

Sylvan Corners Subdivision
Sacramento County, California

ADMINISTRATIVE FINAL MITIGATED NEGATIVE DECLARATION

State Clearinghouse Number

2023070611

September 2023

Lead Agency:



City of Citrus Heights
6360 Fountain Square Drive
Citrus Heights, CA 95621

Prepared by:



2525 Warren Drive
Rocklin, CA 95677

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Sylvan Corners Subdivision

ADMINISTRATIVE Final Mitigated Negative Declaration

State Clearinghouse Number 2023070611

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LIST OF ATTACHMENTS

Attachment A – Notice of Intent

Attachment B – Proof of Publication

Attachment C – Notice of Determination and CDFW Filing Fee Receipt

Attachment D – Draft Initial Study and Mitigated Negative Declaration for the Sylvan Corners
Subdivision

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FINAL MITIGATED NEGATIVE DECLARATION

Project Title:

Sylvan Corners Subdivision

Lead Agency:

City of Citrus Heights
6360 Fountain Square Drive
Citrus Heights, CA 95621

Project Location:

The Project site is located at 7137 Auburn Boulevard in the City of Citrus Heights and is assigned assessor's parcel number (APN) 211-0020-025 in Sacramento County. The 11.32-acre vacant parcel is located on the northwest corner of the intersection of Auburn Boulevard and Sylvan Road.

Project Description:

Woodside Homes proposes the Sylvan Corners Subdivision Project, a 94-unit single-family residential subdivision at 7137 Auburn Boulevard in the City of Citrus Heights. The Project will require the approval of a General Plan Amendment, rezone to a Special Planning Area, Tentative Subdivision Map, Design Review Permit, and Tree Removal Permit. The Project would include 80 market-rate units and 14 affordable rate units (at a density of 8.35 dwelling units/net acre). Pursuant to Government Code section 54222.5 of the Surplus Lands Act, the Project is required to provide 15 percent of the units at an affordable rate.

Finding:

Based on the information contained in the attached Initial Study, the City of Citrus Heights finds that there would not be a significant effect to the environment because the mitigation measures described herein would be incorporated as part of the Proposed Project.

Public Review Period:

July 28, 2023 – August 28, 2023

Mitigation Measures Incorporated into the Project to Avoid Significant Effects

Air Quality

AQ-1: Implement SMAQMD Basic and Enhanced Construction Emission Control Practices to Reduce Fugitive Dust

The implementing agency will require the construction contractor(s) to implement basic and enhanced control measures to reduce construction-related fugitive dust as a standard or specification of their contract. The following measures are required for the entirety of the construction area. The implementing agency will ensure, through contract provisions and specifications, that the contractor adheres to the

mitigation measures before and during construction and documents compliance with the adopted mitigation measures.

- Control of fugitive dust is required by District Rule 403 and enforced by District staff.
- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1].
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.

Biological Resources

BIO-1: Nesting Birds and Raptors

- Retain a qualified biologist to conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within 5 days of the commencement of construction or tree removal during the nesting season (generally February 1 through August 31). Surveys should be conducted in accessible areas within a minimum 500-foot radius around the Project site for nesting raptors and birds.
- If active nests are not found during the preconstruction survey, the biologist shall document the findings in a letter report for CDFW and the lead agency, and no further mitigation shall be required.
- If active nests are found, a no-disturbance buffer shall be established around the nest. The buffer distances shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree,

to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary.

- If an active nest is discovered outside of the typical nesting season, it shall be avoided using the same avoidance measures that would be applied during the typical nesting season.
- If it is determined that construction will not affect an active nest or disrupt breeding behavior onsite, construction may proceed without any restriction or mitigation measure.

BIO-2: Roosting Pallid Bats

- A bat roost survey shall be conducted by a qualified wildlife biologist within 14 days before any ground disturbance. Specific survey methodologies may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (e.g., SonoBat, Anabat). If no active roost sites are present within the Project Area, no further actions under this measure are required.
- If it is determined that an active roost site cannot be avoided and will be affected, bats will be excluded from the roost site before the tree is removed. The biologist shall consult with CDFW on appropriate bat exclusion methods and roost removal procedures. Exclusion methods may include use of one-way doors at roost entrances (bats may leave, but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Once it is confirmed that all bats have left the roost, crews will be allowed to continue work in the area.

