed and record an estimate of the numbers of tricolored blackbirds observed (estimated by 10s, 100s, or 1,000s), the frequency of visits (e.g., if individuals or a flock makes repeated foraging visits to the site during the survey period), whether tricolored blackbirds are leaving the site with food in their bills, and the direction they fly to/from.</p> <p>Construction activity or other covered activities that may disturb an occupied nest colony site, as determined by a qualified biologist, will be prohibited during the nesting season (March 15 through July 31) or until the chicks have fledged or the colony has been abandoned on its own) within a 1,300-foot buffer zone around the nest colony, to the extent practicable. The intent of this condition is to prevent disturbance to occupied nest colony sites on or near project sites so they can complete their nesting cycle. This condition is not intended to preserve suitable breeding habitat on project sites but to ensure impacts to active colony sites only take place once the site is no longer occupied by the nesting colony. The buffer will be applied to extend beyond the nest colony site as follows: 1) if the colony is nesting in a wetland, the buffer must be established from the outer edge of all hydric vegetation associated with the colony, or 2) if the colony is nesting in non-wetland vegetation (e.g., Himalayan blackberry), the buffer must be established from the edge of the colony substrate. This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the occupied active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; where sound curtains have been installed; or other methods developed in</p>	
--	--	--

## EXHIBIT A

	<p>consultation with the Wildlife Agencies where conditions warrant reduction of the buffer distance. If tricolored blackbirds colonize habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA. The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone.</p> <p>Construction activity or other covered activities that may disturb foraging tricolored blackbirds, as determined by a qualified biologist, will be prohibited within 1,300-feet of the foraging site to the extent feasible during the nesting season (March 15 through July 31 or until the chicks have fledged or the colony has been abandoned on its own) if the foraging habitat was found to be actively used by foraging tricolored blackbirds during at least one of the two foraging habitat surveys conducted under Tricolored Blackbird 2. If survey results indicate that the area provides marginal foraging habitat (e.g., tricolored blackbirds were observed foraging, but only briefly, and most were not successfully capturing prey), or site-specific conditions may warrant a reduced buffer, the PCA technical staff will consult with the Wildlife Agencies to evaluate whether the project needs to avoid the foraging habitat or whether a reduced buffer may be appropriate. In such cases, additional surveys may be needed to assess site conditions and the value of the foraging habitat.</p> <p>The buffer must be clearly marked to prevent project-related activities from occurring within the buffer zone. This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the Covered Activities and the actively used foraging habitat; where there is sufficient topographic relief to protect foraging birds from excessive noise or visual disturbance; or in consultation with the Wildlife Agencies if other conditions warrant reduction of the buffer distance. If tricolored blackbird begins using foraging habitat adjacent to Covered Activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA.</p> <p>The intent of this condition is to allow actively nesting colonies on or near project sites to complete their nesting cycle prior to the loss of the foraging habitat on site. Protecting actively used-foraging habitat during the nesting season will help to enable the tricolored blackbird nesting colony to complete its nesting cycle, as loss of valuable foraging habitat could cause the nesting colony to fail. This condition is not intended to preserve suitable foraging habitat on project sites in the long term.)</p> <p>Active nesting colonies that occur within the no-disturbance buffer shall be monitored by the qualified biologist(s) to verify the Covered Activity is not disrupting the nesting behavior of the colony. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the</p>	
--	--	--

## EXHIBIT A

	<p>likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.</p> <p>If the qualified biologist(s) determines that the Covered Activity is disrupting nesting and/or foraging behavior, the qualified biologist(s) shall notify the project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and nesting behavior of tricolored blackbird returns to normal.</p> <p>Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), delaying Covered Activities (or the portion of Covered Activities causing the disruption) until the colony is finished breeding and chicks have left the nest site, temporarily relocating staging areas, or temporarily rerouting access to the project work area. The project proponent shall notify the PCA and Wildlife Agencies within 24 hours if nests or nestlings are abandoned. If the nestlings are still alive, the qualified biologist(s) shall work with the Wildlife Agencies to determine appropriate actions for salvaging the eggs or nestlings. Notification to PCA and Wildlife Agencies shall be via telephone or email, followed by a written incident report. Notification shall include the date, time, location, and circumstances of the incident.</p> <p>Foraging habitat within the buffer shall be monitored by the qualified biologist(s) to verify that the Covered Activity is not disrupting tricolored blackbird foraging behavior. The frequency of monitoring will be approved by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of foraging tricolored blackbirds. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that effects on tricolored blackbird are minimized. The biologist will train construction personnel on the avoidance procedures and buffer zones.</p> <p>If the qualified biologist(s) determines that the Covered Activity is disrupting foraging behavior, the qualified biologist(s) shall notify project applicant immediately, and the project applicant shall notify the PCA within 24 hours to determine additional protective measures that can be implemented. The qualified biologist(s) shall have the authority to stop Covered Activities until additional protective measures are implemented. Additional protective measures shall remain in place until the qualified biologist(s)</p>	
--	--	--

