

**FINAL**  
**CEQA INITIAL STUDY AND MITIGATED NEGATIVE  
DECLARATION**

**APPLICATION # 14-11 JUSTICE MINOR LAND DIVISION 6639 WISHING WELL LANE  
(APN: 045-071-064)**

State Clearinghouse Number: 2016022079  
Town of Loomis, California

**Prepared by:**

Town of Loomis  
Planning Department  
3665 Taylor Road  
P.O. Box 1330  
Loomis, CA 95650  
(916) 652-1840

## **1.0 Introduction**

### ***1.1 Environmental Review***

The Justice MLD Application #14-11 constitutes a "Project" in accordance with the California Environmental Quality Act (CEQA). Prior to approving the Project, the Town of Loomis must provide environmental review in accordance with CEQA to assess the potential effects of the Project, including mitigation where necessary.

This Initial Study and Mitigated Negative Declaration (IS-MND) has been prepared as the environmental documentation in anticipation of determining that all potentially significant impacts from implementing the proposed Project can be mitigated to levels less than significant. Accordingly, a Mitigated Negative Declaration is being prepared to provide environmental review and clearance for the Project. Information included in this document is intended to clarify the area of potential environmental concern, while estimating the potential impacts of the Project on the environment.

### ***1.2 Clarifications and Corrections***

During the public review period (March 1, 2016 through March 31, 2016), 5 comment letters were received from public agencies identifying the need for clarification and/or revision to the IS/MND text. Two comment letters from adjacent residents were received identifying the need for revisions to portions of the IS/MND. One comment letter from a title company (North American Title Group) representing an adjacent neighbor to the Project was received identifying the need for revisions to portions of the IS/MND.

A Cover Page has been added to this document identifying the document as a "Final CEQA Initial Study and Mitigated Negative Declaration". Sections "1.0 Introduction"; "1.2 Clarifications and Corrections", "1.3 Public Comments"; "1.4 Response to Comment Format"; "1.5 Additional Documentation" have been added to this Final IS/MND in order to describe the steps that have been taken since the circulation of the Draft IS/MND. The heading for section "1.6 Summary Information" as well as "2.0 Environmental Evaluation" has been added to this Final IS/MND for document formatting purposes. Section "3.0 Response to Comments" has been added to this Final IS/MND and provides response to comments that were received during the public review period of the Draft IS/MND from March 1, 2016 to March 31, 2016. Section "4.0 Mitigation and Monitoring Program" has also been added to this Final IS/MND and provides a matrix of the mitigation measures that would be implemented, the mitigation milestone (timing of when the measure is to be implemented/completed) and agencies/entities responsible for implementing/overseeing the measures.

### ***1.3 Public Comments***

The Town of Loomis circulated the Draft IS/MND for Application # 14-11 Justice Minor Land Division 6639 Wishing Well Lane (APN: 045-071-064) for public and agency review, for 30-days,

commencing on February 29, 2016 and ending on March 29, 2016. The following comment letters were received on the Draft IS/MND:

- California Department of Fish and Wildlife (CDFW) –March 12, 2016;
- Central Valley Regional Water Quality Control Board (CVRWQCB) – March 22, 2016;
- North American Title Insurance Co. on behalf of Curt and Hollis Lehner – April 12, 2016
- Public Comment Letter from Dale Hudec – March 31, 2016;
- Public Comment Letter from Martha Merriam – March 31, 2016

#### ***1.4 Response to Comment Format***

Section 3.0 Response to Comments is organized in the following way:

- The comment letters are included and labeled with a comment code that corresponds to the response: and,
- A response to each relevant comment follows, organized by comment code.

#### ***1.5 Additional Documentation***

The Final IS/MND includes additional documentation for the public record, including:

- Notice of Intent to Adopt a Mitigated Negative Declaration;
- Notice of Completion; and,
- Letter dated March 30, 2016 from the Governor's Office of Planning and Research State Clearinghouse noting compliance with their requirements.

These additional documents are included in the Appendix of the Final IS/MND.

## 1.6 Summary Information

### TOWN OF LOOMIS ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Justice Minor Land Division
2. **Lead Agency Name and Address:** Town of Loomis  
3665 Taylor Road  
Loomis, CA 95650
3. **Contact Person and Phone Number:** Chris Graham, Planner  
cgraham@loomis.ca.gov; (916) 652-1840
4. **Project Location:** 6639 Wishing Well Lane Loomis, CA 95650  
APN 045-071-064-000
5. **Project Sponsor's Name and Address:** Larissa Amber Justice and David Clay Justice  
5321 Brookcrest Court  
Rocklin, CA 95677  
larissarouen@gmail.com; (916) 626-0500
6. **General Plan Designation:** Residential Agriculture
7. **Zoning:** RA – Residential Agricultural
8. **Description of the Project:** The proposed Project is located at 6639 Wishing Well Lane in the Town of Loomis on Parcel Number (APN) 045-071-064-000. The parcel is approximately 18 acres in size and is occupied by one residential unit, several out buildings and a pond on the northern portion; while the remainder of the parcel is undeveloped (occupied by annual grassland and foothill woodland). The applicant proposes to divide the 18-acre parcel into two 5-acre parcels and one 8-acre parcel through the Minor Land Division process required by the Town of Loomis. The parcel is occupied by four categories of waters of the United States (totaling 2.23 acres) which include a pond (0.32 acre), wetland swale (1.59 acres), seasonal wetland (0.29 acre), and, an intermittent stream (0.03 acre) as delineated and verified by the U.S. Army Corps of Engineers.  
  
The parcel is also occupied by natural vegetation which includes 23 trees that were inventoried per the requirements of the Town of Loomis. Of the 23 total trees that were inventoried on the Project site five are Interior Live Oaks; five are Valley Oaks; 12 are Cottonwood Trees; and, two are Willow trees.  
  
