

# Appendix A

---

Notice of Preparation and  
NOP Comments



## DEVELOPMENT SERVICES – PLANNING

---

311 Vernon Street, Roseville, CA 95678 (916) 774-5276

### NOTICE OF PREPARATION

**Date:** July 12, 2021

**To:** State Clearinghouse  
Responsible Agencies  
Trustee Agencies  
Interested Parties

**Subject:** Notice of Preparation of an Environmental Impact Report for the proposed Roseville Industrial Park Project and Notice of Public Scoping Meeting

**Project Title/File Number:** Roseville Industrial Park Project

**NOP Comment Period:** Written comments are due to the City's Development Services – Planning Department no later than 5:00 p.m. on August 11, 2021

**Public Scoping Meeting:** In accordance with Public Resources Code Section 21083.9, notice is hereby given that the City of Roseville will conduct a public scoping meeting on July 28, 2021 at 5:00 p.m. at 311 Vernon Street, Roseville, CA in Civic Meeting Rooms 1 & 2

**Project Location:** The project would be located at 6382 Phillip Road on approximately 236 acres of largely undeveloped/grazing land in the northwest corner of Roseville, in Placer County

**Lead Agency and Contact Person:** City of Roseville Development Services – Planning  
Shelby Maples, Associate Planner  
311 Vernon Street  
Roseville, CA 95678  
Phone: (916) 746-1347  
Fax: (916) 774-5129  
Email: [smaples@roseville.ca.us](mailto:smaples@roseville.ca.us)  
Website: [https://www.roseville.ca.us/government/departments/development\\_services/planning](https://www.roseville.ca.us/government/departments/development_services/planning)

# 1 INTRODUCTION

This Notice of Preparation (NOP) has been issued to notify interested parties that an environmental impact report (EIR) will be prepared, and to solicit feedback on the scope and content of the analysis in the EIR. The City of Roseville will be the lead agency and will prepare an EIR for the Roseville Industrial Park Project, which includes the project approvals listed in Section 4 of this NOP. The project description and vicinity and location maps are provided in this NOP.

**NOP Comment Period:** Due to the time limits mandated by state law, your response to this NOP must be sent at the earliest possible date and submitted to the City, but not later than 30 calendar days after July 12, 2021 (the date this notice was first posted). Please submit comments to the City of Roseville no later than 5 p.m. on August 11, 2021. Please provide written comments to:

City of Roseville Development Services – Planning  
Shelby Maples, Associate Planner  
311 Vernon Street  
Roseville, CA 95678  
Phone: (916) 746-1347  
Fax: (916) 774-5129  
Email: [smaples@roseville.ca.us](mailto:smaples@roseville.ca.us)

**Public Scoping Meeting:** A public scoping meeting will be held on July 28, 2021 to receive comments from interested parties regarding the issues that should be addressed in the EIR. The time and location of the public scoping meeting is provided on the first page of this NOP.

## 2 REGULATORY BACKGROUND

This NOP provides notification that an EIR will be prepared for the project, and has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Division 13 Section 21000 et seq., and the State CEQA Guidelines, Title 14 California Code of Regulations Section 15000 et seq. According to the State CEQA Guidelines Section 15064, an EIR must be prepared if there is substantial evidence in light of the whole record that the proposed project may have a significant effect on the environment.

## 3 PROJECT DESCRIPTION

Panattoni Development Company (Panattoni or project applicant) proposes to purchase and develop a property in the City of Roseville with a range of industrial uses, including light manufacturing, warehousing, and distribution uses (totaling up to 2,430,000 square feet [sf]) and a potential electrical substation south of Pleasant Grove Creek. Up to 15 buildings would be constructed, ranging in size from approximately 80,000 sf to approximately 300,500 sf and connected by a bridge across Pleasant Grove Creek. At buildout, there would be approximately 1,938 employees. Construction of Phase 1 would likely begin in spring/summer 2023 and be complete by early 2024; the timing of future phases will be determined based on market readiness and tenant demand. The project may be served by solar and/or alternative energy sources, where economically feasible to do so.

### **3.1 PROJECT LOCATION AND SETTING**

The project would be located at 6382 Phillip Road on approximately 236 acres of undeveloped grazing land in the northwest corner of Roseville, in Placer County. The project site (see Figures 1 and 2), which is currently owned by the City, is predominantly flat with some sparsely vegetated, low hills. Pleasant Grove Creek traverses the property in an east–west direction, bisecting the site into a north and south parcel. Due to previous farming activities at the project site, the original hydrology/drainage has been modified over 70+ years. The southern portion of the site was used more recently for flood control purposes (a detention basin and constructed channel).

Of the total 236 acres, 191 acres are considered developable. The remaining 45 acres comprise the Pleasant Grove Creek Floodplain, a retention basin bypass channel, and the planned Placer Parkway alignment. (The future Placer Parkway, a planned regional facility, would connect Highway 65 in Placer County to Highway 99 in Sutter County, providing an alternate highway to Interstate 80.)

The project site’s Assessor’s Parcel Number (APN) is 017-101-008-000. The existing General Plan land use designation is Open Space. The project site is zoned Public/Quasi-Public (P/QP), which establishes areas for municipal, governmental, or public facilities. As part of the project, the site would be rezoned and the General Plan would be amended to allow for a range of industrial uses.

The Al Johnson Wildlife Area is located to the northwest of the site and is part of a 1,700-acre site planned to accommodate the City’s stormwater Regional Retention facility and potential recreation uses. Agricultural uses are located to the west along the southern portion of the site. To the east, immediately adjacent to the project site, is the Creekview Specific Plan area (adopted by the City in 2011), which is planned to accommodate approximately 2,000 residential units. To the south, along the southern edge of the project site, is the future extension of Blue Oaks Boulevard and the West Roseville Specific Plan area (adopted by the City in 2004), which is 65 percent built out, and includes 10,479 residential units, parks, open space, and commercial uses.