## EXHIBIT A

	<p>determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) shall have the authority to stop Covered Activities as needed until the additional protective measures are modified and foraging behavior of tricolored blackbird returns to normal. Additional protective measures may include increasing the size of the buffer (within the constraints of the project site), temporarily relocating staging areas, or temporarily rerouting access to the project work area.</p> <p>Prior to site disturbance and issuance of Building Permits for future development, the following measures shall be implemented to avoid and reduce impacts to nesting birds and raptors:</p> <p><u><i>Nesting Raptors</i></u> A qualified biologist shall conduct a preconstruction survey for nesting raptors, within the Study Area and a 500-foot buffer, within 3 days of commencement of Project activities (can be conducted concurrently with nesting bird surveys, as appropriate). If an active nest is located, a no-disturbance buffer will be established as determined by the biologist in consultation with CDFW, if possible, and maintained until a qualified biologist determines the young have fledged and are no longer reliant upon the nest for survival.</p> <p><u><i>Nesting Birds</i></u> A qualified biologist shall conduct a preconstruction nesting bird survey (can be conducted concurrently with raptor surveys, as appropriate) of all areas associated with construction activities, and a 100-foot buffer around these areas, within 3 days prior to commencement of construction during the nesting season (February 1 through August 31). If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist in consultation with the CDFW, if possible. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary.</p>	
<u>MM IV.5</u>	<p>If construction occurs within the Study Area, the following measures shall be implemented to reduce the potential for sediment or pollutants.</p> <ul style="list-style-type: none"><li>• To the extent feasible, implement erosion control measures and Best Management Practices to reduce the potential for sediment or pollutants within the Study Area. Measures may include: flagging of work areas, erosion control native seed mixtures, removal of trash, refueling in upland areas only and use of appropriate secondary containment, and a mandatory Worker Environmental Awareness Program for all contractors, work crews, and any onsite personnel.</li></ul> <p>a) Conduct an aquatic resource delineation and obtain verification of Waters of the U.S. from the USACE and/or Waters of the State from the Central Valley</p>	

## EXHIBIT A

	<p>Regional Water Quality Control Board (CVRWQCB).</p> <p>b) In lieu of pursuing authorization from USACE for impacts to Waters of the U.S., the Project applicant may instead apply for authorization under the PCCP/CARP for impacts to aquatic features to streamline the permitting process. Mitigation would be required in the form of PCCP land cover conversion fees and/or fees for impacts to aquatic features, per the PCCP/CARP. Should the Project propose impacts within the 50-foot buffer of the Stream System located within the Study Area, the Project would be subject to a stream encroachment fee.</p> <ul style="list-style-type: none"><li>• Construction contractor shall adhere to all conditions outlined in the PCCP/CARP below</li><li>• As an alternative to the PCCP/CARP authorization, permit authorization to fill wetlands under the Section 404 of the federal Clean Water Act (Section 404 Permit) can be obtained from USACE prior to discharging any dredged or fill materials into any waters of the U.S. Final mitigation measures will be developed as part of the Section 404 Permit process to ensure no-net-loss of wetland function and values.</li></ul> <p>c) A permit authorization from the CVRWQCB pursuant to Section 401 of the Clean Water Act and the California Porter-Cologne Water Quality Act must be obtained prior to the discharge of material in an area that could affect waters of the U.S./state. Mitigation requirements for discharge to waters of the U.S./state will be developed in consultation with the CVRWQCB.</p> <p>d) A Streambed Alteration Agreement (SAA) from CDFW pursuant to Section 1602 of the California Fish and Game Code must be obtained for impacts to features (e.g., the bed, channel, or bank of any river, stream, or lake) that may be subject to Section 1600 of the Fish and Game Code.</p> <ul style="list-style-type: none"><li>• The construction contractor shall adhere to all conditions outlined in the Section 1602 SAA.</li></ul> <p><u>PCCP General Condition 1: Watershed Hydrology and Water Quality</u> Prior to site disturbance and issuance of Building Permits for future development, the project shall obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ); including requirements to develop a project-based Storm Water Pollution Prevention Plan (SWPPP); and applicable NPDES program requirements as implemented by the County. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation.</p>	
--	--	--