BIO-3: Protected Trees

- The Project proponent shall ensure appropriate tree removal or work permits have been obtained in accordance with Chapter 106.39 Tree Preservation and Protection of the Citrus Heights Municipal Code and that compensatory mitigation has been provided, as necessary, for Native Oak Trees and other Protected Trees within the Study Area that will be directly impacted (removed) or indirectly impacted (construction activities within the tree's dripline) by the Project.
- Prior to any mobilization or grading on the site, the Project proponent shall prepare and implement a Tree Replacement Plan in accordance with Chapter 106.39 Tree Preservation and Protection of the Citrus Heights Municipal Code for Native Oak Trees and other Protected Trees in the Study Area that will be directly impacted (removed).

Cultural Resources

CUL-1: Unanticipated Discoveries

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agency. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.
- If the find includes human remains, or remains that are potentially human, the professional archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sacramento County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Geology and Soils

GEO-1: Discovery of Unknown Paleontological Resources

If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until the City is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples shall be collected and processed to determine additional fossil potential on the Project site. If the City resumes work in a location where paleontological remains have been discovered and cleared, the City shall have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological

resources are in the area. Any fossil materials uncovered during mitigation activities shall be deposited in an accredited and permanent scientific institution, such as the UCMP Berkeley, for the benefit of current and future generations.

Greenhouse Gas Emissions

GHG-1: Implement SMAQMD Tier 1 Best Management Practices

The implementing agency shall require the Project to implement Sacramento Metropolitan Air Quality Management District Tier 1 Best Management Practices:

- BMP 1 - Projects shall be designed and constructed without natural gas infrastructure.
- BMP 2 - Projects shall meet the current CalGreen Tier 2 standards, except all electric vehicle capable spaces shall instead be electric vehicle ready.

Noise

NOI-1: Land Use Compatibility

The Project applicant shall install air conditioning in all residences constructed on Lots 1 – 5, 82, and 85 – 94, at a minimum, to allow occupants to close doors and windows as desired for additional acoustical isolation. The City shall ensure that building plans include the required air conditioning equipment prior to issuance of building permits.

Traffic and Transportation

TRANS-1: Auburn Boulevard/Sylvan Road Intersection

To address increased levels of queuing on Auburn Boulevard and additional pedestrian activity by Project residents, the Project applicant shall modify the intersection as follows:

- Modify signal phasing to operate the eastbound and westbound approaches with lead/lag protected left-turn phasing (versus current split phasing).
- Signalize the channelized southbound, eastbound, and westbound right-turn lanes, providing pushbutton pedestrian detection in each crosswalk.
- Extend the southbound Class II bike lane by providing green skip striping (to designate a merge area) to provide for a continuous and more visible facility.

The improvements would directly benefit the Project by virtue of shorter queues on southbound Auburn Boulevard (i.e., fewer blockages of north project access) and improved conditions for Project residents walking/biking in the area.

TRANS-2: Illegal Southbound U-Turns on Auburn Boulevard

To address Project trips desiring to travel northbound on Auburn Boulevard that may choose to perform an illegal U-turn at the southbound left-turn lane serving the Sylvan Corners Plaza, the City shall:

- Monitor (either through counts or complaints filed with the City) this turn lane for unlawful movements, and if warranted, increase enforcement and/or post additional signage to discourage those behaviors.

Tribal Cultural Resources

TCR-1: Unanticipated Discoveries

If subsurface deposits are encountered which represent a Native American or potentially Native American resource that does not include human remains, all work shall cease within 100 feet of the find and the contractor shall immediately contact the City of Citrus Heights and coordinate to contact a member of a culturally affiliated tribe. If the tribal representative determines the find is a TCR, the tribe and the City of Citrus Heights shall consult on appropriate treatment measures. Preservation in place is the preferred treatment, if feasible. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Tribal Cultural Resource or a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction. This Mitigation Measure shall be implemented in conjunction with Mitigation Measure CUL-1.

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1.0 INTRODUCTION

This document is the Final Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Sylvan Corners Subdivision. It has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code [PRC] Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.) as amended. This Final MND and Responses to Comments document supplements and updates the Draft MND (Attachment D) released for public review on July 28, 2023.

The City of Citrus Heights is the Lead Agency for the Proposed Project. On July 28, 2023, the Lead Agency distributed the Draft MND for the Proposed Project to public agencies and the general public for review and comment, as indicated in the Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (Attachment A). In accordance with the State CEQA Guidelines, a 30-day review period, which ended on August 28, 2023, was completed. During the public review period, four (4) comment letters and/or emails on the Draft MND were received from interested parties.

This Final MND and Responses to Comments document is organized as follows:

- Section 1.0 provides a discussion of the purpose and structure of the document;
- Section 2.0 contains a summary of the Project Description and a discussion regarding why a recirculation of the Draft MND is not required;
- Section 3.0 includes the comment letters received and responses to these comments;
- Section 4.0 includes corrections and revisions made to the Draft MND in response to comments;
- Section 5.0 includes the Proposed Project's Mitigation Monitoring and Reporting Program (MMRP), prepared pursuant to PRC Section 21081.6; and
- Section 6.0 includes Attachments to the Final MND.