Tentative Maps have been provided by the Project applicant showing the proposed division of the 18-acre parcel and parcel access points to assist in understanding the physical layout of the Project. **Figure 1 – Regional Location** shows the location of the Project site on a regional scale within the Town of Loomis. **Figure 2 – Project Location** shows the location of the Project site on a local scale. **Figures 3 and 4** show the tentative map for the Project.
9. **Surrounding Land uses and Setting:** (Briefly describe the project's surroundings)  
North: Residential Agriculture/Single-Family Residential Unit  
South: Residential Agriculture/Single-Family Residential Unit  
East: Residential Agriculture/Single-Family Residential Units  
West: Residential Agriculture/Golf Course and Open Space
10. **Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).**

**Figure 1- Regional Location**

**Figure 2 – Project Site**

**Figure 3 – Original Project Map**

**Figure 4 – Revised Project Map**



## 2.0 Environmental Evaluation

### ENVIRONMENTAL CHECKLIST:

Pursuant to Section 15063, CEQA Guidelines, the Town of Loomis has utilized an Environmental Checklist to evaluate the potential environmental effects of the Project. The checklist provides a determination of these potential impacts and includes the substantiation in support of the conclusions checked on the form.

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials        | <input type="checkbox"/> Hydrology/Water Quality            |
| <input type="checkbox"/> Land Use/Planning        | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population/Housing       | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Mandatory Findings of Significance |

### DETERMINATION:      On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that 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 MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Christopher L. Graham

Date 2/29/2016

Printed Name Chris Graham for Town of Loomis

**EVALUATION OF ENVIRONMENTAL FACTORS:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b><u>I. AESTHETICS</u> – Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a) The Project site is located within the Town of Loomis in an area surrounded by single-family residential units, a golf course, and naturally vegetated areas. The Town of Loomis has not designated areas as scenic vistas; however, the Town of Loomis includes a variety of visually pleasing landscapes including wooded hills, grasslands, and agricultural areas. The Project applicant proposes to divide an 18-acre parcel into two 5-acre parcels and one 8-acre parcel and would not include development on these parcels at this time. Since the Project only includes the division of this 18-acre parcel, such an act would not have a substantial effect on scenic vistas or visual quality and character in the area or within the Town of Loomis. As such, no impacts would occur.

(b) The Town of Loomis contains several major roadways that function as sensitive viewing corridors. These roadways include: Interstate 80 (I-80), Taylor Road, Sierra College Boulevard, and Horseshoe Bar Road. None of these roadways are in immediate vicinity of the proposed project area. Placer County has designated I-80 through the limits of the Town of Loomis as a scenic corridor. The proposed Project includes the division of an 18-acre parcel into three smaller parcels; therefore, based on the design, the proposed Project would not substantially damage scenic resources within a state scenic highway. No impacts would occur.

(c) The Project site is located in a rural portion of the Town and is surrounded by single-family residential units, a golf course, and naturally vegetated areas. The Project includes dividing an 18-acre existing parcel into smaller sized parcels and development of internal aggregate covered roads/driveways. The proposed Project would retain the existing pond, wetland swale, seasonal wetland, and intermittent stream, keeping the same visual character and quality as under existing conditions. The Project site also contains a number of trees that were inventoried as part of the *Preliminary Consulting Arborist Report & Tree Inventory* that was prepared for the Project on January 14, 2015. The tree inventory indicated that there were 23 total trees onsite that consisted of: five Interior Live Oaks; five Valley Oaks; 12 Cottonwoods; and, two Willows. Out of the 23 total trees that were inventoried 11 trees will remain and the remaining 12 trees will be removed or actions will be taken to bring the trees back into health. The *Preliminary Consulting Arborist Report & Tree Inventory* provides recommendations for removal and salvation of the trees onsite to ensure the visual character and quality of the site is retained. Based on the type of Project being proposed the design would not substantially degrade the existing visual character or quality of the site or its surroundings. Impacts would be less than significant.

(d) Existing lighting in the Project area is generated by residential uses. The proposed Project does not include the addition of lighting nor would reflective materials be used. Implementation of the proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. No impacts would occur.

**Mitigation:** None required.

**II. AGRICULTURE AND FORESTRY RESOURCES –**

Would the project:

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

**Discussion:**

- (a) The Project site is designated as Other Land and Urban and Built-Up Land according to the California Department of Conservation Farmland Mapping and Monitoring Program mapping for Placer County.<sup>1</sup> Land north of the Project site is designated as Farmland of Statewide Importance. The proposed Project includes splitting an 18-acre parcel into three smaller parcels and would not reduce or convert land designated by the California Department of Conservation as Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural uses. No impacts would occur.
- (b) The Project site is designated as Residential Agricultural (RA) by the Town of Loomis Zoning Code. The Loomis Zoning Code allows for the splitting of a parcel within the RA zoning district into smaller parcels as long as the parcels are a minimum lot size of 4.6 acres. The proposed Project would divide the existing 18-acre parcel into two 5-acre parcels and one 8-acre parcel which would be in compliance with the existing RA zoning designation. Based on Williamson Act information from Placer County, the Project site is not under a Williamson Act contract nor are there any parcels nearby that are under such a contract. Implementation of the Project would therefore not impact Williamson Act land.
- (c & d) The Project site is not forest land or timberland. Therefore, there would be no impact.
- (e) The proposed Project would not convert any prime farmland, unique farmland, or farmland of statewide importance pursuant to the Farmland Mapping and Monitoring program. Therefore, there would be no impact.

**Mitigation:** None Required

<sup>1</sup> California Department of Conservation, Farmland Mapping and Monitoring Program, California Important Farmland Finder Website, <http://maps.conservation.ca.gov/ciff/ciff.html>. Accessed 9/17/2015.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a - e): Air quality is regulated by federal, state, regional, and local agencies. The Project site is located within the Sacramento Valley Air Basin (SVAB) area of Placer County and is under the jurisdiction of Placer County Air Pollution Control District (PCAPCD). Placer County is in non-attainment for ozone and particulate matter with a diameter of 10 microns (PM<sub>10</sub>). All projects with potential to cause air emissions are subject to adopted PCAPCD rules and regulations in effect at the time of construction.

The Project's effects on local and regional air quality would not be significant. However, the Project would contribute to the non-attainment status of the local air basin on an incremental basis. These incremental and cumulative adverse air quality impacts cannot be completely mitigated; however, such impacts were anticipated by the General Plan Update and Loomis Town Center Master Plan, and were addressed as part of the environmental impact analysis and DEIR prepared for these projects. Findings of overriding consideration were adopted for the unavoidable significant air quality impacts.

The Project would have short-term construction impacts. Construction activities, including grading, would generate a variety of pollutants; the most significant of which would be dust (PM<sub>10</sub>). This would exacerbate the existing PM<sub>10</sub> non-attainment condition if not mitigated. Construction equipment would produce short-term combustion emissions.

