4.0 OTHER STATUTORY CONSIDERATIONS

4.1 INTRODUCTION

This section includes a discussion of other statutory considerations required by the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), including the following:

- Indirect Growth-inducing impacts of the Proposed Project;
- Significant Irreversible Changes/Commitment of Resources; and
- the Environmentally Superior/Preferred Alternative
- Compliance with Environmental Laws and Regulations
- Coordination and Review of the EA/EIR

Cumulative and indirect effects (with the exception of growth inducement) are discussed in **Section 3.0**.

4.2 INDIRECT GROWTH INDUCING IMPACTS

Growth inducement is not in and of itself an "environmental impact," however growth can result in adverse environmental consequences. Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans (e.g., general plans) provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service and solid waste service. A project that would induce "disorderly" growth (i.e., a project in conflict with local land use plans) could indirectly cause adverse environmental impacts, for example, public service impacts. Thus, to assess whether a project with the potential to induce growth is expected to result in adverse secondary effects, it is important to assess the degree to which the growth associated with a project would or would not be consistent with applicable land use plans.

4.2.1 EXISTING AND PREDICTED WASTEWATER FLOWS

Current Wastewater Treatment Facilities and Flows

SMD 3 Service Area

As described in **Section 1.3**, the Placer County Sewer Maintenance District 3 (SMD 3) Wastewater Treatment Plant (WWTP) is classified as a minor discharger, with a permitted treatment capacity of 0.30 million gallons per day (mgd) average dry-weather flow (ADWF). The SMD 3 service area currently includes approximately 1,846 acres and provides sewer and wastewater treatment service to approximately 1,500 residents in the Horseshoe Bar area of Placer County. Development within the SMD 3 service area is guided by the Placer County General Plan, Horseshoe Bar/Penryn Community Plan (Placer County, 2005a), and the Granite Bay Community Plan (Placer County, 2012). For the purposes of modeling future wastewater flows, the land use designations within the SMD 3 service area were

consolidated into six land use categories. The land use categories used for the hydraulic model and respective total acres are listed in **Table 4-1**.

TABLE 4-1

SMD 3 2010 LAND USE SUMMARY

Land Use	Total Parcels	Total Acres
Single Family Residential (Rural)	281	480
Single Family Residential (Urban)	256	161
High Density Residential	1	16
Commercial	1	3
Public/ Quasi-Public	-	-
Open Space	28	7
Total	**567**	**808**
Source: Brown and Caldwell, 2011b		

The current flow rates at the SMD 3 WWTP from the existing 615 equivalent dwelling units (EDU) are 0.11 mgd ADWF and 0.58 mgd peak wet weather flow (PWWF) (Brown and Caldwell, 2011).

South Placer Wastewater Authority Service Area

As described in **Section 3.12**, the SPWA, which operates under a Joint Powers Agreement (JPA) between the City of Roseville, South Placer Municipal Utility District (SPMUD), and Placer County, is primarily a funding authority responsible for funding for ongoing wastewater treatment operations and capital improvement projects and providing service for areas inside its service area boundaries. These boundaries are shown in **Figure 3.12-1**. The City of Roseville, on behalf of the regional partners, owns and operates two regional wastewater treatment facilities: the Pleasant Grove WWTP and the Dry Creek WWTP. Both WWTPs have excess hydraulic capacity and are consistently in compliance with their National Pollutant Discharge Elimination System (NPDES) discharge permits (SPWA, 2009).

As described in **Section 1.3**, under the Proposed Action, wastewater would be conveyed to the Dry Creek WWTP. A description of the Dry Creek WWTP is included in **Section 3.12.1**. As stated therein, the Dry Creek WWTP is permitted to discharge up to 18 mgd ADWF into Dry Creek under its existing NPDES Permit (No. CA0079502). The current ADWF treated at the Dry Creek WWTP is approximately 10.3 mgd.