This Final MND document and the Draft MND together constitute the environmental document for the Proposed Project. As a result of comments received on the Draft MND, minor revisions were required to the Draft MND text, however, there were no substantial revisions that would require recirculation of the document. A substantial revision according to Section 15073.5 of the *2023 CEQA Statute Guidelines* shall mean:

- “(1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.”

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2.0 PROJECT OVERVIEW

2.1 Project Location

The Project site is located at 7137 Auburn Boulevard in the City of Citrus Heights and is assigned assessor's parcel number (APN) 211-0020-025 in Sacramento County. The 11.32-acre vacant parcel is located on the northwest corner of the intersection of Auburn Boulevard and Sylvan Road.

2.2 Project Description

Woodside Homes proposes the Sylvan Corners Subdivision Project, a 94-unit single-family residential subdivision at 7137 Auburn Boulevard in the City of Citrus Heights. The Project will require the approval of a General Plan Amendment, rezone to a Special Planning Area, Tentative Subdivision Map, Design Review Permit, and Tree Removal Permit. The Project would include 80 market-rate units and 14 affordable rate units (at a density of 8.35 dwelling units/net acre). Pursuant to Government Code section 54222.5 of the Surplus Lands Act, the Project is required to provide 15 percent of the units at an affordable rate.

2.3 Decision Not to Recirculate Draft MND

Minor changes were made to Mitigation Measure BIO-1 after the completion of the public/agency comment period for the Draft MND. These revisions do not meet the criteria for recirculation of the MND prior to adoption as outlined in Section 15073.5 of the State CEQA Guidelines. According to the Guidelines, "A lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has been given pursuant to Section 15072 but prior to its adoption."

The revisions proposed in this Final MND do not meet the criteria for recirculation provided in Section 15073.5 (c) of the CEQA Guidelines. These criteria are provided below, along with an explanation regarding the reasons why the changes to the Project do not require recirculation.

Recirculation in context of the Proposed Project is not required under the following circumstance:

- (1) *Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.*

3.0 COMMENTS AND RESPONSES

3.1 Introduction

This section of the document contains copies of the comment letters received during the 30-day public review period, which began on July 28, 2023, and ended on August 28, 2023. Comments and responses to comments are not required to be included in MNDs, but are included here for informational purposes for the public and decision-makers on the Project.

This section contains the following:

- A list of commenters on the Draft MND which lists public agencies, organizations and individuals who submitted comments during the public comment period; and
- A response to all comments received on the Draft MND, which includes copies of all letters and emails received during the public comment period.

In conformance with Section 15088(a) of the State CEQA Guidelines, the City of Citrus Heights has considered comments on environmental issues from reviewers of the Draft MND and has prepared written responses. A total of one (1) email request and three (3) comment letters were received via email, commenting on the Draft MND. These letters and the responses to the comments contained in the letters are provided in this section.

A list of public agencies, organizations, and individuals that provided comments on the Draft MND is presented below. The letters and the responses to the comments follow this page.

3.2 List of Commenters

Agencies, individuals, and organizations which commented on the Draft MND are listed below.

- California Department of Toxic Substances Control (DTSC)
- California Highway Patrol (CHP)
- California Department of Fish and Wildlife (CDFW)
- Central Valley Regional Water Quality Control Board (CVRWQCB)

3.3 Responses to Comments

The following section includes comments and comment letters on the Draft MND received during the public review period, followed by a written response to each comment. The comments and responses are correlated by code numbers shown in the right margin of each comment letter.

Letter 1. DTSC – Dave Kereazis, received August 5–15, 2023 (email thread – read from bottom).

From: Kereazis, Dave@DTSC <Dave.Kereazis@dtsc.ca.gov>
Sent: Tuesday, August 15, 2023 7:11 AM
To: Bermudez, Alison <ABermudez@citrusheights.net>
Cc: 'Alison Bermudez' <alibermudez@me.com>; Purvis, Tamara@DTSC <Tamara.Purvis@dtsc.ca.gov>
Subject: RE: Sylvan Corners Subdivision

Hi Alison-

I am glad as well! Thank you for the document and your patience in this review and for assisting us in the process. I have verified the soil excavation activities and how the levels were mitigated therefore, DTSC does not have any further questions or comments.

Have a great rest of the week and look forward to working with you in the future!