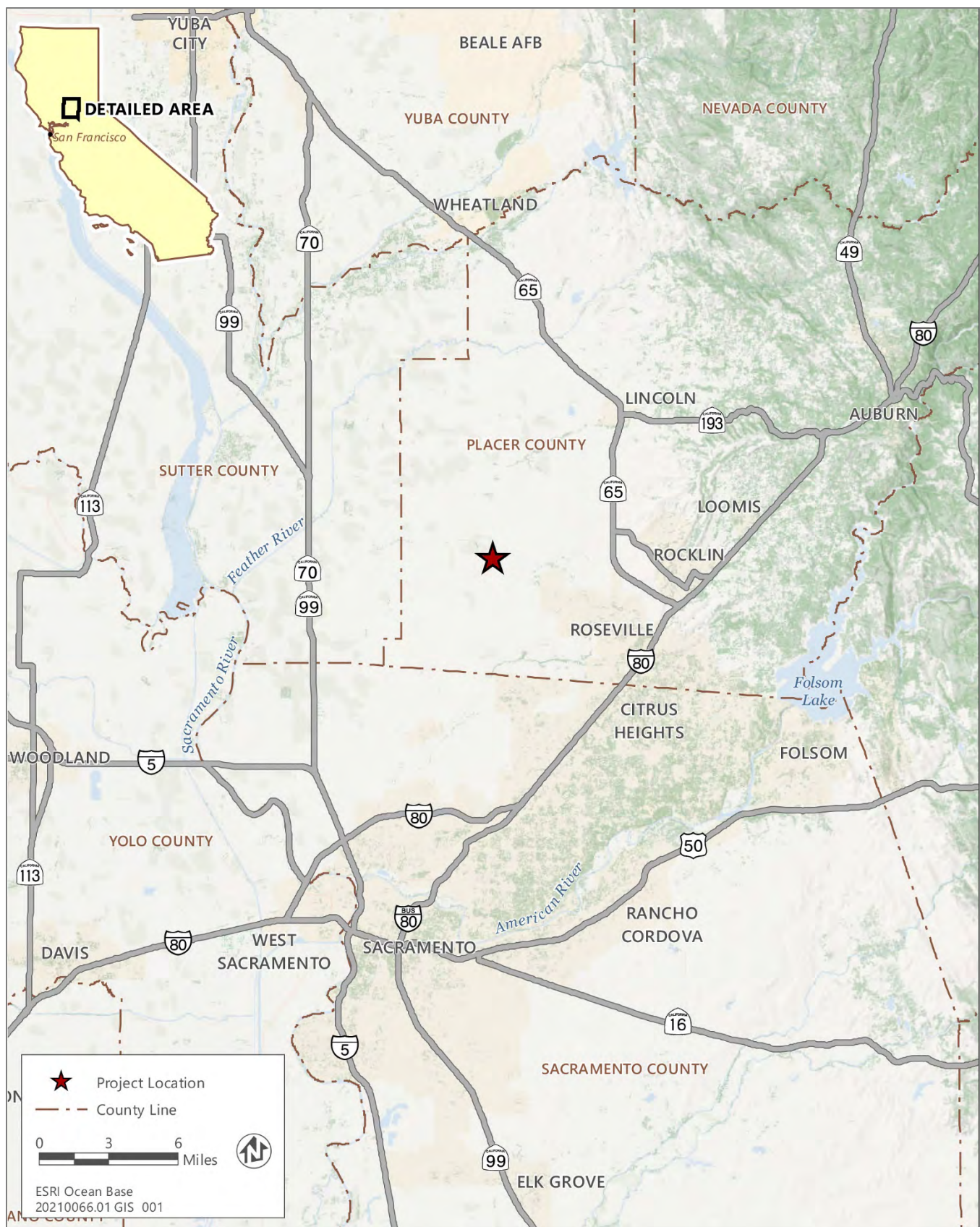
### **3.2 PROJECT BACKGROUND**

The project site is part of the City-owned property known as Reason Farms, which totals approximately 1,500 acres. The City purchased the property in 2003 for a retention basin project. The project was originally known as the Reason Farms Retention Basin Facility and was later renamed to the Pleasant Grove Retention Facility. The City is the project proponent for the facility, which is already designed and approved but not yet constructed. The EIR (SCH# 2002072084) for the retention facility was certified in 2003. The project site is located in an area that is no longer needed for the retention basin project (which, as noted above, would be located within the 1,700-acre Al Johnson Wildlife Area to the northwest of the project site). The City has identified this property for development for at least the past 10 years.

A feasibility analysis of the site was done in 2006 by the City of Roseville for a potential job center, which assumed 18 buildings totaling 1,080,000 sf.

On November 20, 2019, the City Council declared the property as surplus because there are no identified future City needs for the parcel, and the property is underutilized. As required by the Surplus Land Act, letters offering to sell or lease the property were sent to local public and affordable housing developers; park, recreation, and open space agencies; and school districts. None of these agencies expressed an interest in leasing or purchasing the property. The City has complied with the Surplus Land Act and may dispose of the property pursuant to its own real property disposition procedures.

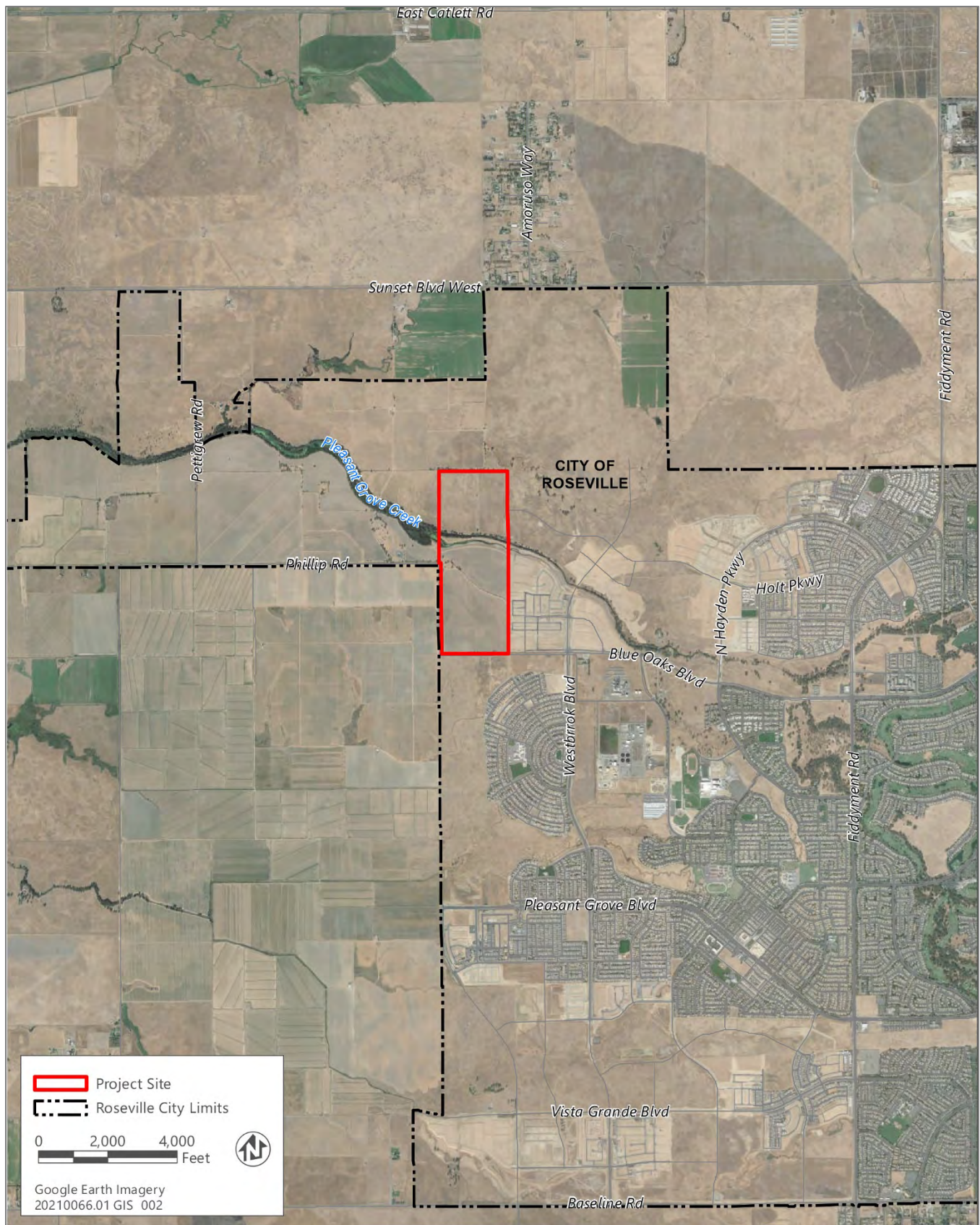
On March 3, 2021, the City Council determined that the disposition of the property was in the City’s best interest and executed an Option and Purchase and Sale Agreement to Panattoni (project applicant).