Projected Wastewater Flows

SMD 3 Service Area

Build-out of the Proposed Project would allow the expansion of the SMD 3 service area on a first come first served basis as capacity allows. A figure illustrating the existing and approximate future service area for SMD 3 is provided in **Figure 3.12-2**. The future SMD 3 service area illustrated in the figure is approximately based on growth anticipated to occur in accordance with the adopted Horseshoe Bar/Penryn and Granite Bay Community Plans. Flows within the SMD 3 service area were projected

based on parcel land use established in the general plan and were calibrated using the collection system flow monitoring data. It is assumed that vacant parcels will be developed, parcels currently developed that are on septic systems will eventually connect to the Placer County collection system, and that some parcels will subdivide and develop further. An interim scenario, defined as the current (2010) scenario plus 15 percent of build-out, was also developed which corresponds to the completion of Phase I of the each of the proposed alternatives (Brown and Caldwell, 2011b). The Phase II land use scenario is the anticipated development that would be accommodated by the construction of Phase II of each of the proposed alternatives. The land use categories used for the Phase I and Phase II hydraulic models and respective total acres are listed in **Table 4-2** and the resulting modeled flow rates at the SMD 3 WWTP are presented in **Table 4-3**.

TABLE 4-2

SMD 3 PHASE I AND II LAND USE SUMMARY

Land Use	Phase I[a]		Phase II[b]	
	Total Parcels	Total Acres	Total Parcels	Total Acres
Single Family Residential (Rural)	306	680	364	1,145
Single Family Residential (Urban)	280	188	336	251
High Density Residential	1	16	2	16
Commercial	1	3	1	3
Public/ Quasi-Public	-	-	-	-
Open Space	28	7	28	7
Total	**808**	**568**	**731**	**1,422**
Source: a -Brown and Caldwell, 2011b; b- Placer County, 2012				

TABLE 4-3

MODELED FLOW RATES AT THE SMD 3 WWTP

Scenario	ADWF (mgd)	PWWF (mgd)
Phase I[a]	0.16	0.77
Phase II[b]	0.25	1.21
Source: a -Brown and Caldwell, 2011b; b- Placer County, 2012		

The land use projections in **Table 4-3** assumed a substantial amount of growth for an area that experienced relatively small growth when compared to other areas in the Central Valley between 2000 and 2010. While the average growth rate between 2000 and 2010 was 20 new connections per year, the growth rate between 2005 and 2010 averaged just 8 new connections per year. For the purposes of the design analysis an average of 20 new connections per year was used as a conservative value (Brown and Caldwell, 2011).

As described in **Section 1.3**, current flows, discussed above, are approximately a quarter of the anticipated ADWF resulting from build-out of the SMD 3 service area. Phase I of Proposed Project has been sized to accommodate potential growth within the next 9 years (2021), which is approximately 15 percent of the growth projected in SMD 3 between the 2011 condition and build-out, or 187 additional equivalent dwelling units. The second phase of the Proposed Project was sized to accommodate potential growth that may occur between 2021 and 2036, which is approximately 50 percent of the growth projected in SMD 3 between the 2011 condition and build-out, or approximately 400 additional equivalent dwelling units.

South Placer Wastewater Authority Service Area

Build-out assumptions within the SPWA Systems Evaluation (SPWA, 2009) were based on the build-out of the designated land uses within the "Ultimate Service Area" which includes the 2005 Regional Service Area boundary and the 12 identified UGAs, including the SMD 3 service area, depicted on **Figure 3.12-1**. According to this figure, a portion of the SMD 3 service area is within the 2005 Regional Service Area boundary. For the build-out condition, all parcels were considered to be connected to the wastewater collection system even though some land uses in the "Open Space" category do not generate wastewater. Land uses assumed for the SMD 3 service area within the SPWA Systems Evaluation are summarized in **Table 4-4** and are compared to land uses assumed by Placer County that would be served by the SMD 3 system. Build-out ADWF projections for SPWA's Ultimate Service Area are presented in **Table 4-5**.