**Mitigation:**

**MM AQ-1:** The Project shall conform to requirements of the Placer County Air Pollution Control District (PCAPCD). Prior to commencement of grading, the applicant shall submit a dust control plan for approval by the Town Engineer and PCAPCD.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a - f) The Project site occurs in the lower foothills of the western Sierra Nevada at elevations ranging between 370 and 400 feet mean sea level (msl). Drainage on the site is from east to west. The Project site is primarily annual grassland and foothill woodland.

The nearest major waterway is Secret Ravine Creek, which flows northeast to southwest on the east side of Interstate 80 (west of the study area) and drains into Miners Ravine, which connects with Dry Creek in Sacramento County. Dry Creek becomes the Natomas East Main Drainage Canal, which drains into the Sacramento River. A few minor drainage features are located on the Project site, but all carry little water.

Most of the watershed for the Project site is developed as rural residential, and water is conveyed in ditches and channeled waterways through and around the property and adjacent properties. The Project site contains several minor drainage features that convey runoff from adjacent properties. Locally, the site drains from the eastern side of the property toward the offsite drainage in the woodlands around the golf course.

The proposed Project has been designed to avoid impacts to wetlands/waters of the U.S. identified during the preparation of the Project Wetland Delineation Report.<sup>2</sup> Delineated wetlands would not be disturbed during construction. Wetlands would be spanned by an arch pipe or approved alternate for the installation of the proposed driveway. The proposed Project would not impact wetlands/waters of the U.S.

<sup>2</sup> Salix Consulting, Inc. *Wetland Delineation for the 18.2-Acre Wishing Well Way Study Area Town of Loomis, Placer County, California*, prepared for David and Larissa Justice, April 2015.

An arborist report<sup>3</sup> was prepared identifying and evaluating the inventory of the trees in the footprint of the proposed roadway. The proposed roadway footprint contains 23 trees: five interior live oak (*Quercus wislizenii*); five Valley oak (*Quercus lobata*); 12 cottonwood (*Populus fremontii*); and two willow trees (*Salix sp.*).

Ten oak trees are located within the footprint evaluated for the proposed roadway. All 10 of the trees are designated as Protected Trees (614, 647, 648, 664, 2324, 2325, 2326, 2327, 2330, and 2333) pursuant to the Town's Tree Ordinance. Removal of trees 614, 647, 648, 664, 2324, 2325, 2326, 2327, 2330, and 2333 (oak trees with diameters of six inches or greater at breast height) would require a Tree Permit as described below.

**Mitigation:**

**MM BIO-1:** If project scheduling allows, the removal of trees shall be conducted outside of the Migratory Bird Treaty Act (MBTA) and peak bird nesting seasons (February 15 through September 15). If tree removal must be conducted during the nesting season, the applicant shall hire a qualified Biologist to conduct a survey for active bird nests within 3 days prior to commencement of any construction activities. Should an active nest be identified, restrictions will be placed on construction activities in the vicinity of any active nest observed until the nest is no longer active, as determined by a qualified Biologist. These restrictions may include a 300- to 500-foot buffer zone designated around a nest to allow construction to proceed while minimizing disturbance to the active nest. Once the nest is no longer active, construction can proceed within the buffer zone. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist retained by the applicant. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans.

**MM BIO-2:** The Project proponent shall submit a complete Tree Permit application for review and approval by the Town of Loomis. Upon review and approval of a complete Tree Permit application, the Town shall issue a Tree Permit.

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<sup>3</sup> Abacus Consulting Arborists, *Preliminary Consulting Arborist Report & Tree Inventory*, prepared for Larissa Justice 6639 Wishing Well Way, January 14, 2015.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

(a - d): There are no known significant archaeological deposits within the Project area. However, unknown and potentially significant buried resources could be inadvertently unearthed during ground-disturbing activities associated with Project construction. These deposits may constitute historical or unique archaeological resources under CEQA, in which case their destruction or disturbance would result in a significant impact under *CEQA Guidelines* Section 15064.5. Additionally, the Project site is not located within the historic downtown core area. Impacts would be less than significant with mitigation incorporated.

**Mitigation:**

**MM CR-1:** If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be halted and the Town of Loomis Planning Department shall be notified. The archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits shall be avoided by project activities, but if such impacts cannot be avoided, the deposits shall be evaluated for their eligibility on the California Register of Historic Resources (CRHR). If the deposit is not CRHR eligible, then no further protection of the finds are necessary. If the deposits are CRHR eligible, they shall be protected from project-related impacts, or such impacts shall be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. (Planning Director)



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS -- Would the project:</b>				
<b>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to California Geological Survey Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Result in substantial soil erosion or the loss of topsoil?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

(a - e): Loomis is located on a granitic pluton and is in an area that is not subject to severe seismic events.<sup>4</sup> (The Project site is not within an Alquist Priolo Earthquake Fault zone, and there are no known faults on or adjacent to the site.<sup>5</sup> The California Geologic Survey identifies inactive faults to the east and west of the Loomis Basin.<sup>6</sup> There is no evidence to indicate any likelihood for shallow ground rupture due to faulting in the area. However, historical earthquake records indicate a potential for strong earthquake shaking throughout the entire area, and future earthquake shaking should be anticipated at the site. Accordingly, the site is situated in an area that is considered to have relatively low seismic activity; Uniform Building Code (1997) Seismic Zone 3. Current Building Code requirements will reduce potential effects of fault rupture to a less-than-significant level. Like most of central California, the site can be expected to be subjected to seismic ground shaking at some future time. However, according to the California Division of Mines and Geology bulletin, South Placer County is classified as a low severity earthquake zone. The maximum probable ground

<sup>4</sup> State of California Department of Conservation, 2010 Geologic Map of California, California Geological Survey, Geologic Data Map No. 2, <http://www.quake.ca.gov/gmaps/GMC/stategeologicmap.html>, Accessed 10/1/15

<sup>5</sup> State of California Department of Conservation, Alquist Priolo Earthquake Fault Zones, 2007, <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>, Accessed 10/1/15

<sup>6</sup> State of California Department of Conservation, 2010 Fault Activity Map of California, California Geological Survey, Geologic Data Map No. 6, <http://www.quake.ca.gov/gmaps/FAM/faultactivitymap.html>, Accessed 10/1/15

shaking is expected to be no greater than VI on the Modified Mercalli Scale. Structural damage from ground shaking of this magnitude would be minimal if structures are constructed in accordance with applicable Uniform Building Code; 2013 California Building Code; California Code of Regulations, Title 24; 2013 ASCE 7; Minimum Design Loads for Buildings and Other Structures requirements. The potential for liquefaction at the project site is considered small. The potential for landslides and mudflows is negligible at the Project site because of the absence of steep slopes. There are no recorded episodes of subsidence in the area. The Project site is comprised of Andregg coarse sandy loam, 2 to 9 percent slopes soils and Andregg coarse sandy loam, 15 to 30 percent slopes soils which typically do not exhibit expansive characteristics. There are no unique physical features. The grading plan is to specify erosion control measures, which will reduce potential erosion. With these previously imposed conditions, geology and soils impacts would be less than significant.