Source: adapted by Ascent in 2021

**Figure 1 Regional Location**





Source: adapted by Ascent in 2021

**Figure 2 Project Location**

### 3.3 PROJECT OBJECTIVES

The applicant has developed the following objectives for the project:

- ▲ Construct a high-quality industrial park capable of serving modern warehouse, distribution, and light manufacturing users;
- ▲ Create substantial, permanent employment opportunities for residents of Roseville and surrounding areas;
- ▲ Support City of Roseville’s desire to create a job-housing balance, and provide employment generating uses in western Roseville;
- ▲ Utilize, wherever feasible, alternative energy sources, including solar panels when possible;
- ▲ Locate the project as near as possible to existing utility infrastructure with anticipated capacity;
- ▲ Locate the project to be accessible from existing roads and minimize the need for construction of major new roadway improvements;
- ▲ Phase project construction to be responsive to market demands; and
- ▲ Minimize environmental impacts to surrounding areas, including residential communities and other sensitive land uses.

### 3.4 PROPOSED PROJECT

#### LAND USE PLAN AND PROPOSED USES

Roseville Industrial Park is envisioned to be an industrial district comprised of two distinct sections: the south parcel and the north parcel (see Figure 3 and Table 1). The project would support a range of industrial uses, including light manufacturing, warehousing, and distribution.

**Table 1. Proposed Buildings in Roseville Industrial Park**

Building	Dimensions (feet)	Height (feet)	Floor Area (square feet)
<b>South Parcel</b>			
A	300 X 450	42.5	135,456
B	500 X 300	42.5	150,456
C	500 X 300	42.5	150,456
D	850 X 300	42.5	255,564
E	300 X 900	42.5	270,564
F	500 X 600	53	300,456
G	500 X 600	53	300,456
H	500 X 600	53	300,456
I	450 X 300	42.5	135,456
<b>Subtotal</b>			<b>1,999,320</b>
<b>North Parcel</b>			
J	200 X 400	38.5	80,456

Building	Dimensions (feet)	Height (feet)	Floor Area (square feet)
K	200 X 400	38.5	80,456
L	200 X 400	38.5	80,456
M	200 X 400	38.5	80,456
N	200 X 500	38.5	100,456
<b>Subtotal</b>			<b>422,280</b>
<b>Total</b>			<b>2,421,600</b>

The south parcel is proposed as a 127-acre development of large warehouse buildings designed for warehousing, distribution, and light manufacturing. Nine buildings would comprise just under 2,000,000 sf in three planned phases at a floor area ratio of 0.36.

The north parcel includes a proposed 47.5-acre development of industrial buildings designed for warehousing, light manufacturing, and materials and storage yards. Five buildings would comprise just under 430,000 sf in two planned phases at a floor area ratio of 0.2.

It is anticipated that an additional building type may be constructed on the project site. That building type would have a footprint of 650,000 sf and be 140 feet tall. Mezzanines would divide the space inside into multiple floors. If developed, that building type would be built in lieu of Buildings F, G, and H on the south parcel.

Landscape setbacks are provided around the perimeter of the site as a buffer along the streets, Pleasant Grove Creek, and the neighboring residential development. The buildings are organized around a center circulation spine designed for large truck circulation, while pedestrian and vehicular paths circle the site perimeter. The buildings are proposed as site cast concrete with embellishments of corrugated metal, glass, aluminum window systems, and steel canopies.

## PROPOSED ZONING

The project includes rezoning the site for industrial uses (M1 and M2). M1 zoning with a special area overlay would be applied to the eastern portion of the project site (buildings A, B, C, D, J, and K), east of the center circulation spine, and M2 zoning with a special area overlay would be applied to the western portion of the project site (buildings E, F, G, H, I, L, M, and N).

Additionally, a General Plan amendment would be required to allow for industrial use of the site.

## ELECTRICAL SUBSTATION

Roseville Electric has determined that there is 5 megawatts (MW) of power available for the project; however, at final buildout, the project is anticipated to need 20 MW of power. Therefore, the project includes construction of an electrical substation to provide the additional 15 MW of power needed. The substation would be 225 feet by 175 feet. Although substation design is not completed yet, the substation would likely be a steel structure, approximately 40 feet tall with 65 feet tall steel poles.

## PROJECT ACCESS AND PARKING

The main entry to the project site would be from Blue Oaks Boulevard, as shown in Figure 3. The main Phillip Road entry would include a public two-way driveway and an internal vehicular circulation system that would provide access to a surface parking lot as shown in Figure 3. The project would include 3,016 total parking stalls,



with 2,480 parking stalls on the south parcel and 536 parking stalls on the north parcel, which is more parking than is required per City code.

## UTILITIES

Utility service is not currently available at the project site. Thus, the project will require the extension of nearby water, wastewater, stormwater, and electrical infrastructure to serve the future development of the site.

Water and wastewater service will be provided by the City of Roseville Environmental Utilities. Water and wastewater infrastructure are anticipated to serve the southern portion of the site (south of Pleasant Grove Creek) via the Blue Oaks extension along Phillip Road west. The northern portion is intended to be served via the northern water and wastewater pipelines extending north on Phillip Road to Pleasant Grove Creek.

The project would be designed to include an onsite drainage retention system to collect any increased amounts in surface runoff resulting from project implementation. The system would be designed to adequately serve the project.

Electrical service will be provided by Roseville Electric, as noted above, and by an onsite electrical substation that will be constructed as part of the project.

Solid waste collection services would be provided by the City of Roseville.

## OFF-SITE IMPROVEMENTS

Off-site improvements would include the extension of Blue Oaks Boulevard along the southern frontage of the project. Improvements would also be made to Phillip Road along the western frontage of the project. Additionally, off-site improvements would also include the extension of water, wastewater, stormwater, and electrical infrastructure to the site, as described above.