TABLE 4-4

SMD 3 BUILD-OUT LAND USE ASSUMPTIONS SUMMARY AND COMPARISON

Land Use	Units	SPWA Systems Evaluation [a] Land Use Assumptions for Service Area	Placer County Land Use Assumptions for SMD 3 Phase II Service Area
		DU or Area	DU or Area
Commercial	Acres	3	3
Heavy Industrial	Acres	-	-
Light Industrial	Acres	-	-
Mixed Use	Acres	-	-
Open Space	Acres	-	7
Public/ Quasi-Public	Acres	11	-
Residential 1 DU [a]	DU	1,268	731
Residential 2 DU [b]	DU	14	-
Residential 3 DU [c]	DU	-	-
Residential Multiple DU [d]	DU	250	2 [e]
Total			

Notes: a: One (1) dwelling unit per parcel
b: Two (2) dwelling units per parcel
c: Three (3) dwelling units per parcel
d: Multiple dwelling units per parcel
e: Two parcels of high density residential
Source: 1-SPWA, 2009; 2- Placer County, 2012

TABLE 4-5

BUILD-OUT ADWF PROJECTIONS FOR ULTIMATE SPWA SERVICE AREA

Description of Area	Build-out ADWF (mgd)		Total Build-ADWF (mgd)
	Pleasant Grove WWTP	Dry Creek WWTP	
2005 Regional Service Area	16.52	16.34	32.86
Curry Creek UGA	2.72	-	2.72
Regional University UGA	1.17	-	1.17
Inviro Tech UGA	0.08	-	0.08
Placer UGA	-	0.01	0.01
Orchard Creek UGA	0.02	-	0.02
Pacer Ranch UGA	1.27	-	1.27
Placer Vineyards UGA	-	2.23	2.23
SMD 3 UGA	-	0.29	0.29
SPMUD UGA	-	1.11	1.11
Creekview UGA and Panhandle	1.06	-	1.06
Sierra Vista UGA	2.10	-	2.10
Brooksfield UGA	0.73	-	0.73
Total	**25.67**	**19.98**	**45.65**

Source: SPWA, 2009

4.2.2 METHODOLOGY

To determine direct growth inducement potential, the Proposed Project was reviewed to assess whether an increase in population or employment, or the construction of new housing could be reasonably expected to occur as a direct result of the project. If either of these scenarios is reasonably foreseeable, the Proposed Project could result in direct growth-inducement. To determine indirect growth inducement potential, the Proposed Project was reviewed to assess whether it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. The Proposed Project's potential to induce or restrain anticipated growth within adopted land use plans was considered.

4.2.3 GROWTH INDUCEMENT POTENTIAL OF THE PROPOSED PROJECT

As discussed in **Section 3.12**, proposed facilities during the first phase of the Proposed Project would have the capacity to convey up to 0.16 mgd ADWF of flows to the Dry Creek WWTP, which would accommodate potential growth within the next 9 years (2021) within SMD 3. Phase II of the Proposed Project would have the capacity to convey up to 0.25 mgd ADWF of flows to the Dry Creek WWTP, which would accommodate potential growth within the SMD 3 service area between 2021 and 2036 (see **Section 4.2.1**). Upgrades would be required to the SMD 2 collection system to accommodate flows from

the SMD 3 service area that are above 0.25 mgd ADWF that are not within the scope of the Proposed Project and would be subject to further environmental review pursuant to CEQA.

The Proposed Project was designed to serve growth controlled by the Placer County General Plan, Horseshoe Bar/Penryn Community Plan (Placer County, 2005a), and the Granite Bay Community Plan (Placer County, 2012), and local ordinances, and has been sized accordingly. The environmental impacts from the growth assumed within these plans were analyzed within the programmatic environmental studies completed in accordance with CEQA prior to approval each respective plan. Proactive long-term planning of public infrastructure reduces construction costs and avoids the operational vulnerabilities and potential environmental impacts that would likely result if demand were to outpace service capacity. Construction of the Proposed Project would provide service capacity to meet existing and planned needs in a responsible manner. As discussed in **Section 2.4.2**, the capacity of SMD 3 facilities following completion of Phase II of the Proposed Project would be 0.25 mgd ADWF (or 1.21 PWWF), which is sufficient to accommodate existing flows and projected growth rates through the year 2036, but is less than the current permitted treatment capacity of the SMD 3 WWTP of 0.30 mgd ADWF. Therefore the Proposed Project would actually reduce the capacity for wastewater treatment services within the SMD 3 service area over existing conditions. The Proposed Project would not directly or indirectly induce growth over existing conditions; therefore, adverse environmental effects as a result of growth inducement would not occur.