Dave

From: Bermudez, Alison <ABermudez@citrusheights.net>
Sent: Monday, August 14, 2023 6:56 AM
To: Kereazis, Dave@DTSC <Dave.Kereazis@dtsc.ca.gov>
Cc: 'Alison Bermudez' <alibermudez@me.com>
Subject: FW: Sylvan Corners Subdivision

Here you go Dave.

Our emails are still not communicating so I am glad I have included my personal email so at least I receive your requests. If you email me and I don't respond, please feel free to give me a call.

Alison Bermudez
Senior Planner
alibermudez@citrusheights.net
6360 Fountain Square Dr. | Citrus Heights, CA
(916) 727-4741 | www.citrusheights.net
 

Sylvan Corners Subdivision
Final Mitigated Negative Declaration

From: Alison Bermudez <alibermudez@me.com>
Sent: Saturday, August 12, 2023 5:53 AM
To: Bermudez, Alison <ABermudez@citrusheights.net>
Subject: Fwd: Sylvan Corners Subdivision

Sent from my iPhone

Begin forwarded message:

From: "Kereazis, Dave@DTSC" <Dave.Kereazis@dtsc.ca.gov>
Date: August 10, 2023 at 10:55:07 AM PDT
To: Alison Bermudez <alibermudez@me.com>
Cc: "Purvis, Tamara@DTSC" <Tamara.Purvis@dtsc.ca.gov>
Subject: RE: Sylvan Corners Subdivision

Hi Alison-

I read through the Remediation Plan and it references Appendix K – Removal Action Completion Report as being the final say of the soil excavation findings. Can I obtain a copy of this to complete our review. Sorry about the amount of requests but I started down the rabbit hole and should finish the process, thanks!

Has your work email been fixed yet?



Dave Kereazis

Associate Environmental Planner
HWMP-Permitting (CEQA Unit)
916-255-6446

Dave.Kereazis@dtsc.ca.gov

Department of Toxic Substances
Control
California Environmental Protection
Agency

From: Bermudez, Alison <ABermudez@citrusheights.net>
Sent: Wednesday, August 9, 2023 7:20 AM
To: 'Alison Bermudez' <alibermudez@me.com>; Kereazis, Dave@DTSC <Dave.Kereazis@dtsc.ca.gov>
Subject: RE: Sylvan Corners Subdivision

Good morning Dave,

Please find attached the Remediation Plan for the Sylvan Corners subdivision as per your request.

NOTE: Please use the "Reply All" if you have any follow-up. My work email is still not receiving your emails but I get them in my personal email box.

Alison Bermudez

Senior Planner

albermudez@citrusheights.net

6360 Fountain Square Dr. | Citrus Heights, CA

(916) 727-4741 | www.citrusheights.net



From: Alison Bermudez <albermudez@me.com>
Sent: Tuesday, August 8, 2023 6:47 PM
To: Bermudez, Alison <ABermudez@citrusheights.net>
Subject: Fwd: Sylvan Corners Subdivision

Sent from my iPhone

Begin forwarded message:

From: "Kereazis, Dave@DTSC" <Dave.Kereazis@dtsc.ca.gov>
Date: August 8, 2023 at 10:19:32 AM PDT
To: "Bermudez, Alison" <ABermudez@citrusheights.net>
Cc: albermudez@me.com, "Purvis, Tamara@DTSC" <Tamara.Purvis@dtsc.ca.gov>
Subject: Sylvan Corners Subdivision

Hi Alison-

Hi Alison-

After reviewing the Phase II ESA, I would like to request the remediation plan (Appendix J) to confirm the findings and completion. DTSC will not be providing comments on your project once the findings of the report are confirmed. Thank you for your patience and response!