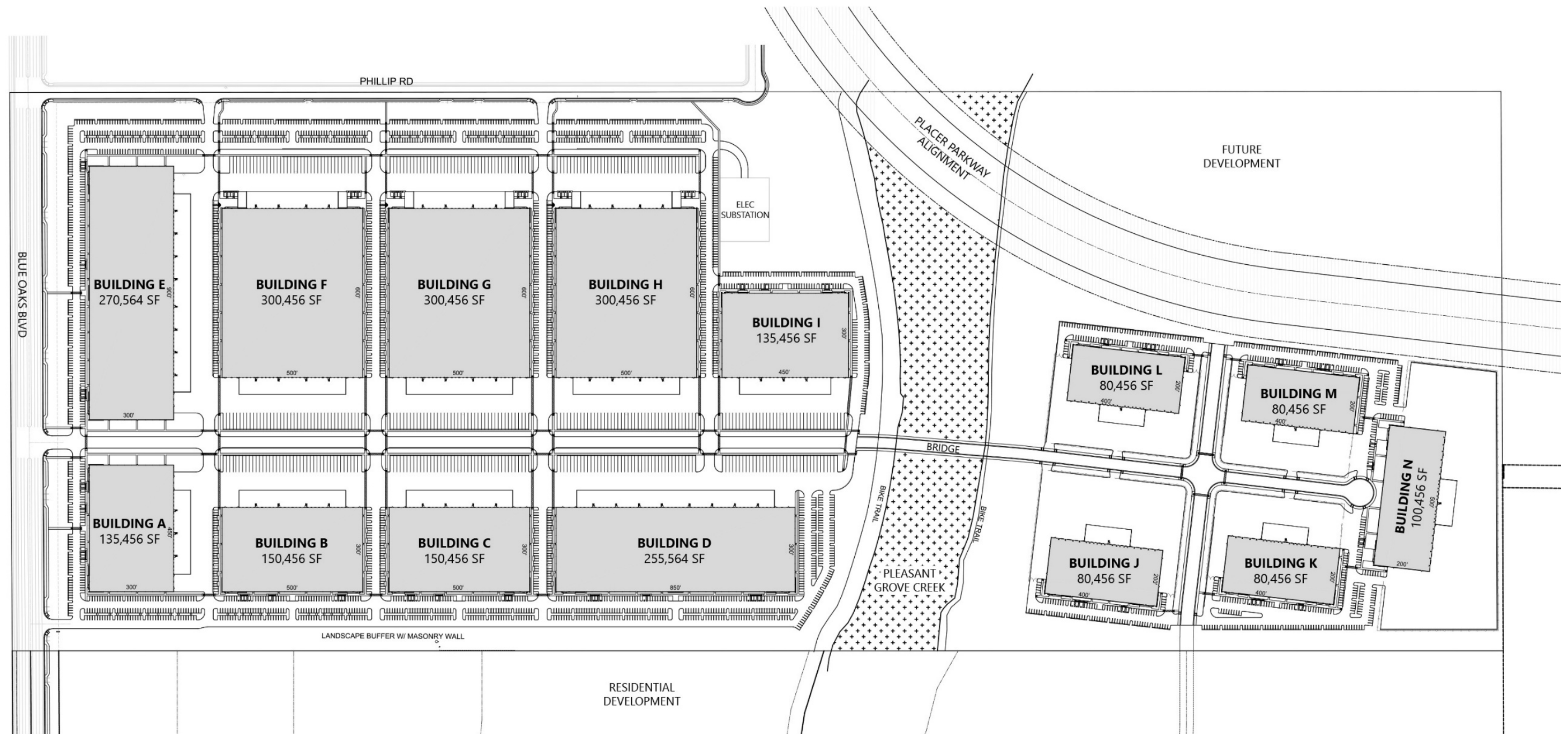
## PROJECT PHASING

Depending on market demand, the project is anticipated to be developed in four phases (see Table 2). Phase 1 is anticipated to start construction in spring/summer 2023 and be complete in early 2024. Full occupancy for Phase 1 is projected to occur in early 2025. The timing of future phases will be determined based on market readiness and tenant demand.

**Table 2. Proposed Phasing Plan**

Phase	Buildings	Timing
1	A, B, C	Construction: spring/summer 2023 through early 2024 Occupancy: early 2025
2	D, E	To be determined based on market readiness and tenant demand
3	F, G, H, I	To be determined based on market readiness and tenant demand
4	J, K, L, M, N	To be determined based on market readiness and tenant demand

The electrical substation would be constructed during either Phase 2 or 3 depending on demand.



20210066.01 GRX 001

**Figure 3 Site Plan**



## CONSTRUCTION ACTIVITIES

Construction hours would be 7:00 a.m. to 7:00 p.m. Monday through Friday. Construction could also occur 8:00 a.m. to 8:00 p.m. on Saturdays and Sundays on an as-needed basis. Additionally, nighttime construction would likely be required for large concrete pours, on an as-needed basis, starting as early as 11:00 p.m. and continuing through the following day. Per the City's noise ordinance, all construction equipment would be fitted with factory installed muffling devices and all construction equipment will be maintained in good working order.

As noted above, construction would be conducted over multiple phases of development. For any given phase, there would be a range of 250-950 construction workers for a given shift. Access during construction would be from Blue Oaks Boulevard.

Construction activities and general sequencing would be as follows: installation of Stormwater Pollution Prevention Plan (SWPPP) best management practices (BMPs); clear and grub; mass grading and soil stabilization; installation of footings, slab, wall panels, roof structure; installation of mechanical, electrical, and plumbing infrastructure and building envelope and finishes; installation of underground wet and dry utilities, hardscape/paving, and irrigation and landscaping.

The type and quantity of equipment would fluctuate throughout construction, but would generally include earthmoving equipment (scrapers, dozers, excavators); concrete mix trucks and concrete pumps; a crane for erection of panels; semi-trucks and other trucks for deliveries; and a variety of crew trucks, graders, boom lifts, scissor lifts, trenchers, generators, and personal autos.

Building materials and equipment would be staged in various locations on the project site throughout the duration of construction and would vary as the phases are constructed.

Based on the current soils analysis, it is anticipated that the southern parcel will balance and the northern parcel would be an export site with soils remaining. However, given the amount of uncertainty surrounding the Placer Parkway development, it is unknown whether there would be soil to export and in what quantity.

## PROJECT OPERATION

Though actual tenants are not known yet, it is assumed that 80 percent of uses will be warehousing and distribution, 10 percent will be light manufacturing, and 10 percent will be equipment and materials storage yards. At full buildout, it is assumed that there would be 1 employee per 1,250 sf or 1,600 employees in the south parcel and 338 employees in the north parcel, for a total of approximately 1,938 employees.