4.3 SIGNIFICANT IRREVERSIBLE/ IRRETREIVABLE COMMITMENT OF RESOURCES

Section 102(c) of NEPA (42 USC 4332(c)(v)) requires a statement by the responsible official on any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. Additionally, State CEQA *Guidelines* Section 15126.2(c) provides the following direction for the discussion of irreversible changes:

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The Proposed Project would result in an irreversible commitment of energy resources, primarily fossil fuels for construction equipment (e.g., fuel, oil, natural gas, and gasoline), and the consumption or destruction of other nonrenewable or slowly renewable resources (e.g., gravel, metals, and water).

Construction of new facilities would involve substantial quantities of building materials and energy, some of which are nonrenewable. The Proposed Project would also result in a temporary increase in

automobile transit trips. These additional trips would also require the use of fossil fuels and other nonrenewable resources.

4.4 CONCLUSION / FINDINGS

Environmentally Superior/Preferred Alternative

In accordance with CEQA and NEPA which require an evaluation and comparison of the environmental merits of alternatives considered, a summary matrix has been prepared which qualitatively compares the effectiveness of each of the alternatives in reducing environmental impacts. This matrix, presented in **Table 4-6**, identifies for each impact area whether the alternatives would have greater, lesser, or similar impacts compared with the Proposed Project (Alternative A). With the exception of the significant and unavoidable impact to water quality under the No Project Alternative, each of the impacts identified under the project alternatives are considered less than significant after mitigation. Therefore “greater” and “lesser” impacts identified in **Table 4-6** are referring to varying degrees of impacts below established significance thresholds.

Generally, the environmentally superior/preferred alternative is the alternative that would cause the least impact to the biological and physical environment. As discussed above, implementation of the No Action Alternative would result in fewer short term environmental effects than would occur under the Proposed Project and other development alternatives. Specifically, potential temporary construction impacts would be avoided, reduced, and minimized, including increased noise, traffic, and air quality emissions, unanticipated discovery of cultural resources, and potential impacts to soils, water quality and biological resources. However, the No Action alternative would not meet the waste discharge requirements (WDR) issued by the Regional Water Quality Control Board and would therefore result in adverse effects to the water quality of surface waters. Additionally, the No Action Alternative would not achieve the purpose and need or project objectives and would result in continued operational impacts associated with noise and odors from continued operation of the SMD 3 WWTP, which is located in close proximity to sensitive receptors. Further, from an indirect perspective, the No Action Alternative may result in environmental consequences caused by a reduction in service levels throughout the County due to fiscal limitations caused by significant fines. The significance of adverse environmental consequences resulting from continued operation of existing facilities under the No Action Alternative would outweigh the temporary impacts associated with construction of the Alternatives A-C.

When comparing Alternatives A, B, and C, the Alternative A (Proposed Project) would be the environmentally superior/preferred alternative resulting in the lowest potential for environmental effects. Force mains proposed under Alternatives B and C would extend primarily within road right-of-ways (ROWs) resulting in greater effects associated with noise and traffic, as more construction would occur within public roadways and adjacent to sensitive receptors located along Auburn Folsom Road. In addition these alternatives would require two crossings of Miners Ravine, designated critical habitat for Federal listed species, and thus would have a greater potential for impacts to this resource. While Alternative A would have a slightly higher potential to result in effects to biological resources due to the approximately 5,100 linear feet of construction through an open space area adjacent to riparian habitat and the removal of 30 trees in this area, all effects can be reduced to a less-than-significant level with the

implementation of recommended mitigation measures within **Section 3.3**. Therefore, because the Proposed Project would have lesser effects associated with noise and traffic along Auburn Folsom Road, and would avoid potential adverse effects associated with directional drilling under the two drainages to Miners Ravine, it is considered to be the environmentally superior/preferred alternative that meets the purpose and need of the Proposed Action and accomplishes all of the project objectives.