**Mitigation:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GREENHOUSE GAS EMISSIONS</b> – Would the project:				
a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

(a & b): 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 additional residents, on-site fuel combustion for space and water heating, landscape maintenance equipment, and fireplaces/stoves; and off site emissions at utility providers associated with the Project's electricity and water demands.

The construction and operational related GHG emissions resulting from the Project would not substantially hinder the State's ability to attain the goals identified in AB 32 (i.e., reduction of statewide GHG emissions to 1990 levels by 2020; approximately a 30 percent reduction from projected 2020 emissions). Thus, the construction and operation of the Project would not generate substantial GHG 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.

**Mitigation:** None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a & b):** Construction activities associated with development of the Project would involve the routine transport, use, or disposal of hazardous materials. All hazardous materials would be transported, used, and disposed in accordance with federal, state, and local regulations. The use of hazardous substances during normal 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.

**(c):** The nearest school (Loomis Basin Charter School 5438 Laird Road) is located approximately 0.8 mile southeast of the Project site. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. There would be no impact.

(d): The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.<sup>7</sup> Therefore, implementation of the Project would not create a significant hazard to the public or the environment.

Review of past uses occupying the Project site indicates that a portion of the parcel was used as an orchard in the 1930's. A Phase 2 Site Assessment was conducted on the parcel to determine if onsite soils are contaminated with pesticides from past orchard use. The Phase 2 Site Assessment concluded that there was no residual contamination of the soil as a result of the past land uses on the parcel.<sup>8</sup> Therefore, there would be no impact.

(e - h): The Project is not located within an airport use plan area or, within two miles of a public, private, or public use airport. The Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The Project would not result in exposure of people or structures to a significant risk or loss, injury or death involving wild land fires.<sup>9</sup> Therefore, there would be no impact.

**Mitigation:** None required.

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<sup>7</sup> CA Dept. of Toxic Substances Control Environstor, Hazardous Waste and Substances Site List, <http://www.envirostor.dlsc.ca.gov/public>, Accessed 10/1/15

<sup>8</sup> *Site Investigation Workplan and Historic Orchard Site Assessment Justice Property – APN: 045-071-064-000 Loomis, Placer County, CA*: Aqua-Terra Environmental Consultants, December 28, 2015.

<sup>9</sup> Placer County Very High Fire Hazard Severity in LRA, November 24, 2008, [http://trap.fire.ca.gov/webdata/maps/placer/fhszl\\_map.31.pdf](http://trap.fire.ca.gov/webdata/maps/placer/fhszl_map.31.pdf), Accessed 10/1/15

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in on- or off-site flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a-j): The Project would not substantially alter the existing drainage pattern of the site or the area. The natural drainage pattern would be retained. Construction would be confined to areas outside of existing waters and would not occur within the 100-year floodplain as depicted on FEMA flood insurance rate map 06061C0418F (6/8/98). The Project would result in the increase in impervious surfaces associated with construction of structures. The proposed roadway would span an existing drainage. An arch pipe or approved alternate would be used to avoid the drainage in the pathway of the proposed roadway. The Project would not alter the course of a stream or river, nor result in substantial erosion, siltation, or flooding either on- or off-site. The Project would not alter a stream bed, cause erosion, or expose residents to flood hazards. The Project would not result in the violation of any

water quality standards or discharge any waste nor would the Project have any impacts that could result in a net deficit in aquifer volume or a lowering of the local groundwater table. The Project would not create, or contribute, runoff water in quantities significant enough to exceed the capacity of existing storm water drainage systems or provide a substantial additional source of runoff, polluted or otherwise. The Project's design and construction, as noted above, would not result in a substantial degradation of water quality. The proposed Project would not result in a significant impact or effect to any 100-year flood hazard areas, nor expose people or structures to a significant risk of loss, injury or death involving flooding, including inundation by seiche, tsunami, or mudflow. With the following mitigation measures implemented impacts to hydrology and water quality due to Project implementation would be less than significant.

**Mitigation:**

**MM HYDRO-1:** The Project applicant shall construct the Project in accordance with the Placer County Storm Water Management Manual prepared by the Placer County Flood Control and Water Conservation District as recognized by the Town. The Project shall be constructed in a manner so that post-development runoff flows do not exceed predevelopment flows through the use of a drainage plan that includes provisions for on-site detention of runoff flows and payment of the Town's drainage impact fee. The Project applicant shall submit a drainage plan, subject to review and approval of the Town Engineer. The Project applicant shall pay the Town's Drainage Fee and the Dry Creek Watershed Drainage Improvement Fee prior to building permit issuance. (Building Official)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a - c): The Project site has a General Plan designation of Residential Agricultural 4.6 acres/du and a zoning designation of Residential Agricultural (RA). The Project would not divide an established community. The three proposed parcels would exceed the minimum lot size in accordance with the zoning district. This impact would be less than significant.

There is no habitat conservation plan for the area. Therefore there would be no impact.

**Mitigation:** None required.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES</b> -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a & b): There are no known sources of valuable minerals located upon the Project site. The site is not designated for mineral resource recovery on the Town of Loomis General Plan or any other land use plans.<sup>10</sup> Therefore, there would be no impact.