Operational hours would vary based on the actual tenants but typical operational hours would be 6:00 a.m. to 8:00 p.m. Some businesses may need to operate 24 hours per day.

## 4 PROJECT APPROVALS

Elements of the project could be subject to permitting and/or approval authority of other agencies. As the lead agency pursuant to CEQA, the City is responsible for considering the adequacy of the EIR and determining if the project should be approved. The City will be the permitting agency for the project with regards to the General Plan Amendment, Rezone, Major Project Permit, and Development Agreement. Other potential permits required from other agencies could include:



## **Federal**

- ▲ Federal Emergency Management Agency: Letter of Map Revision.

## **State**

- ▲ California Department of Fish and Wildlife: Section 1602 streambed alteration agreement if any construction activities occur within the bed or bank of adjacent waterways.
- ▲ Central Valley Regional Water Quality Control Board: National Pollutant Discharge Elimination System (NPDES) construction stormwater permit (Notice of Intent to proceed under General Construction Permit) for disturbance of more than 1 acre, discharge permit for stormwater, and Clean Water Act Section 401 water quality certification or waste discharge requirements.

## **Local**

- ▲ Placer County Air Pollution Control District (PCAPCD): Authority to Construct/Permit to Operate, and Air Quality Management Plan consistency determination.

# **5 PROBABLE ENVIRONMENTAL EFFECTS AND SCOPE OF THE EIR**

The EIR will describe the significant direct and indirect environmental impacts of the project. The EIR also will evaluate the cumulative impacts of the project, defined as impacts that could be exacerbated when considered in conjunction with other related past, present, and reasonably foreseeable future projects (as explained in Section 7, below, of this NOP). The City anticipates that the project could potentially result in significant environmental impacts in the following resource areas, which will be further evaluated in the EIR:

- ▲ Land Use Planning and Agricultural Resources
- ▲ Population, Employment, and Housing
- ▲ Transportation and Circulation
- ▲ Air Quality
- ▲ Greenhouse Gas Emissions
- ▲ Noise and Vibration
- ▲ Biological Resources
- ▲ Cultural and Tribal Cultural Resources
- ▲ Hazards and Hazardous Materials
- ▲ Public Services
- ▲ Utilities and Service Systems
- ▲ Hydrology and Water Quality
- ▲ Aesthetics
- ▲ Energy
- ▲ Wildfire

These potential impacts will be assessed and discussed in detail in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any identified significant or potentially significant impacts.

The City anticipates that the project will not result in significant environmental impacts in the following resource areas, which will not be further evaluated in the EIR: geology and soils, mineral resources, and recreation. The EIR will include brief explanations as to why significant impacts to these resources are not anticipated.

## **6 PROJECT ALTERNATIVES ANALYSIS**

As required by CEQA, the EIR will evaluate alternatives to the project. As stated in the State CEQA Guidelines Section 15126.6(c), the primary intent of the alternatives evaluation in an EIR is to evaluate a range of alternatives to the project that “could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.” CEQA also requires that the project alternatives analysis include consideration of the “no project” alternative.

## **7 CUMULATIVE IMPACTS ANALYSIS**

As required by CEQA, the EIR will evaluate the cumulative impacts of the project. As stated in State CEQA Guidelines Section 15065(a)(3), projects should be evaluated to determine whether the project’s impacts are “cumulatively considerable,” which means that the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

This page intentionally left blank.

August 11, 2021

Shelby Maples  
Assistant Planner  
City of Roseville Development Services–Planning  
311 Vernon Street  
Roseville, California 95678  
[smaples@roseville.ca.us](mailto:smaples@roseville.ca.us)

Dear Shelby Maples:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Roseville Industrial Park Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2021070186. The Project would allow for the construction and operation of 15 industrial buildings totaling up to 2,430,000 square feet. The Project site is located within the City of Roseville (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Industrial development, such as the Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.<sup>1</sup> The Project will expose nearby communities to elevated levels of air pollution. Existing residences are located south of the Project with the closest residences located approximately 680 feet from the Project's southern boundary. There is also a planned residential development located adjacent to the Project site. In addition to residences, Orchard Ranch Elementary School, West Park High School, Chilton Middle School and Junction Elementary School are located within two miles of the Project area. Due to the Project's proximity to residences and schools, CARB is concerned with the potential health impacts associated with the construction and operation of the Project. CARB has reviewed the NOP and is concerned about the air pollution and health risk impacts that would result from the Project.

## **The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Operation**

Since the Project is near residences and schools that are already burdened by multiple air pollution sources, CARB urges the City and applicant to prepare a health risk assessment

---

1. With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.



(HRA) for the Project. The HRA should account for all potential operational health risks from Project-related diesel particulate matter (diesel PM) emission sources, including, but not limited to, back-up generators, on-site diesel-powered equipment, and heavy-duty trucks. The HRA should also determine if the operation of the Project in conjunction with past, present, and reasonably foreseeable future projects or activities would result in a cumulative cancer risk impact on nearby residences. To reduce diesel PM exposure and associated cancer risks, CARB urges the City and applicant to include all the air pollution reduction measures listed in Attachment A.

Since the Project description provided in the NOP does not explicitly state that the proposed industrial land uses would not be used for cold storage, there is a possibility that trucks and trailers visiting the Project-site would be equipped with TRUs.<sup>2</sup> TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project-site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating, would be exposed to diesel exhaust emissions that would result in a significant cancer risk impact to the nearby community. If the Project would be used for cold storage, CARB urges the City to model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project's HRA. If the Project will not be used for cold storage, CARB urges the City to include one of the following design measures in the DEIR:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project-site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

The HRA prepared in support of the Project should be based on the latest Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),<sup>3</sup> and CARB's Hot Spots Analysis and Reporting Program (HARP2 model). The Project's mobile PM emissions used to estimate the Project's cancer risk impacts should be based on CARB's latest 2021 Emission Factors model (EMFAC2021). Mobile emission factors can be easily obtained by running the EMFAC2021 Web Database: <https://arb.ca.gov/emfac/>.

The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines,

---

<sup>2</sup> TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

<sup>3</sup> Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

the public and planners will have a complete understanding of the potential health impacts that would result from the Project.

## **The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Construction**

In addition to the health risks associated with operational diesel PM emissions, health risks associated with construction diesel PM emissions should also be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel PM emissions from the use of both on-road and off-road diesel equipment. The OEHHA guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project-site during construction.

The HRA should account for all diesel PM emission sources related to Project construction, including, but not limited to, off-road mobile equipment, diesel generators, and on-road heavy-duty trucks. As previously stated in Section I of this letter, the cancer risks evaluated in the construction HRA should be based on the latest OEHHA guidance and CARB's HARP2 model. The cancer risks reported in the HRA should be calculated using the latest emission factors obtained from CARB's latest EMFAC (currently EMFAC 2021) and off-road models

## **Conclusion**

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and NO<sub>x</sub> emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and applicant to implement the measures listed in Attachment A.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at [stanley.armstrong@arb.ca.gov](mailto:stanley.armstrong@arb.ca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Richard Boyd".