TABLE 4-6
ENVIRONMENTAL IMPACT COMPARISON BETWEEN THE PROPOSED PROJECT (ALTERNATIVE A) AND ALTERNATIVES

Issue Area	Project Alternatives		
	No Action	**Alternative B Road Right-of-Way Alignment**	**Alternative C Hidden Valley Pipe Upsizing**
Aesthetics	Lesser	Similar	Similar
Air Quality	Lesser	Similar	Similar
Biological Resources	Lesser	Similar	Similar
Cultural Resources	Lesser	Similar	Similar
Geology and Soils	Lesser	Similar	Similar
Hazards and Hazardous Materials	Similar	Similar	Similar
Hydrology and Water Quality	Greater	Similar	Similar
Land Use	Greater	Similar	Similar
Noise	Greater	Greater	Greater
Recreation	Lesser	Similar	Similar
Transportation and Circulation	Lesser	Greater	Greater
Utilities and Service Systems	Lesser	Similar	Similar
Socioeconomic Conditions and Environmental Justice	Similar	Similar	Similar

4.5 COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS

4.5.1 FEDERAL

Executive Order 11988 (Floodplain Management)

Full Compliance. Executive Order 11988 (May 24, 1977) requires Federal agencies to prepare floodplain assessments for proposed actions located in or affecting floodplains. If an agency proposes to conduct an action in a floodplain, it must consider alternatives to avoid adverse effects and incompatible development in the floodplain. If the only practicable alternative involves siting in a floodplain, the agency must minimize potential harm to or in the floodplain and explain why the action is proposed in the floodplain. The majority of the SMD 3 WWTP site is located within the 100-year floodplain of Miners Ravine. As discussed in Section 3.7, during decommissioning, various WWTP structures within the flood plain would be re-purposed to provide emergency storage and, to the extent funding is available, all above-ground structures that are not being modified for future use would be removed from the site. The re-purposing of the various WWTP structures or abandonment of structures in place should funding not be available for demolition, would not impede or redirect flood flows on the WWTP site. The proposed location of the pump station is outside of the 100-year flood plain. Construction of the proposed force main would not affect floodplains this project component would be located underground and surfaces would be restored to existing conditions. Because the Proposed Action would not place new structures within the floodplain, it is in compliance with Executive Order 11988.

Fish and Wildlife Coordination Act

Compliance Pending. The Fish and Wildlife Coordination Act in general requires Federal agencies to coordinate with USFWS and state fish and game agencies whenever streams or bodies of water are controlled or modified. This coordination is intended both to promote the conservation of wildlife resources by providing equal consideration for fish and wildlife in water project planning and to provide for the development and improvement of wildlife resources in connection with water projects. Federal agencies undertaking water projects are required to include recommendations made by USFWS and state fish and game agencies in project reports, and give full consideration to these recommendations. Coordination under the Fish and Wildlife Coordination Act is being carried out with the Resource agencies.

Archaeological Resources Protection Act of 1979, 16 U.S.C. 470, et seq.

Full Compliance. This act prohibits the removal, sale, receipt, and interstate transportation of archaeological resources obtained illegally (without permits) from public lands. The Proposed Project would not involve any such archaeological resources.

Clean Air Act of 1972, as amended, 42 U.S.C. 7401, et seq.