**Mitigation:** None required.

<sup>10</sup> California Department of Conservation, SMARA Mineral Land Classification Map Placer County, Plate 5, Accessed 10/1/15, <http://www.quake.ca.gov/gmaps/WH/smaramaps.htm>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. NOISE</b> – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable local, state, or federal standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above level existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a - d): The existing noise environment within the Project area is dominated by surface transportation noise emanating from vehicular traffic on Laird Road, and outdoor activities at the surrounding residences also influence the existing noise environment. The Town of Loomis General Plan has established 65 L<sub>dn</sub> as the normally acceptable outdoor noise level for residential uses in the vicinity of the Project site. The Project has been designed so as to comply with the Town of Loomis exterior and interior noise standards of 65 L<sub>dn</sub> and 45 L<sub>dn</sub>, respectively. As the Project develops there will be short-term increases in noise levels associated with construction and related vehicular travel. These noise level increases are temporary, as they are associated with construction of the Project and will cease with the completion of the Project. Therefore, this impact is considered to be less than significant, provided limited hours during which construction activity may occur, as established by the Town of Loomis, are observed.

(e): The Project is not located within an airport land use plan area nor within two miles of a public airport or private or public use airport or airstrip. Therefore there would be no impact.

**Mitigation:**

**MM NO-1:** No construction work shall begin prior to 7:00 a.m. nor occur after 7:00 p.m. Monday through Friday nor prior to 8:00 a.m. or after 5:00 p.m. on Saturday, with no work to occur on Sundays or holidays. (Planning Director/Building Official)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XIII. POPULATION AND HOUSING** – Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:**

{a - c): The Project would result in an estimated 2.77 residents<sup>11</sup> per house for an increase of 6 in the Town's population. This represents an increase of 0.1% and is not substantial. The site is zoned Residential Agricultural and the density associated with development of the site was considered during the preparation of the general plan update Draft Environmental Impact Report (DEIR). The site is currently undeveloped and therefore, would not result in the displacement of any persons or existing housing. Impacts to population and housing would be less than significant with Project implementation.

**Mitigation:** None required.

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<sup>11</sup>California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2011-2015, with 2010 Benchmark, <http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php>. Accessed February 25, 2016

**XIV. PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

(a): The Town presently provides services to the area through various contractual agreements. The Project is within the Loomis Fire District. The addition of two single-family homes and the increase in population would not increase the demand for public services, schools and parks. Impacts to public services would be less than significant with **Mitigation Measure PS-1** implemented.

**Mitigation:**

**MM PS-1:** The Project applicant shall be required to pay the Town's development fees consisting of the Community Facility Fee, Park & Recreation Fee, Low Income Density Bonus Fee, and Placer County Capital Facility Impact Fee. In addition the applicant shall be required to pay fees to other service providers: Loomis Fire District Fee, Loomis Union School District Fee, Placer Union High School Fee, SPMUD connection fee, and PCWA connection fee prior to building permit issuance. (Building Official)

**XV. RECREATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a & b):** Implementation of the Project would increase the use of existing neighborhood and regional parks or other recreational facilities. However, the use would be nominal and would not damage existing facilities. Impacts to recreation would be less than significant with implementation of Mitigation Measure REC-1 identified below.

**Mitigation:**

**MM REC-1:** The Project applicant shall be required to pay park fees. See mitigation measure **MM PS-1** above.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XVI. TRANSPORTATION/TRAFFIC – Would the project:**

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a - g): The Project anticipates two new single-family residences with approximately 20 vehicles trips daily. While the increase in traffic caused by this Project would not result in an established level of service standard being exceeded for any roads or intersections, the Project would impact road circulation. Fees have been adopted to pay for road improvements. The Project would not impact emergency access to any area, or air traffic. The Project would not conflict with any adopted policies, plans, or programs supporting alternative transportation. Impacts to transportation and traffic would be less than significant with implementation of Mitigation Measure TRA-1 identified below.

**Mitigation:**

MM TRA-1: The Project applicant shall be required to pay the Road Circulation/Major Roads Fee to the Town of Loomis prior to building permit issuance. (Building Official)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS –Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

{a - g): Public water would be stubbed to all parcels. Dry utilities (gas, electric, and cable lines) would be underground. South Placer Municipal Water District (SPMUD) indicated that the Project site is located within its service area and is eligible for sewer service; however, there are no existing sewer facilities within or near the Project area. The parcels would have private septic tanks. Impacts to utilities and service systems would be less than significant with implementation of Mitigation Measure UT-1 identified below.

**Mitigation:**

**MM UT-1:** A grading and drainage plan, subject to review and approval of the Town Engineer, shall be submitted prior to building permit issuance. (Town Engineer) The Project applicant shall subscribe to weekly refuse pickup through Auburn Placer Disposal Service for all parcels associated with the Project. (Planning Director)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

{a-c): As evaluated in this IS/MND, the proposed Project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife species to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory. No cumulatively considerable impacts are identified by this IS/MND. The Project does not have impacts that could cause adverse effects on human beings, either directly or indirectly.

**Mitigation:** No mitigation required.



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

**DATE FILED: March 1, 2016**

Pursuant to Division 6, Title 14, Chapter 3, Article 6, Section 15070 of the California Administrative Code and by the Town of Loomis, and Resolution 93-51, the Planning Director of the Town of Loomis, does prepare, and cause to be filed with the Loomis Town Clerk, Loomis, California, this Negative Declaration regarding the Project described as follows:

**PROJECT: #14-11 Justice Minor Land Division**

**PROJECT DESCRIPTION:** The proposed project would subdivide 18.15-acre APN 045-071-064, which is zoned Residential Agricultural (RA), into three lots: Parcel A (5.08 acres); Parcel B (4.74 acres), and Remainder Parcel (8.33 acres). Each parcel would have water available from an existing 6-inch treated water manifold near the intersection of Laird Road and Wishing Well Way, and septic would be installed on Parcels A and B. Access would be from Wishing Well Way. The proposed project would create three lots. Roads would be constructed by the applicant, while building pads would be constructed by the developer.

Driveway construction would be limited to a 20-foot corridor from Wishing Well Way to the building pads for Parcels A and B as shown on the tentative map. At the proposed roadway crossing of an existing drainage, the access road to Parcels A and B will fully span the linear wetland that flows onsite.

The property contains wetlands and waters of the United States, as delineated and verified by the U.S. Army Corps of Engineers (Corps).

**LOCATION OF PROJECT:** 6639 Wishing Well Lane Loomis, CA 95650  
APN 045-071-064

**TENTATIVE HEARING DATE:** Tuesday April 26, 2016, 7:30 PM  
Loomis Planning Commission  
Loomis Depot  
5775 Horseshoe Bar Road  
Loomis, CA

**COMMENT PERIOD:** March 1, 2016 through March 31, 2016

On the basis of an initial study and in accordance with Section 15070 of the California Administrative Code it is found that the proposed Project will not produce, or be subject to significant environmental effects.