Richard Boyd, Assistant Division Chief, Transportation and Toxics Division

Attachment

cc: State Clearinghouse  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

Carlo De La Cruz, Senior Campaign Representative, Sierra Club  
[carlo.delacruz@sierraclub.org](mailto:carlo.delacruz@sierraclub.org)

Morgan Capilla, NEPA Reviewer, U.S. Environmental Protection Agency, Air Division, Region 9  
[capilla.morgan@epa.gov](mailto:capilla.morgan@epa.gov)

Yu-Shuo Chang, Senior Air Quality Planner, Placer County Air Pollution Control District  
[ychang@placer.ca.gov](mailto:ychang@placer.ca.gov)

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

## **Attachment A**



## ATTACHMENT A

### Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

#### Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved equal to or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO<sub>x</sub>) standard starting in the year 2022.<sup>1</sup>

---

<sup>1</sup> In 2013, CARB adopted optional low-NO<sub>x</sub> emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO<sub>x</sub> emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NO<sub>x</sub> emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>.

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

## **Recommended Operation Measures**

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.<sup>2</sup>
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project-site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the project site be zero-emission.
6. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.
7. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.
8. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks

---

<sup>2</sup> CARB's technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: [https://www.arb.ca.gov/msprog/tech/techreport/tru\\_07292015.pdf](https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf).

including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,<sup>3</sup> Periodic Smoke Inspection Program (PSIP),<sup>4</sup> and the Statewide Truck and Bus Regulation.<sup>5</sup>

9. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while on site.
10. Include contractual language in tenant lease agreements that limits on-site TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted, and the health impacts fully mitigated.
11. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
12. Including language in tenant lease agreements, requiring the installing of vegetative walls<sup>6</sup> or other effective barriers that separate loading docks and people living or working nearby.

---

<sup>3</sup>. In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://ww2.arb.ca.gov/our-work/programs/ttghg>.

<sup>4</sup>. The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvip/hdvip.htm>.

<sup>5</sup>. The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

<sup>6</sup>. Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf>.



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
North Central Region  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670-4599  
916-358-2900  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



August 10, 2021

Shelby Maples  
Associate Planner  
City of Roseville Development Services - Planning  
401 Vernon Street  
Roseville, CA 95678  
[smaples@roseville.ca.us](mailto:smaples@roseville.ca.us)

Subject: ROSEVILLE INDUSTRIAL PARK- DRAFT ENVIRONMENTAL IMPACT  
REPORT (DEIR) SCH# 2021070186

Dear Ms. Maples:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of an Environmental Impact Report (EIR) from the City of Roseville Development Services Planning Department for the Roseville Industrial Park (Project) in Placer County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

## **CDFW ROLE**

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent



Roseville Industrial Park

August 10, 2021

Page 2 of 13

implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

## **PROJECT DESCRIPTION SUMMARY**

The Project site is located at 6382 Phillip Road in the northwest corner of Roseville in Placer County; Assessor's Parcel Number (APN) is 017-101-008-000. The Project will be constructed on an approximately 236-acre parcel comprised of undeveloped grazing land, which is bisected into northern and southern portions by the Pleasant Grove Canal.

The Project consists of the development of a property in the City of Roseville with a range of industrial uses, including light manufacturing, warehousing, and distribution uses (totaling up to 2,430,000 square feet [sf]) and a potential electrical substation south of Pleasant Grove Creek.

Up to 15 buildings would be constructed, ranging in size from approximately 80,000 sf to approximately 300,500 sf and connected by a bridge across Pleasant Grove Creek. Construction of Phase 1 would likely begin in spring/summer 2023 and be complete by early 2024; the timing of future phases will be determined based on market readiness and tenant demand. The project may be served by solar and/or alternative energy sources, where economically feasible to do so.

Of the total 236 acres, 191 acres are considered developable. The remaining 45 acres comprise the Pleasant Grove Creek Floodplain, a retention basin bypass channel, and the planned Placer Parkway alignment. (The future Placer Parkway, a planned regional facility, would connect Highway 65 in Placer County to Highway 99 in Sutter County, providing an alternate highway to Interstate 80).

The Project description should include the whole action as defined in the CEQA Guidelines § 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment stage area, spoils areas, adjacent infrastructure development, staging areas and access and haul roads if applicable.

As required by § 15126.6 of the CEQA Guidelines, the EIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the basic Project objectives and avoid or minimize significant impacts to resources under CDFW's jurisdiction.

## **COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations presented below to assist the City of Roseville Development Services Planning Department in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological

Roseville Industrial Park

August 10, 2021

Page 3 of 13

resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming EIR address the following:

### **Assessment of Biological Resources**

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the EIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends the EIR specifically include:

1. An assessment of all habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following, *The Manual of California Vegetation*, second edition (Sawyer 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type on-site and within adjacent areas that could be affected by the Project. CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey (USGS) 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the Department webpage [www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data](http://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data)). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site. Other sources for identification of

Roseville Industrial Park

August 10, 2021

Page 4 of 13

species and habitats near or adjacent to the Project area 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, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code § § 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The EIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends the lead agency rely on survey and monitoring protocols and guidelines available at: [www.wildlife.ca.gov/Conservation/Survey-Protocols](http://www.wildlife.ca.gov/Conservation/Survey-Protocols). Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.
4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see [www.wildlife.ca.gov/Conservation/Plants](http://www.wildlife.ca.gov/Conservation/Plants)).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

### **Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources**

The EIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the EIR:

## Roseville Industrial Park

August 10, 2021

Page 5 of 13

1. The EIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The EIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed and it must permit the significant effects of the Project to be considered in the full environmental context.
2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The EIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The EIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The EIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

**Mitigation Measures for Project Impacts to Biological Resources**

The EIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the

Roseville Industrial Park

August 10, 2021

Page 6 of 13

level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Two Fully Protected Species (Fish & G. Code § 3511) have the potential to occur within or adjacent to the Project area, including, but not limited to: California black rail (*Laterallus jamaicensis coturniculus*) and white-tailed kite (*Elanus leucurus*). Fully protected species may not be taken or possessed at any time. Project activities described in the EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends the EIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the City of Roseville Development Services Planning Department include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The EIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
3. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the EIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, on-site habitat restoration, enhancement, or permanent protection should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The EIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and

Roseville Industrial Park

August 10, 2021

Page 7 of 13

management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

4. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and propagation purposes. Please see our website for more information on Scientific Collecting Permits at [www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-](http://www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-).

5. *Nesting Birds*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto;

## Roseville Industrial Park

August 10, 2021

Page 8 of 13

section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Project area in both the grasslands and riparian corridor adjacent to Pleasant Grove Creek. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the EIR.