Full Compliance. The Proposed Project would not exceed the U.S. Environmental Protection Agency's (USEPA) general conformity *de minimis* threshold or hinder the attainment of air quality objectives in the local air basin. The U.S. Army Corps of Engineers (USACE) has determined that the Proposed Project

would have no significant adverse effect on the future air quality of the area. Implementation of BMPs and mitigation measures would be implemented to reduce equipment emissions (including NOx) and PM10 to the extent possible. Thus, the USACE has determined that the Proposed Project would have no significant effects on the future air quality of the area.

Clean Water Act of 1972, as amended, 33 U.S.C. 1251, et seq.

Compliance Pending. The Proposed Project is not expected to adversely affect surface or ground water quality or deplete ground water supplies. Additionally, the project is not expected to result in a discharge of dredged or fill material into waters of the US. BMPs would be implemented to avoid movement of soils or accidental spills. The USACE has determined that the Proposed Project would have no significant effects on the future water quality of the area. The contractor would be required to obtain a NPDES permit from the CVRWQCB, since the project would disturb one or more acres of land and involve possible storm water discharges to surface waters. The contractor would also be required to prepare a SWPPP identifying BMPs to be used to avoid or minimize any adverse effects of construction on surface waters.

Endangered Species Act of 1973, as amended, 16 U.S.C. 1531, et seq.

Compliance Pending. Section 7 of the Federal Endangered Species Act (FESA) requires Federal agencies, in consultation with the Secretary of the Interior (Secretary), to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species. The Proposed Action has the potential to affect the Valley Elderberry Long Horn Beetle (VELB), a Federally listed endangered species, through temporary construction activities within 30 feet of VELB habitat. Mitigation measures have been required to avoid, reduce and minimize the potential for adverse effects to VELB. The Proposed Action would also remove discharge of treated effluent from Miners Ravine, designated critical habitat for Central Valley Steelhead, a Federally listed endangered species. A Hydrologic Study completed for the Proposed Action (**Appendix I**) indicates that the change to the stage of Miners Ravine from the decommissioning of the WWTP would not adversely affect steelhead trout passage, spawning, or rearing conditions based on their documented life history requirements. In addition the removal of the effluent discharge would increase water quality in Miners Ravine. The USACE will prepare a Biological Assessment and initiate formal consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) in accordance with Section 7 of the FESA prior to approval of the Proposed Action.

Magnuson-Stevens Fishery Conservation and Management Act (MSA)

Compliance Pending. This legislation requires that all Federal agencies consult with NOAA Fisheries regarding all actions or proposed actions permitted, funded, or undertaken that may adversely affect EFH. EFH is defined as "*waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity."* The Proposed Action would remove discharge of treated effluent from Miners Ravine, which is considered essential fish habitat (ESH) for chinook salmon under the MSA. A Hydrologic Study completed for the Proposed Action (**Appendix I**) indicates that the change to the stage of Miners Ravine from the decommissioning of the WWTP would not adversely affect salmonid passage, spawning, or rearing conditions. In addition the removal of the effluent discharge would increase water quality in

Miners Ravine. The USACE will consult with the NMFS in accordance with the MSA prior to approval of the Proposed Action.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Full Compliance. This order directs all Federal agencies to identify and address adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. There are no minority or low-income populations in the project area.

Migratory Bird Treaty Act (15 U.S.C 701-18h)

Full Compliance. Construction would be timed to avoid destruction of active bird nests or young of birds that breed in the area. If this is not feasible, a qualified biologist would survey the area prior to initiation of construction. If active nests are located, a protective buffer would be delineated and the entire area avoided, preventing disturbance of nests until they are no longer active.

National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321, et seq.

Compliance Pending. This EA/EIR is in compliance with this act. The document will be released for public comment. A final EA/EIR will be prepared that includes a comments and responses. The final EA/EIR will be accompanied by a signed FONSI. These actions will provide full compliance with this act.

National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq.