Dave

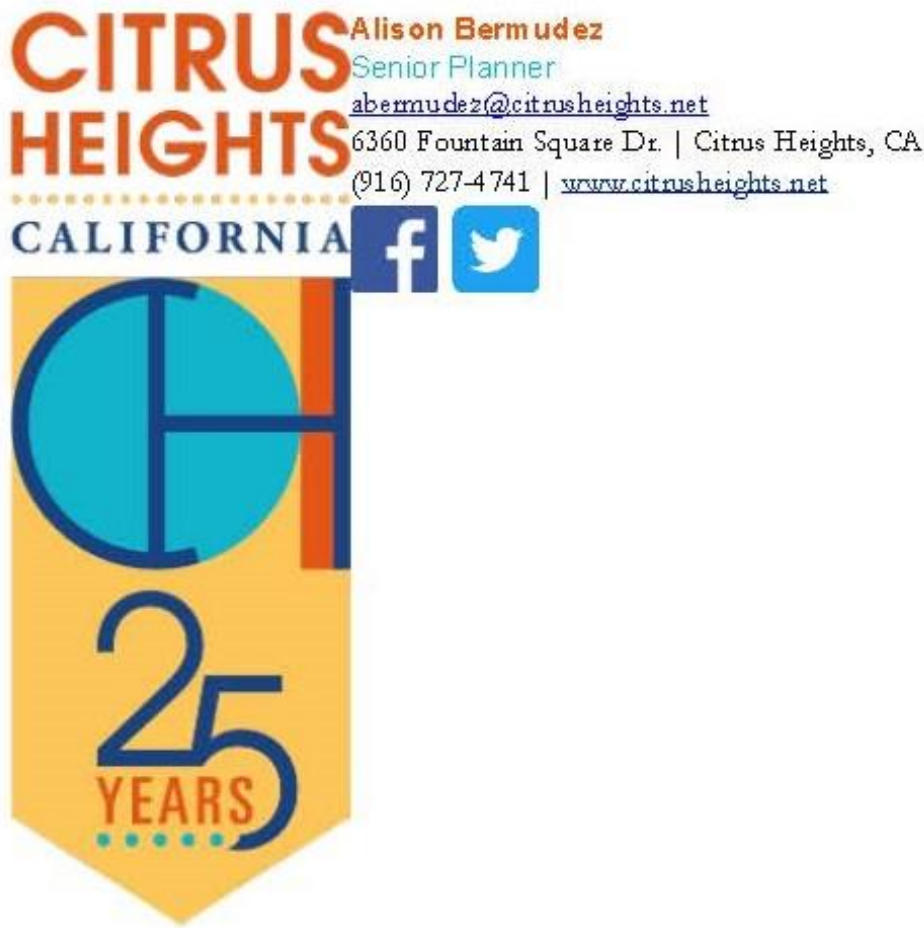
From: Bermudez, Alison <ABermudez@citrusheights.net>
Sent: Saturday, August 5, 2023 9:33 PM

To: Kereazis, Dave@DTSC <Dave.Kereazis@dtsc.ca.gov>
Cc: alibermudez@me.com
Subject: P I & II Request

Hi Dave,

I received your vm for copies of the P I & II reports for the Sylvan Project MND which was posted for public review. I think in your vm you said you tried to email me so I am hoping there is not some techie glitch which is not allowing our emails to communicate. I have cc'd my personal email, can you please reply all and let me know you are receiving these attachments.

If you need anything else, please let me know.



Letter 1 Responses to Comments

Summary of Letter 1 Correspondence:

Through a series of phone calls and emails from August 5, 2023, to August 15, 2023, DTSC requested to review the Phase I Environmental Site Assessment (ESA), Phase II ESA, Remediation Plan, and Removal Action Completion Report prepared for the Project site (Appendices H–K of the Draft IS/MND). Alison Bermudez, Senior Planner for the Lead Agency, provided each requested report to DTSC via email. After reviewing each report, DTSC concluded they had no comments on the Draft IS/MND. The City of Citrus Heights appreciates DTSC's prompt review of the Draft IS/MND appendices.

Letter 2. CHP – Darren Greene, received August 21, 2023.

From: Greene, Darren@CHP <DDGreene@chp.ca.gov>
Sent: Monday, August 21, 2023 12:29 PM
To: Bermudez, Alison <ABermudez@citrusheights.net>
Cc: state.clearinghouse@opr.ca.gov
Subject: Sylvan Corners Subdivision - State Clearinghouse #2023070611

Greetings:

The California Highway Patrol (CHP) received an Environmental Impact Review for the Sylvan Corners Subdivision project located at 7137 Auburn Blvd in the City of Citrus Heights (SCH# 2023070611). After review, we have concerns with the potential impact this project could have on traffic congestion.

The North Sacramento CHP office anticipates an increase in traffic, calls for service, and calls for law enforcement assistance within the office's jurisdiction. Traffic and calls for service increases are estimated to impact major thoroughfares such as Interstate 80, Antelope Road, Greenback Lane, and Auburn Blvd. Antelope Road and Greenback Lane are busy feeder routes to Interstate 80. Auburn Blvd is an alternate north/south method of travel for commuters. This project could have a negative impact on our operations due to the increased traffic congestion which could necessitate the need for additional traffic control measures to mitigate the potential increase in crashes and other calls for service from the public.

2-1

Please contact me with any questions.