CDFW recommends the EIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The EIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g. Swainson's hawk surveys) and scientific assessments, CDFW recommends a final preconstruction survey be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

6. *Moving out of Harm's Way:* The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, the City of Roseville Development Services Planning Department should state in the EIR a requirement for a qualified biologist with the proper handling permits, will be retained to be onsite prior to and during all ground- and habitat-disturbing activities. Furthermore, the EIR should describe that the qualified biologist with the proper permits may move out of harm's way special-status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities, as needed. The EIR should also describe qualified biologist qualifications and authorities to stop work to prevent direct mortality of special-status species. CDFW recommends fish and wildlife species be allowed to move out of harm's way on their own volition, if possible, and to assist their relocation as a last resort. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.
7. *Translocation of Species:* CDFW generally does not support the use of relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally



Roseville Industrial Park

August 10, 2021

Page 9 of 13

experimental in nature and largely unsuccessful. Therefore, the EIR should describe additional mitigation measures utilizing habitat restoration, conservation, and/or preservation, in addition to avoidance and minimization measures, if it is determined that there may be impacts to rare, threatened, or endangered species.

The EIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the EIR should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To avoid deferring mitigation in this way, the EIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

### **California Endangered Species Act**

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA). CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (Fish & G. Code § 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the Project.

State-listed species with the potential to occur in the area include, but are not limited to: Boggs Lake hedge-hyssop (*Gratiola heterosepala*), Sacramento Orcutt grass (*Orcuttia viscida*), Giant garter snake (*Thamnophis gigas*), bank swallow (*Riparia riparia*), Swainson's hawk *Buteo swainsoni*, tricolored blackbird (*Agelaius tricolor*), and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*).

The EIR should disclose the potential of the Project to take State-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To facilitate the issuance of an ITP, if applicable, CDFW recommends the EIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both State and federally listed species may be present within the Project vicinity.

Roseville Industrial Park

August 10, 2021

Page 10 of 13

## **Native Plant Protection Act**

The Native Plant Protection Act (NPPA) (Fish & G. Code §1900 *et seq.*) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

## **Lake and Streambed Alteration Program**

The EIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the EIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the EIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the Project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects involving (1) sand, gravel or rock extraction, (2) timber harvesting operations, or (3) routine maintenance operations must be submitted using paper notification forms. All other LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit

<https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information

Roseville Industrial Park

August 10, 2021

Page 11 of 13

about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.
2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

Based on review of Project materials, aerial photography and observation of the site from public roadways, the Project site supports Pleasant Grove Creek and its associated riparian habitat. CDFW recommends the EIR fully identify the Project's potential impacts to the creek and/or its associated vegetation and wetlands.

## **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov).

Roseville Industrial Park

August 10, 2021

Page 12 of 13

## FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)


## CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

CDFW appreciates the opportunity to comment on the NOP of the EIR for Roseville Industrial Park and recommends that the City of Roseville Development Services Planning Department address CDFW's comments and concerns in the forthcoming EIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Patrick Moeszinger, Senior Environmental Scientist (specialist) at (916) 767-3935 or [patrick.moeszinger@wildlife.ca.gov](mailto:patrick.moeszinger@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
778EDA8AE45F4C9...

Kelley Barker

Environmental Program Manager

ec: Juan Lopez Torres, Senior Environmental Scientist (Supervisory)  
Patrick Moeszinger, Senior Environmental Scientist (Specialist)  
[CEQACommentLetters@wildlife.ca.gov](mailto:CEQACommentLetters@wildlife.ca.gov)  
*Department of Fish and Wildlife*

Office of Planning and Research, State Clearinghouse, Sacramento

Roseville Industrial Park

August 10, 2021

Page **13** of **13**

Literature Cited

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation, 2<sup>nd</sup> ed. California Native Plant Society Press, Sacramento, California.  
<http://vegetation.cnps.org/>

## California Department of Transportation

DISTRICT 3  
703 B STREET | MARYSVILLE, CA 95901-5556  
(530) 513-0584 | FAX (530) 741-4245 TTY 711  
[www.dot.ca.gov/dist3](http://www.dot.ca.gov/dist3)



August 9, 2021

GTS# 03-PLA-2021-00805  
03-PLA-65-16.599  
SCH #N/A

Shelby Maples  
City of Roseville Development Services- Planning  
311 Vernon Street  
Roseville, CA 95678

### Roseville Industrial Park, Phillip Road NOP

Dear Ms. Maples:

Thank you for including the California Department of Transportation (Caltrans) in the Initial Consultation review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

This Project requests for a rezone, General Plan Amendment, Parcel Map, Major Project Permit Stage 1, and Tree Permit for development of +/- 191 Acres of land into Commercial Industrial development associated infrastructure at Roseville Industrial Parkway.

Panattoni Development Company proposes to purchase and develop a property in the City of Roseville with a range of industrial uses, including light manufacturing, warehousing, and distribution uses (totaling up to 2,430,000 square feet [sf]) and a potential electrical substation south of Pleasant Grove Creek. Up to 15 buildings would be constructed, ranging in size from approximately 80,000 sf to approximately 300,500 sf and connected by a bridge across Pleasant Grove Creek.

At buildout, there would be approximately 1,938 employees. Construction of Phase 1 would likely begin in spring/summer 2023 and be complete by early 2024; the timing of future phases will be determined based on market readiness and tenant demand. The

project may be served by solar and/or alternative energy sources, where economically feasible to do so.

Traffic Operations (Freeway Operations and Safety), Transportation Planning (Forecasting & Modeling) and Hydraulics have reviewed the provided documents. Please see comments below.

***Traffic Safety and Freeway Operations***

Upon review of the supplied documents, the expectation is that access to this facility will be via Blue Oaks, which ties into State Route (SR) 65 at an interchange. A 5 year Table B was run for the period of 10/1/15 to 9/30/20 for the SR 65/Blue Oaks interchange and found that at least two of the ramps, the NB off and SB on have actual collision rates statistically higher than similar ramps Statewide.

The potential safety impacts to the interchange warrant development of a full VMT Focused Traffic Analysis Report as part of the EIR to include trip generation, a queuing analysis (Safety) for the off ramps at Blue Oaks and vehicle type for the development, which is listed as having over 3000 parking spaces. Once that is developed and reviewed further comments can be provided as to the potential for additional improvements.

***Forecasting & Modeling***

Page 2, last paragraph of the NOP says that Phase 1 construction would likely begin in spring/summer of 2023. Out of the 15 buildings, please provide information on how many will be constructed in Phase 1 and how many people will be employed as a part of Phase 1. How many other phases are planned, and which year is the full build out expected? Please provide trip generation numbers for the all the land uses within the project.

If you have any questions regarding these comments or require additional information, please contact Fallon Cox, Intergovernmental Review Coordinator for Placer County, by phone (530) 812-5964 or via email to [Fallon.Cox@dot.ca.gov](mailto:Fallon.Cox@dot.ca.gov).