Further information may be obtained by contacting the Town of Loomis, 3665 Taylor Road, Loomis, California or telephone (916) 652-1840. Any written comments should be received at 3665 Taylor Road, Loomis, CA 95650, by March 31, 2016 by 5:00 p.m.

Chris Graham, Staff Planner

### **3.0 Comment Letters and Response to Comments**

### **3.1 Comment Letters**

A

Chrjs Graham

From: Calderaro, Angela@Wildlife [Angela.Calderaro@wildlife.ca.gov]  
 Sent: Saturday, March 12, 2016 3:34 PM  
 To: Chris Graham  
 Cc: Wildlife R2 CEQA  
 Subject: Comment: MND for 14-11 Justice MLD (SCH 2016022079)  
 Attachments: RAREFIND.pdf

Good afternoon Mr. Graham,

The California Department of Fish and Wildlife (Department) is providing comments on the Mitigated Negative Declaration (MND) for the 14-11 Justice MLD project (project) as both a trustee agency and responsible agency under the California Environmental Quality Act (CEQA). As trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species (Guidelines § 15386). The Department may also be a responsible agency for a project affecting biological resources where we will exercise our discretion after the lead agency to approve or carry out a proposed project or some facet thereof (CEQA Guidelines § 15096).

**Riparian Habitat/ Streambed Alteration Agreement**

The CEQA analysis should state what, if any, Department-jurisdictional features will be removed, disturbed, or otherwise altered by the project. The MND does not mention or show the limit of the Department's jurisdiction under FGC 1600, but drainages are present on site and identifies several riparian trees in the project footprint including valley oak, cottonwood and willow. The Department's jurisdiction includes the bed, bank and channel and any associated habitat including areas where water has flowed and where the width of its course can be identified by physical or biological indicators. The MND should include a map showing a delineation of Department-jurisdictional features including but not limited to the riparian habitat and associated wetlands and drainages. The MND does not quantify impacts to our jurisdiction, which is distinct from the USACE's and SWRCB's definitions and therefore would not be identified in a verified wetland delineation from the USACE. The project may result in direct and indirect impacts to Department-jurisdictional features. The CEQA document should address direct (temporary and permanent), indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The MND mentions that wetlands would be spanned by arch pipe, although this may not remove or dig up a wetland, it will be have indirect impacts by shading the area.

An entity (any person, State, local government agency, or public utility) should consider and analyze whether implementation of the proposed project will result in reasonably foreseeable potentially significant impacts subject to regulation by the Department under Section 1600 et seq. of the FGC. In general, such impacts result whenever a proposed project involves work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel, including ephemeral streams and watercourses. As a responsible agency under CEQA, the Department must rely on the CEQA analysis for the project when exercising our discretion after the lead agency to approve or carry out some facet of a proposed project, such as the issuance of a Lake and Streambed Alteration Agreement (LSAA). Therefore, the CEQA document should include specific, enforceable measures to be carried out onsite or within the same stream system that will avoid, minimize and/or mitigate for project impacts to the natural resources. If CDFW-jurisdictional features will be removed as a result of the project, the Department recommends a minimum *3 acres of restored habitat for each acre removed*. Mitigation measures should also describe when the mitigation measure will be implemented, and explain why the measure is feasible. The Department recommends that the CEQA document does not defer mitigation details to some future time. The CEQA document should identify the following items: how each measure will be carried out; who will perform the measures; when the measures will be performed; the performance standards and mechanisms for achieving success, and an assured source of funding to acquire and manage identified mitigation lands. The CEQA document should describe a range of enforceable mitigation measures that will be

implemented in instances where approval and cooperation with the entities identified above either does or does not occur.

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### Nesting Birds and Raptors

The project has the potential to disturb bird species or nests protected under the Migratory Bird Treaty Act (MBTA), FGC §3503 and 3503.5. Question A in the biological resources section states there is "no impact" even though mitigation is proposed to reduce impacts to nesting birds. Since project activities may occur during the nesting season (determined by region, species, and climate), construction activities could result in disturbance to nesting raptors and other migratory birds. Raptors and other migratory birds are protected under the MBTA and FGC §3503.5; therefore, potential impacts may be considered potentially significant unless adequate avoidance, minimization and/or mitigation is incorporated. If nests are identified on or adjacent to the project site, implementation of the project may adversely impact the success of the nest site and/or take a bird, their eggs and/or nest.

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Mitigation Measure IV.3 states that preconstruction surveys will be conducted no more than 30 days prior to the start of construction. The Department recommends that this is changes to three (3) days prior to the start of construction. In addition, if there is a break in construction activity of more than 2 weeks then subsequent surveys should be conducted. All measures to protect birds should be performance-based. While some birds may tolerate disturbance within 300 or 500 feet of construction activities, other birds may have a different disturbance threshold and "take" (FGC §86) could occur if the no-work buffers are not designed to reduce stress to that individual pair. The Department recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and FGC §3503.5. A 300-foot no-work buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance. Below is an example of a performance-based protection measure:

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Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

### Scoping

The MND does not state whether a biological report was prepared for the project. Generally to determine whether there may be significant impacts to biological resources, the Department recommends that each project identify and analyze potential impacts to sensitive species and habitats beginning with adequate scoping, followed by surveys, and feasible avoidance, minimization and mitigation development.

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A nine United States Geologic Survey (USGS) 7.5-minute quadrangle search of the California Natural Diversity Database (CNDDDB) is recommended by the Department and traditionally used to determine what sensitive resources may occur in the region. The results of the nine-quadrangle search are attached. Although CNDDDB is one tool that may identify potential sensitive resources in the area, the dataset should not be regarded as complete for the elements or resources with the potential to be impacted by the project. Other sources for identification of species and habitats near or adjacent to the project site should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship (CWHR) System, California Native Plant Society (CNPS) Inventory, USFWS list, agency contacts, environmental documents for other projects in the vicinity, academics, professional or scientific organizations, and species-specific or protocol-level surveys of the project site and surrounding area. CNDDDB is not a comprehensive database. It is a positive detection database. Records in the database exist only where species were detected and reported. This means there is a bias in the database towards locations that have had more development pressures, and thus more survey work. Places that are empty or have limited information in the database often signify that little survey work has been completed there. If there is habitat for special-status species on the project site or special-status species could be impacted by project activities, then we recommend additional surveys to confirm presence or you can assume presence and develop avoidance and minimization measures. The project site may be nesting and foraging habitat for tricolored blackbird, western pond turtle, California black rail, or other special-status species. I recommend that a

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biological resource assessment is prepared by a qualified biologist to determine potential for impacts to sensitive biological resources and the impacts analyzed in the MND.