## EXHIBIT A

	<p>The project shall comply with the West Placer Storm Water Quality Design Manual (Design Manual).</p> <p>The project shall implement the following BMPs. This list shall be included on the Notes page of the improvement/grading plans and shall be shown on the plans:</p> <ol style="list-style-type: none"><li>1. When possible, vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas. When vehicle parking areas are to be established as a temporary facility, the site will be recovered to pre-project or ecologically improved conditions within 1 year of start of groundbreaking to ensure effects are temporary (refer to Section 6.3.1.4, General Condition 4, Temporary Effects, for the process to demonstrate temporary effects).</li><li>2. Trash generated by Covered Activities will be promptly and properly removed from the site.</li><li>3. Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) will be used on site to reduce siltation and runoff of contaminants into avoided wetlands, ponds, streams, or riparian vegetation.<ol style="list-style-type: none"><li>a. Erosion control measures will be of material that will not entrap wildlife (i.e., no plastic monofilament). Erosion control blankets will be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians.</li><li>b. Erosion control measures will be placed between the area of disturbance and any avoided aquatic feature, within an area identified with highly visible markers (e.g., construction and erosion-control fencing, flagging, silt barriers) prior to commencement of construction activities. Such identification will be properly maintained until construction is completed and the soils have been stabilized.</li><li>c. Fiber rolls used for erosion control will be certified by the California Department of Food and Agriculture or any agency that is a successor or receives delegated authority during the permit term as weed free.</li><li>d. Seed mixtures applied for erosion control will not contain California Invasive Plant Council–designated invasive species (<a href="http://www.cal-ipc.org/paf/">http://www.cal-ipc.org/paf/</a>) but will be composed of native species appropriate for the site or sterile non-native species. If sterile non-native species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive non-natives.</li></ol></li><li>4. If the runoff from the development will flow within 100 feet of a wetland or pond, vegetated storm water filtration features, such as rain gardens, grass swales, tree box filters, infiltration basins, or similar LID features to capture and treat flows, shall be installed consistent with local programs and ordinances.</li></ol>	
--	--	--

## EXHIBIT A

### CARP Authorization Condition V

- All work within the Plan Area that impacts Aquatic Resources of Placer County shall be completed according to the plans and documents included in the CARP application, Water Quality Certification, and, if applicable, WDRs. All changes to those plans shall be reported to Placer County. Minor changes may require an amendment to the CARP Authorization, Water Quality Certification, and, if applicable, WDRs. Substantial changes may render the authorization, Water Quality Certification, and, if applicable, WDRs, void, and a new application may be required.
- A copy of the CARP conditions and Water Quality Certification and WDRs shall be given to individuals responsible for activities on the site. Site personnel, (employees, contractors, and subcontractors) shall be adequately informed and trained to implement all permit, Water Quality Certification, and WDR conditions and shall have a copy of all permits available onsite at all times for review by site personnel and agencies.
- Any construction within the Stream System shall be implemented in a way to avoid and minimize impacts to vegetation outside the construction area. All preserved wetlands, other Aquatic Resources of Placer County, and the Stream Zone shall be protected with bright construction fencing. Temporary fencing shall be removed immediately upon completion of the project.
- Before beginning construction, the project Applicant must have a valid CARP authorization or waiver notice. In order to obtain a permit, the Applicant must pay all mitigation fees or purchase appropriate credits from an agency-approved mitigation bank.
- All deviations from plans and documents provided with the Application and approved by Placer County CDRA must be reported to Placer County CDRA immediately.
- Erosion control measures shall be specified as part of the CARP application, and the application shall not be complete without them. All erosion control specified in the permit application shall be in place and functional before the beginning of the rainy season and shall remain in place until the end of the season. Site supervisors shall be aware of weather forecasts year-round and shall be prepared to establish erosion control on short notice for unusual rain events. Erosion control features shall be inspected and maintained after each rainfall period. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.
- All required setbacks shall be implemented according to the HCP/NCCP Condition 4 (HCP/NCCP Section 6.1.2).