Sincerely,



KEVIN YOUNT, Branch Chief  
Office of Transportation Planning  
Regional Planning Branch—East



---

## Central Valley Regional Water Quality Control Board

11 August 2021

Governor's Office of Planning & Research

**August 16 2021**

Shelby Maples  
City of Roseville  
401 Vernon Street  
Roseville, CA 95678

### STATE CLEARINGHOUSE

#### **COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, ROSEVILLE INDUSTRIAL PARK PROJECT, SCH#2021070186, PLACER COUNTY**

Pursuant to the State Clearinghouse's 12 July 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environmental Impact Report* for the Roseville Industrial Park 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, the United States Environmental

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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. 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 Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.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.*

*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 and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-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 (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)

### **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/)

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)

### **Clean Water Act Section 404 Permit**

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

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

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

---

<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.

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. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality/certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/)

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

If USACE 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. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

#### **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 Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. 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.

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/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 Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**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 *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4709 or [Greg.Hendricks@waterboards.ca.gov](mailto:Greg.Hendricks@waterboards.ca.gov).



Greg Hendricks  
Environmental Scientist

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



## NATIVE AMERICAN HERITAGE COMMISSION

Governor's Office of Planning &amp; Research

July 14, 2021

July 16 2021

Shelby Maples, Project Manager  
City of Roseville  
401 Vernon Street  
Roseville, CA 95678

## STATE CLEARINGHOUSE

CHAIRPERSON  
**Laura Miranda**  
*Luiseño*

VICE CHAIRPERSON  
**Reginald Pagaling**  
*Chumash*

SECRETARY  
**Merri Lopez-Keifer**  
*Luiseño*

PARLIAMENTARIAN  
**Russell Attebery**  
*Karuk*

COMMISSIONER  
**William Mungary**  
*Paiute/White Mountain Apache*

COMMISSIONER  
**Julie Tumamait-Stenslie**  
*Chumash*

COMMISSIONER  
[Vacant]

COMMISSIONER  
[Vacant]

COMMISSIONER  
[Vacant]

EXECUTIVE SECRETARY  
**Christina Snider**  
*Pomo*

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: 2021070186, Roseville Industrial Park Project, Placer County**

Dear Ms. Maples:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

**1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:**

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

**2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

**3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

**4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

**5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

**6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).



- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

#### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

- 3.** Contact the NAHC for:
- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Sarah.Fonseca@nahc.ca.gov](mailto:Sarah.Fonseca@nahc.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sarah Fonseca', with a stylized flourish at the end.

Sarah Fonseca  
Cultural Resources Analyst

cc: State Clearinghouse

**From:** [Maples, Shelby](#)  
**To:** [Anna Starkey](#)  
**Cc:** [Anna Cheng](#)  
**Subject:** RE: NOP of EIR: Roseville Industrial Park Project  
**Date:** Monday, August 2, 2021 7:47:00 AM  
**Attachments:** [image002.png](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)  
[image006.jpg](#)  
[image007.jpg](#)  
[image008.jpg](#)  
[image009.png](#)

---

Good morning Ms. Starkey,

Thank you for your comments on the NOP, I will forward this on to the EIR consultant. This correspondence will be included in the project record. I will also follow up on the status of the site survey to see if I can get an estimate of when I'll be able to send that to you for your review.

Sincerely,

**Shelby Maples**

*Associate Planner*

Development Services - Planning

**o:** (916) 746-1347

**f:** (916) 774-5129

*Working together to build a quality community.*

**Civic Center** | 311 Vernon Street | Roseville, CA | 95678



---

**From:** Anna Starkey <astarkey@auburnrancheria.com>

**Sent:** Thursday, July 29, 2021 4:36 PM

**To:** Maples, Shelby <SMaples@roseville.ca.us>

**Cc:** Anna Cheng <acheng@auburnrancheria.com>

**Subject:** NOP of EIR: Roseville Industrial Park Project

**EXTERNAL:** This email originated from outside of the organization. Do not click on any links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Maples,

On behalf the United Auburn Indian Community, thank you for providing the NOP for Roseville

Industrial Park Project. I've reviewed the NOP and have the following comments:

1. UAIC has identified the area as potentially sensitive for unrecorded tribal cultural resources (TCR) in the project area and requests early consultation to ensure the TCR is avoided and protected pursuant to PRC Section 21084.3.
2. We ask that the Cultural Resources and TCR chapter are separate and distinct, and not combined into a single chapter. We ask that the TCR chapter does not repeat the same background information as the Cultural Resources chapter. Rather that it focuses on the contemporary tribal communities that stewards and cares for their ancestors sites. Please let me know if you require additional details on what is expected in the TCR chapter.
3. Mitigation measures for TCRs should be separate and distinct from cultural resources and not combined into the same mitigation measures. Tribal values must be separate and distinct from archaeological values.
4. We ask that a separate report or chapter be prepared for the discussion of TCRs. This can be in the form of an appendix to the cultural report, a separate chapter, or a separate report. We ask that the identification, evaluation, and treatment of TCRs be taken into consideration with the same level of analysis and professionalism that archaeologists are given. Because Tribes are not compensated to identify tribal cultural resources or produce reports, the cultural resources consultant should take on this responsibility, in consultation with the lead agency and Tribes.
5. UAIC reiterates that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources (PRC Section 21080.3.1). This means that archaeologists shall not identify, evaluate, or make recommendations for cultural items or sites that are considered TCRs unless it is in direct coordination with consulting Tribes.
6. UAIC identifies, but are not limited to, the following as TCRs:
  - Indigenous archaeological sites
  - Sacred Lands
  - Traditional Cultural Properties
  - Midden soils/disturbed midden soils
  - Burials, cremations, and all related burial or ceremonial items
  - Burial soils
  - Isolated artifacts
  - Cultural landscapes
  - Significant native plants/gathering areas

7. UAIC requests to survey in order to identify any unrecorded TCRs, to assess the known TCRs in the project area, and to confirm the boundaries of the recorded TCRs. The identification and evaluation of TCRs should be no less rigorous than archaeological resources and can only be accomplished through tribal consultation.
8. UAIC requests that the TCR chapter and report does not refer to tribes and their ancestors as “prehistoric”.
9. UAIC requests to consult on the landscaping for the project.
10. UAIC requests that aesthetic, natural, scenic, and historic environmental qualities are analyzed for TCRs in the TCR chapter.

We ask that you make this email part of the project record. Please let me know if there are any questions on the comments.

Lastly, we ask that you acknowledge the receipt of this email and the UAIC comments on the NOP.

Kind regards,  
Anna Starkey

*The United Auburn Indian Community is now accepting electronic consultation request, project notifications, and requests for information! Please fill out and submit through our website. Do not mail hard copy letters or documents. <https://auburnrancheria.com/programs-services/tribal-preservation> **Bookmark this link!***



---

Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-

mail.