Darren

Lieutenant Darren Greene
California Highway Patrol
North Sacramento Office
[916.348.2300](tel:916.348.2300) | [5109 Tyler St.](https://www.chp.ca.gov) | [Sacramento 95841](https://www.chp.ca.gov)

Letter 2 Responses to Comments

Response to Comment 2-1:

This comment summarizes CHP's concern with the project, citing potential increases in traffic congestion, calls for service, and calls for law enforcement assistance. The *Transportation Impact Study* (Appendix M of the Draft IS/MND), which was completed in accordance with the City's *Traffic Impact Study Guidelines*, and Draft IS/MND conclude that the Sylvan Road/Auburn Boulevard/Old Auburn Road intersection would experience modest increases in delay (i.e., two seconds or less) during both the AM and PM peak hours. However, Mitigation Measure TRANS-1 would be implemented to reduce potential impacts from increased levels of queuing on Auburn Boulevard and additional pedestrian activity by Project residents to less than significant. Auburn Boulevard and Greenback Lane are among the City's exempted corridors for level of service (LOS). This was purposefully done given that a considerable amount of the traffic on these streets are through trips, which are outside of the City's control.

The analysis presented in the Draft IS/MND concludes that the throat depth provided at each project access is sufficient to accommodate the expected outbound queues at each intersection. Comment 2-1 further states "increased traffic congestion [could] necessitate the need for additional traffic control measures to mitigate the potential increase in crashes and other calls for service." While a "potential increase in crashes" is not Threshold of Significance under CEQA, Draft IS/MND Section 4.17.6 c) concludes that the project could substantially increase hazards due to design. However, this potentially significant impact would be mitigated to less than significant with incorporation of Mitigation Measure TRANS-2. TRANS-2 requires the City to monitor illegal U-turns at the southbound left-turn lane serving the Sylvan Corners Plaza and to increase enforcement or post additional signage discouraging the behavior if the action is persistent. This measure would not require an increase in CHP's enforcement in the area.

The proposed Project would result in a modest increase in population within the City of Citrus Heights. However, the Project would not increase CHP's total service area, nor would it necessitate the development of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives, as described in Draft IS/MND Section 4.15.3. The City reaffirms its finding of less than significant impacts to transportation and public services through applicable CEQA Thresholds of Significance.

Letter 3. CDFW – Ben Huffer, received August 25, 2023.

From: Huffer, Benjamin@Wildlife <Benjamin.Huffer@Wildlife.ca.gov>
Sent: Friday, August 25, 2023 9:38 AM
To: Bermudez, Alison <ABermudez@citrusheights.net>
Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Wood, Dylan@Wildlife <Dylan.Wood@wildlife.ca.gov>; Sheya, Tanya@Wildlife <Tanya.Sheya@wildlife.ca.gov>; Wilson, Billie@Wildlife <Billie.Wilson@wildlife.ca.gov>
Subject: Sylvan Corners Subdivision

Dear Alison Bermudez:

The California Department of Fish and Wildlife (CDFW) received the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) for the Sylvan Corners Subdivision Project (Project) in Sacramento County pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the project that may affect California fish and wildlife.

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 is charged by law to provide, 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.

3-1

PROJECT DESCRIPTION

Project activities include the development of a 94-unit single-family residential subdivision at 7137 Auburn Boulevard in the City of Citrus Heights. The Project site is assigned APN 211-0020-025 in Sacramento County. The 11.32-acre vacant parcel is located on the northwest corner of the intersection of Auburn Boulevard and Sylvan Road. Site grading could begin as early as October 2023, with infrastructure construction scheduled to begin in March 2024. The land development portion of the project is expected to be completed in September 2024, with completion of the construction of homes to be driven by the market. Initial construction of homes would likely begin in October 2024.

3-2

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the Lead Agency in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

3-3

Comment 1: CDFW recommends MITIGATION BIO-1 (Biological Resources) be reworded as follows to increase the efficacy of the measure.

The preconstruction survey as described in the IS/MND may be insufficient in reducing impacts to a level of less than significant. The measure describes a survey of all suitable habitat on the Project site within 14 days of the commencement of construction or tree removal during the nesting season and that surveys should be conducted in accessible areas within 300 feet of the Project site for nesting raptors and 100 feet of the Project site for nesting birds. To address this, CDFW recommends making the following revisions to Biological Resources Mitigation Measure BIO-1 to more effectively mitigate to a level-of-less than significant:

3-4

"Retain a qualified biologist to conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within 5 days of the commencement of construction or tree removal during the nesting season (generally February 1 through August 31). The qualified biologist shall survey the area within a minimum 500-foot radius around the project area for nesting raptors and birds."

Please note that Fish and Game Code protections for nesting and migratory birds apply regardless of the time of year, and a few bird species (e.g., Anna's hummingbird (*Calypete anna*), great horned owl (*Bubo virginianus*), etc.) may nest during the winter and fall months. If an active nest is discovered outside of the typical nesting season, it shall be avoided using the same avoidance measures that would be applied during the typical nesting season."