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If you have any questions or concerns regarding my comments, please do not hesitate to contact me.

Thank you,

**Angela Calderaro**

Senior Environmental Scientist (Specialist)  
Habitat Conservation Branch  
California Department of Fish and Wildlife, North Central Region  
1701 Nimbus Road, Rancho Cordova CA 95670  
Office: 916-358-2920  
Fax: 916-358-2912  
[Angela.Calderaro@wildlife.ca.gov](mailto:Angela.Calderaro@wildlife.ca.gov)  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

To report a violation please notify the Californians Turn in Poachers and Polluters (CallTIP) program by calling 1-888-DFG-Calltip or texting "tip411" (numerically, 847411 – Start message with "Calltip") You can even send photos via text. Also, the CallTIP App can be downloaded for free via the Google Play Store and iTunes App Store.

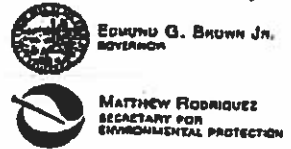
*Note: I do not work most Thursdays.*

California Department of Fish and Game  
 Natural Diversity Database  
 Selected Elements by Scientific Name - Landscape  
 Nine Quad Search Centered Around Rocklin Quad

Scientific Name	Common Name	Element Code	Federal Status	State Status	Global Rank	State Rank	CNPS	CDFG
1 <i>Accipiter cooperii</i>	Cooper's hawk	ABNKC12040			G5	S4		
2 <i>Agelaius tricolor</i>	tricolored blackbird	ABPBXB0020			G2G3	S1S2		SC
3 <i>Alkali Meadow</i>	Alkali Meadow	CTT45310CA			G3	S2.1		
4 <i>Alkali Seep</i>	Alkali Seep	CTT45320CA			G3	S2.1		
5 <i>Allium jepsonii</i>	Jepson's onion	PMLIL022V0			G1	S1	1B.2	
6 <i>Ammodramus savannarum</i>	grasshopper sparrow	ABPBXA0020			G5	S3		SC
7 <i>Ammonitella yatesii</i>	tight coil (=Yates' snail)	IMGASB0010			G1	S1		
8 <i>Andrena blennospermatris</i>	Blennosperma vernal pool andrenid bee	IHYM35030			G2	S2		
9 <i>Andrena subopasta</i>	an andrenid bee	IHYM35210			G1G2	S1S2		
10 <i>Antrozous pallidus</i>	pallid bat	AMACC10010			G5	S3		SC
11 <i>Aquila chrysaetos</i>	golden eagle	ABNKC22010			G5	S3		
12 <i>Ardea alba</i>	great egret	ABNGA04040			G5	S4		
13 <i>Ardea herodias</i>	great blue heron	ABNGA04010			G5	S4		
14 <i>Athene cunicularia</i>	burrowing owl	ABNSB10010			G4	S3		SC
15 <i>Balsamorhiza macrolepis</i>	big-scale balsamroot	PDAST11061			G2	S2	1B.2	
16 <i>Banksia californica</i>	Alabaster Cave harvestman	ILARA14020			GH	SH		
17 <i>Banksia gallei</i>	Gallie's cave harvestman	ILARA14040			G1	S1		
18 <i>Bombus morrisoni</i>	Morrison bumble bee	IHYM24460			G4G5	S1S2		
19 <i>Branchinecta lynchi</i>	vernal pool fairy shrimp	ICBRA03030	Threatened		G3	S3		
20 <i>Buteo swainsoni</i>	Swainson's hawk	ABNKC19070	Threatened		G5	S3		
21 <i>Calyptegia stebbinsi</i>	Stebbins' morning-glory	PDCON040H0	Endangered		G1	S1	1B.1	
22 <i>Ceanothus roderickii</i>	Pine Hill ceanothus	PDRHA04190	Endangered		G1	S1	1B.2	
23 <i>Chlorogalum grandiflorum</i>	Red Hills soaproot	PMLLOG020			G2	S2	1B.2	
24 <i>Chloropyron molle</i> ssp. <i>hispidum</i>	hispid salty bird's-beak	PDSCR0J0D1			G2T2	S2	1B.1	
25 <i>Clarkia biloba</i> ssp. <i>brandegeae</i>	Brandegee's clarkia	PDONA05053			G4G5T4	S4	4.2	
26 <i>Corynorhinus townsendii</i>	Townsend's big-eared bat	AMACC08010			G3G4	S2		SC
27 <i>Cosmionopera hypocrenea</i>	Cosumnes stripetail	IIPLE23020			G2	S2		
28 <i>Crocantthemum suffrutescens</i>	Bisbee Peak rush-rose	PDCIS020F0			G2Q	S2	3.2	
29 <i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	ICOL48011	Threatened		G3T2	S2		
30 <i>Downingia pusilla</i>	dwarf downingia	PDCAM060C0			GU	S2	2B.2	
31 <i>Elianus leucurus</i>	white-tailed kite	ABNKC06010			G5	S2		SC
32 <i>Emys marmorata</i>	western pond turtle	ARAAD02030			G3G4	S3		

MAR 25 2016

TOWN OF LOOMIS



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Central Valley Regional Water Quality Control Board

22 March 2016

Chris Graham  
Town of Loomis  
3665 Taylor Road  
Loomis, CA 95650

CERTIFIED MAIL  
91 7199 9991 7035 8364 4707

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, APPLICATION #14-11 JUSTICE MINOR LAND DIVISION 6639 WISHING WELL LANE PROJECT, SCH# 2016022079, PLACER COUNTY

Pursuant to the State Clearinghouse's 29 February 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the Application #14-11 Justice Minor Land Division 6639 Wishing Well Lane Project, located in Placer County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

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the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

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For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:  
[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

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*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## II. Permitting Requirements

### Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

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If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

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If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

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**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

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For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

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(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

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**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

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For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/caltrans.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml).