## EXHIBIT A

	<ul style="list-style-type: none"><li>• All work in aquatic resources within the Stream System shall be restricted to periods of low flow and dry weather between April 15 and October 15, unless otherwise permitted by Placer County CDRA and approved by the appropriate State and federal regulatory agency. Work within aquatic resources in the Stream System outside of the specified periods may be permitted under some circumstances. The Applicant must provide Placer County CDRA with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work in the Stream System.</li><li>• Following work in a stream channel, the low flow channel shall be returned to its natural state to the extent possible. The shape and gradient of the streambed shall be restored to the same gradient that existed before the work to the extent possible.</li><li>• Work shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds, any disturbance shall occur between September 1 and February 1 prior to the nesting season. Tree removal, earthmoving or other disturbance at other times is at Placer County CDRA's discretion and will require surveys by a qualified biologist to determine the absence of nesting birds prior to the activity.</li><li>• All trees marked for removal within the Stream System must be shown on maps included with the Application. Native trees over five inches diameter at breast height (DBH) shall not be removed without the consent of Placer County CDRA.</li><li>• Except for site preparation for the installation and removal of dewatering structures, no excavation is allowed in flowing streams unless dredging WDRs are issued by the RWQCB. Detailed plans for dewatering must be part of the Application.</li><li>• Temporary crossings as described in the Application shall be installed no earlier than April 15 and shall be removed no later than October 15, unless otherwise permitted by Placer County CDRA and approved by the appropriate State and federal regulatory agency. This work window could be modified at the discretion of Placer County and the CDFW.</li><li>• No vehicles other than necessary earth-moving and construction equipment shall be allowed within the Stream System after the section of stream where work is performed is dewatered. The equipment and vehicles used in the Stream System shall be described in the Application.</li><li>• Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment operated within the Stream System must be positioned over drip-pans. Equipment entering the</li></ul>	
--	---	--

## EXHIBIT A

	<p>Stream System must be inspected daily for leaks that could introduce deleterious materials into aquatic resources. All discharges, unintentional or otherwise, shall be reported immediately to Placer County CDRA. Placer County CDRA shall then immediately notify the appropriate state and federal agencies.</p> <ul style="list-style-type: none"><li>• Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed a minimum of 50 feet away from aquatic environments. All discharges, unintentional or otherwise, shall be reported immediately to Placer County CDRA. Placer County CDRA shall then immediately notify the appropriate state and federal agencies.</li><li>• During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources; nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site upon completion of the project.</li><li>• Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to Placer County CDRA before use. The PCCP does not authorize the use of herbicides; herbicide application is not a Covered Activity.</li><li>• Placer County CDRA shall be notified immediately if threatened or endangered species that are not Covered Species are discovered during construction activities. Placer County CDRA shall suspend work and notify the USFWS, NMFS, and the CDFW for guidance.</li><li>• Wildlife entering the construction site shall be allowed to leave the area unharmed or shall be flushed or herded humanely in a safe direction away from the site.</li><li>• All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife, except for those pipes that are being used to divert stream flow.</li><li>• At the end of each workday, all open trenches will be provided with a ramp of dirt or wood to allow trapped animals to escape.</li><li>• If human remains or cultural artifacts are discovered during construction, the Applicant shall stop work in the area and notify Placer County CDRA immediately. Work will not continue in the area until the County coroner and a qualified</li></ul>	
--	--	--

## EXHIBIT A

	<p>archaeologist have evaluated the remains, conducted a survey, prepared an assessment, and required consultations are completed.</p>	
<p><u>MM IV.6</u></p>	<p><u><i>PCCP Community Condition 3: Valley Oak Woodland Avoidance and Minimization</i></u>            Unavoidable effects to individual valley oak trees or valley oak woodlands or their 50-foot buffers shall pay the Plan land conversion fee by quantifying impacts as described in Effects on Valley Oak Woodlands of the PCCP User's Guide.</p>	
<p><u>MM V.1</u></p>	<p>If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work shall cease within 100 feet of the find (based on the apparent distribution of cultural resources). Examples of potential cultural materials include midden soil, artifacts, chipped stone, exotic (non-native) rock, or unusual amounts of baked clay, shell, or bone.</p> <p>A qualified cultural resources specialist and Native American Representative from the traditionally and culturally affiliated Native American Tribe(s) will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of further construction activities by Tribal representatives of the traditionally and culturally affiliated Native American Tribe, and/or returning objects to a location within the project area where they will not be subject to future impacts. The United Auburn Indian Community (UAIC) does not consider curation of TCRs to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by the Tribe.</p> <p>If articulated or disarticulated human remains are discovered during construction activities, the County Coroner and Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) who will work with the project proponent to define appropriate treatment and disposition of the burials.</p> <p>Following a review of the find and consultation with appropriate experts, the authority to proceed may be accompanied by the addition of development requirements which provide for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. The treatment recommendations made by the cultural resource specialist and the Native American Representative will be documented in the project record. Any recommendations made by these experts that are not implemented, must be documented and explained in the project record. Work in the area(s) of the cultural resource discovery may only proceed after authorization is granted by the Placer County</p>	