Comment 2: CDFW recommends including bird enhancement and mortality reduction strategies in Project design and implementation.

The proposed Project footprint will ultimately occur near existing open space areas.. These open space areas provide suitable habitat for nesting birds. Placement of buildings adjacent to suitable nesting bird habitat may adversely affect bird populations by introducing sources of common bird mortalities such as reflective windows that birds may collide with. Given declines in segments of the overall bird population and ecological benefits of healthy bird activity, CDFW recommends consideration of bird enhancement and mortality reduction strategies in Project design and implementation. Incorporation of these strategies can reduce anthropogenic effects on birds and promote sustainable development in California.

3-5

Collisions with clear and reflective sheet glass and plastic is also a leading cause in human-related bird mortalities. Many types of windows, sheet glass, and clear plastics are invisible to birds resulting in casualties or injuries from head trauma after an unexpected collision. Birds may collide with

windows as little as one meter away in an attempt to reach habitat seen through, or reflected in, clear and tinted panes, so even taking small measures to increase visibility of windows to birds can make a substantial difference in minimizing long-term impacts of urban development near natural environments.

CDFW recommends the applicant incorporate bird and wildlife friendly strategies:

- Install screens, window patterns, or new types of glass such as acid-etched, fritted, frosted, ultraviolet patterned, or channel. Additional information can be found at <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php>.

Incorporation of bird and wildlife strategies not only promotes environmental stewardship but also facilitates compliance with State and federal protections aimed at preserving bird populations.

Comment 3: CDFW recommends including roost replacement mitigation to MITIGATION BIO-2 (Biological Resources)

If the bat roost cannot be avoided, replacement roost structures (bat houses or other structures) shall be designed to accommodate the bat species they are intended for. Replacement roost structures shall be in place for a minimum of one full year prior to implementing the project. The replacement structures should be monitored to document bat use. Ideally, the project would not be implemented unless and until replacement roost structures on site are documented to be acceptable and used by the bat species of interest.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental documents 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 CNDDDB. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>. The completed form can be sent electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

CONCLUSION

CDFW appreciates the opportunity to comment and assist the Lead Agency in identifying and mitigating project impacts on biological resources.
Please contact me at (916) 216-6253 or benjamin.huffer@wildlife.ca.gov if you have any questions.

Ben Huffer
Environmental Scientist
(916) 216-6253
1701 Nimbus Rd.
Rancho Cordova, CA 95670



Letter 3 Responses to Comments

Response to Comment 3-1:

This comment summarizes CDFW's role as a Trustee Agency under CEQA.

Response to Comment 3-2:

This comment summarizes the Project Description.

Response to Comment 3-3:

This comment introduces CDFW's comments and recommendations.

Response to Comment 3-4:

This comment provides recommended changes to Mitigation Measure BIO-1. The City appreciates CDFW's recommendations and has implemented them below.

BIO-1: Nesting Birds and Raptors

- Retain a qualified biologist to conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within ~~44~~ 5 days of the commencement of construction or tree removal during the nesting season (generally February 1 through August 31). Surveys should be conducted in accessible areas within ~~300 feet~~ a minimum 500-foot radius of ~~around~~ the Project site for nesting raptors and ~~100 feet of the Project site for nesting birds~~.
- If active nests are not found during the preconstruction survey, the biologist shall document the findings in a letter report for CDFW and the lead agency, and no further mitigation shall be required.
- If active nests are found, a no-disturbance buffer shall be established around the nest. The buffer distances shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary.
- If an active nest is discovered outside of the typical nesting season, it shall be avoided using the same avoidance measures that would be applied during the typical nesting season.
- If it is determined that construction will not affect an active nest or disrupt breeding behavior onsite, construction may proceed without any restriction or mitigation measure.

Response to Comment 3-5:

Comment noted and provided for consideration by the Lead Agency.

Response to Comment 3-6:

This comment provides recommended changes to Mitigation Measure BIO-2. CDFW recommends that if bat roosts cannot be avoided, replacement roost structures should be designed and kept “in place for a minimum of one full year prior to implementing the project.” CDFW’s recommendation is not feasible given the nature of the Project. The Project is located on the corner of a busy intersection in an urban setting. The Project proposes full development of the site for residential use and will be subject to a high level of disturbance post-construction. As written, Mitigation Measure BIO-2 recommends that if it is determined that an active roost site cannot be avoided and will be affected, the biologist shall consult with CDFW on appropriate bat exclusion methods and roost removal procedures. Consulting with CDFW on appropriate bat measures will provide an opportunity for contextually appropriate measures to be developed between the lead agency, the qualified biologist, and CDFW.