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

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**Clean Water Act Section 404 Permit**

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

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**Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/for\\_growers/apply\\_coalition\\_group/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml) or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

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**Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to*

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*Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.*

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

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If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

[C]



April 12, 2016

VIA EMAIL ONLY

Chris Graham  
Town of Loomis Staff Planner  
3665 Taylor Road  
Loomis, CA 956  
[cgraham@loomis.ca.gov](mailto:cgraham@loomis.ca.gov)

**RE: Town of Loomis Project #14-11 Justice Minor Land Division  
Adjacent Property: 6845 Brooks Lane, Loomis, CA  
My File No.: 2014-54801-006**

Dear Mr. Graham:

A copy of your March 1, 2016 Notice of Intent to Adopt a Mitigated Negative Declaration involving the above-referenced property was recently forwarded to North American Title Insurance Company ("NATIC"). NATIC is the title insurer for Curt and Hollis Lehner, whose parcel is situated immediately adjacent to the intended Justice Parcel A shown on the proposed 6639 Wishingwell Map. For orientation purposes, the Lehnrs own Placer County assessor's parcel number 045-071-026, neighboring the southeast corner of the Justices' land and the intended Parcel A.

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The Lehnrs and Justices have discussed the discovery of an overlap in their recorded legal descriptions affecting the Justice's southeastern corner and the Lehnrs' southwestern corner. The overlap generally corresponds with the fence location shown on a November 2005 Record of Survey Map recorded in Book 18 of Surveys at Page 146 ("the ROS"). At its widest point, the fence is 42.25 feet (and approximately 28 feet on the narrower north end) on the inside of the Justice parcel. Attached are enlarged images from the ROS for ease of reference.

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Previously, Mr. Justice indicated the Justices' willingness to cooperate in resolving the boundary discrepancy, possibly by way of an easement in favor of the Lehnrs, so that the fence could remain in its existing location.

It is difficult to ascertain from the 6639 Wishingwell Way Minor Land Division Map, prepared by Land Development Services, Inc., whether the Justices' plans take these factors into consideration. Please advise of the Justices' intent with respect to the legal description overlap and maintenance of the fence in its existing location given their subdivision plans. We look forward to hearing from you or the Justices on this issue soon.

3900 Lennane Dr., Suite 110  
Sacramento, CA 95834  
t: 916.928.2661  
f: 916.928.6856

Town of Loomis  
April 12, 2016  
Page 2 of 2

Please call with any questions or concerns. My direct telephone number is (916) 928-2661.

Thank you.

Sincerely,

*Tiffany J. Ramirez*  
Tiffany J. Ramirez  
Senior Claims Counsel  
Vice President

TJR/mz

Attachment (as noted)

cc: Curt & Hollis Lehner (w/attachment)

10  
-2

March 31, 2016

To: City of Loomis Planning Department

From: Dale Hudec

Re: Wishing Well development proposal

Although I did not receive a map with the materials regarding this development, I understand that part of this development includes a road to be put in at the back property line of the neighbors fronting the bottom of Brooks Lane. I am one such neighbor. The proposed road would cut off approximately 1/3rd of a permitted barn that presumably is on my property. This barn was built decades ago, and the back fence of my property marked the property line.

Under the Connecticut rule, my father believed that the property line was well-marked by the fence, and we have used that property line continuously for over 20 years. Under the Iowa law, we operated in good faith, if, indeed, the property lines on these drawings is correct.

We ask the City of Loomis to stop the development of the Wishing Well land until these boundaries can be worked out with all of the property owners adjacent to the road and other areas.

-1

Dale Hudec

*Dale Hudec*

*Ellis Thompson*

*Marv Ma*

MA

*Chip Payton*

*Holly Lehner*

6935 Brooks Lane Loomis Ca 95650

4670 Wishing Well Loomis 95650

6855 Brooks Lane Loomis CA 95650

6640 Brooks Lane Loomis CA 95650

10845 Brooks Ln. Loomis CA 95650



E

Town of Loomis  
3665 Taylor Road  
Loomis, CA 95650

March 31, 2016  
6855 Brooks Lane  
Loomis, CA 95650

Comments on IS/MND for 6639 Wishing Well Lane, Loomis CA, Filed March 1, 2016  
Project #14-11 Justice Minor Land Division

Thank you for the opportunity to provide comments on this environmental document. I have the following concerns with the document:

Page 3, Figure 3: Property lines as shown on the easterly and southerly sides of the Project are mislocated. ] -1

Pages 14-15: Please include a list of which pesticides were tested for during the Phase 2 Site Assessment. ] -2

Sincerely,



Martha Merriam, CEG#1957  
916-316-3925  
marthamerriam@yahoo.com

### **3.2 Response to Comments**

#### **A. California Department of Fish and Wildlife (CDFW) – March 12, 2016**

**Comment A-1:** The commenter discusses that the California Department of Fish and Wildlife is providing comments on the Mitigated Negative Declaration (MND) for the 14-11 Justice MLD Project. This comment is noted. No further response is required because this comment does not pertain to the adequacy of the information and analysis presented in the environmental document.

**Comment A-2:** **PROMISED FROM CHRIS GRAHAM BY JULY 20, 2016**

**Comment A-3:**

**Comment A-4:**

**Comment A-5:**

#### **B. Central Valley Regional Water Quality Control Board (CVRWQCB) – March 22, 2016**

The Comment Letter provides a list of the standard regulations and permitting requirements that are subject to their review and approval, and are not specific to this project. These regulations are incumbent on any project undertaken and have been assessed as to their applicability in the Initial Study and responded to as required.

#### **C. North American Title Insurance Company on behalf of Curt and Hollis Lehner – April 12, 2016**

**Comment C-1:** This comment discusses the opportunity to comment on the Draft IS/MND. This comment is noted. No further response is required because this comment does not pertain to the adequacy of information and analysis presented in the environmental document.

**Comment C-2:** The comment discusses the discrepancy in parcel boundaries associated with the proposed Project, specifically Parcel A as shown on the site plan. An adjacent land owner indicates there is an overlap in their parcel compared with Parcel A associated with the proposed Project. The applicant has provided a Record of Survey and a Deed of Trust that verifies the revised site plan they have provided showing consistency with both of these documents. No further response is required because this comment does not pertain to the adequacy of information and analysis presented in the environmental document and because this is a civil matter.