Compliance Pending. The project is in compliance with Section 106 of this act. The Proposed Action's area of potential effects (APE) was surveyed for cultural resources sites. A records and literature search was conducted at the Northwest Information Center at California State University, Sacramento. Based on the field survey and records and literature search, there are no recorded prehistoric or historic archeological sites or historic structures within the APE. No properties are listed on, or eligible for, the National Register of Historic Places. The USACE will consult with and seek concurrence from the California State Historic Preservation Officer (SHPO) on a finding of no historic properties affected for the Proposed Action.

Farmland Protection Policy Act (7 U.S.C. 4201, et seq.)

Full Compliance. There are no prime and unique farmlands in the project area.

Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.)

Full Compliance. No Wild and Scenic Rivers are within the project area.

Executive Order 11990, Protection of Wetlands

Full Compliance. The Proposed Project would not adversely affect wetlands. Several wetlands occur within 100 feet of the study area. BMPs will be implemented and all project permit requirements will be adhered to in order to prevent water quality impacts to wetlands in the vicinity of the study area. The

contractor would be required to obtain a NPDES permit from the CVRWQCB, since the project would disturb one or more acres of land and involve possible storm water discharges to surface waters. In addition, the contractor would prepare a SWPPP identifying BMPs to be used to avoid or minimize any adverse effects of construction on surface waters.

4.5.2 STATE

California Clean Air Act of 1988

Full Compliance. The Placer County Air Pollution Control District (PCAPCD) determines whether project emission sources and emission levels significantly affect air quality based on Federal standards established by the USEPA and State standards set by the California Air Resources Board (CARB). The project is in compliance with all provisions of the Federal and State Clean Air Acts.

California Endangered Species Act of 1984

Full Compliance. No State-listed threatened species have the potential to be adversely affected by the Proposed Project. The following State species of concern have the potential to occur in the project area and thus may be adversely affected by temporary construction activities: pallid bat, western pond turtle, purple martin, tri-colored blackbird, and white-tailed kite (fully protected). Potential impacts to western pond turtle and pallid bat as a result of the Proposed Project and necessary mitigation measures are being fully coordinated with CDFG (discussed above), the lead agency responsible for stewardship of these species. Prior to tree removal, preconstruction surveys would be conducted for roosting bats. If no roosting bats are found, no further mitigation would be necessary. If bats are detected within the roost at the time of construction, excluding any bats from roosts would be accomplished by a bat specialist prior to the onset of any construction activities. If construction is scheduled to occur between March 1 and September 15, preconstruction surveys will be conducted in suitable nesting habitat within 500 feet of the project site. If nesting birds are identified, CDFG will be consulted regarding suitable measures to avoid impacting breeding effort.

California Environmental Quality Act, California Public Resources Code, Section 21000 et seq.

Compliance Pending, Placer County as the non-Federal sponsor will undertake activities to ensure compliance with the requirements of this act. CEQA requires the full disclosure of the environmental effects, potential mitigation, and environmental compliance of the Proposed Project. The document will be released for a 45-date public comment period. A Final EA/EIR will be prepared that includes comments and responses. The Final EA/EIR will be certified by the County. These actions will provide full compliance with this act.

4.5.3 LOCAL PLANS, POLICIES, AND REQUIREMENTS

Placer County General Plan, Granite Bay Community Plan, Horseshoe Bar/Penryn Community Plan, and Placer County Tree Ordinance

Full Compliance. The project area is located within the jurisdiction of the Placer County. The Proposed Project is expected to comply with all of the relevant local plans. All proposed activity involving within or under county road rights-of-way will be covered by an encroachment permit. In addition, all relevant county ordinances, such as tree ordinances, will be complied with. Further discussion of compliance with local land use plans is included in **Section 3.8**.

4.6 COORDINATION AND REVIEW OF THE DRAFT EA/EIR

The Draft EA/EIR will be released for public review on June, 2012. The Draft EA/EIR will be circulated for 45 days to agencies, organizations, and interested parties. Noticing for the project will be completed in compliance with the environmental laws and regulations cited in **Section 4.5**. Copies of the Draft EA/EIR were made available for viewing at the local public library. This project has been coordinated with all the appropriate Federal, State, and local government agencies.