## EXHIBIT A

	<p>Community Development Resource Agency following coordination with cultural resources experts and tribal representatives as appropriate.</p>	
<p><u>MM VII.1</u></p>	<p>Prior to Building Permit issuance, submit a final geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer for Engineering and Surveying Division review and approval. The report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> <li>A) Structural foundations</li> <li>B) Special problems discovered on-site, (i.e., shrink-swell potential, and the limited ability of the soil to support a load)</li> </ul> <p>Once approved by the Engineering and Surveying Division (ESD), two copies of the final report shall be provided to the ESD and one copy to the Building Services Division for its use. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report.</p> <p>If the geotechnical engineering report indicates the presence of critically expansive or other soil problems that, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report shall be required for subdivisions, prior to issuance of Building Permits. This certification may be completed on a lot- by-lot basis. This shall be so noted on the Informational Sheet filed with the Final Parcel Map(s). (ESD)</p>	
<p><u>MM VII.2</u></p>	<p>The United States Department of Agriculture (USDA) Soil Survey of Placer County and the United States Department of Agriculture - Natural Resources Conservation Service Web Soil Survey indicated the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects.</p> <p>For non-pad graded lots, prior to Building Permit Issuance, the applicant shall submit to the Building Services Division for review and approval, a soil investigation of each lot in the subdivision produced by a California Registered Civil or Geotechnical Engineer (Section 17953-17955 California Health and Safety Code).</p> <p>The soil investigations shall include recommended corrective action that is likely to prevent structural damage to each proposed dwelling. A note shall be included on the Informational Sheet filed with the Final Parcel Map(s), which indicates the requirements of this condition. (ESD)</p>	
<p><u>MM VII.1</u></p>	<p>Prior to construction on Parcels 1, 2, 3, and 4, a professional paleontologist shall provide the construction crew with a pre-construction orientation and training on the significant paleontological resources (i.e., fossils) that may be encountered and the appropriate procedures to follow should any fossils be unearthed.</p>	

## EXHIBIT A

<p><u>MM VII.2</u></p>	<p>If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until Placer County is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples should be collected and processed to determine the small fossil potential on the Project Site. If work resumes work in a location where paleontological remains have been discovered and cleared, Placer County will have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation activities should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.</p>	
<p><u>MM IX.4</u></p>	<p>Prior to any future demolition activities of the existing residence located in the southwestern portion of the property (within future Parcel 2), a Soil Management Plan shall be submitted to Environmental Health to address impacted soil as identified in the "Phase II Environmental Site Assessment".</p>	
<p><u>MM X.1</u></p>	<p>On the Information Sheet(s) filed with the Final Parcel Map(s) show the limits of the 100-year flood plain for the drainageway that runs from about the midway point along the northern property line and flows northeast to southwest through the project to the southwest corner and designate same as a building setback line unless greater setbacks are required by other conditions contained herein. In addition, include the following note "No grading activities of any kind may take place within the 100-year floodplain of the drainageway." (ESD)</p>	
<p><u>MM XIII.1</u></p>	<p>Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays and shall only occur:</p> <ul style="list-style-type: none"> <li>a. Monday through Friday, 6:00am to 8:00pm (during daylight savings)</li> <li>b. Monday through Friday, 7:00am to 8:00pm (during standard time)</li> <li>c. Saturdays, 8:00am to 6:00pm</li> </ul>	

**Project-Specific Reporting Plan (post-project implementation):**

The reporting plan component is intended to provide for on-going monitoring after project construction to ensure mitigation measures shall remain effective for a designated period of time. Said reporting plans shall contain all components identified in Chapter 18.28.050 of the County Code, Environmental Review Ordinance – "Contents of Project-Specific Reporting Plan."