Response to Comment 3-7:

Comment noted and provided for consideration by the Lead Agency.

Letter 4. CVRWQCB – Peter Minkel, received August 28, 2023.



Central Valley Regional Water Quality Control Board

28 August 2023

Alison Bermudez
City of Citrus Heights
6360 Fountain Square Drive
Citrus Heights, CA 95621
abermudez@citrusheights.net

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, SYLVAN CORNERS SUBDIVISION PROJECT, SCH#2023070611, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 28 July 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Sylvan Corners Subdivision Project, located in Sacramento 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

4-1

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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

4-1

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

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction 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

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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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.

4-4

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/

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

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.

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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 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:

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

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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/

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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

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.

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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

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

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

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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

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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/>

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If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel

Engineering Geologist

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

Letter 4 Responses to Comments

Response to Comment 4-1:

Comment noted and provided for consideration by the Lead Agency.

Response to Comment 4-2:

This comment cites the RWQCB Antidegradation Policy and recommends the environmental document evaluate potential impacts to both surface and groundwater quality. Potential impacts to both surface water and groundwater quality are addressed in Draft IS/MND Section 4.10.3. All potential impacts to surface and groundwater quality were found to be less than significant with implementation of a Stormwater Pollution Prevention Plan (SWPPP) and compliance with National Pollutant Discharge Elimination System (NPDES) regulations.

Response to Comment 4-3:

See response to Comment 4-2.

Response to Comment 4-4:

Comment noted and provided for consideration by the Lead Agency.

Response to Comment 4-5:

The project will not involve the discharge of dredged or fill material in navigable waters or wetlands.

Response to Comment 4-6:

A Water Quality Certification will not be required for the Project.

Response to Comment 4-7:

There are no non-jurisdictional waters of the State on the Project site.

Response to Comment 4-8:

The Proposed Project will not require groundwater dewatering.

Response to Comment 4-9:

See comment 4-8.

Response to Comment 4-10:

Comment noted and provided for consideration by the Lead Agency.

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4.0 REVISIONS TO THE DRAFT MITIGATED NEGATIVE DECLARATION

Minor revisions have been made to the Draft MND text in response to comments received. These revisions include minor clarifying changes to Mitigation Measure BIO-1.

No new avoidable significant effects or new mitigation measures were introduced during the public circulation period that would constitute substantial revisions requiring recirculation of the document. According to Section 15073.5 of the CEQA Guidelines, a substantial revision shall mean:

- (1) a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required."

The revisions are provided below. Changes in text are identified by ~~strikeout~~ where text is removed and by underline where text is added.

4.1 Mitigation Measure BIO-1

The following text in Mitigation Measure BIO-1 was revised based on CDFW Comment 3-4. Mitigation Measure BIO-1 appears on page 1-2 of the Draft Mitigated Negative Declaration and pages 4-73 and 4-74 of the Draft Initial Study.

BIO-1: Nesting Birds and Raptors

- Retain a qualified biologist to conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within ~~14~~ 5 days of the commencement of construction or tree removal during the nesting season (generally February 1 through August 31). Surveys should be conducted in accessible areas within ~~300 feet~~ a minimum 500-foot radius of around the Project site for nesting raptors and ~~100 feet of the Project site for nesting birds~~.
- If active nests are not found during the preconstruction survey, the biologist shall document the findings in a letter report for CDFW and the lead agency, and no further mitigation shall be required.
- If active nests are found, a no-disturbance buffer shall be established around the nest. The buffer distances shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary.
- If an active nest is discovered outside of the typical nesting season, it shall be avoided using the same avoidance measures that would be applied during the typical nesting season.
- If it is determined that construction will not affect an active nest or disrupt breeding behavior onsite, construction may proceed without any restriction or mitigation measure.

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 Introduction

In accordance with CEQA, an MND that identifies adverse impacts related to the construction activity for the Project was prepared. The MND identifies mitigation measures that would reduce or eliminate these impacts.

Section 21081.6 of the PRC and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. An MMRP is required for the Project because the MND identified potentially significant adverse impacts related to construction and operation of the Project, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the Project.

5.2 Purpose of the Mitigation Monitoring and Reporting Program

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Project, as required. The MMRP may be modified by the City of Citrus Heights during Project implementation, as necessary, in response to changing conditions or other Project refinements. The MMRP identifies the category of significant environmental impact(s), individual mitigation measures, monitoring and mitigation timing, responsible person/agency for implementing the measure, monitoring and reporting procedure, and notation space to confirm implementation of the mitigation measures. The numbering of the mitigation measures follows the numbering sequence in the MND.

5.3 Roles and Responsibilities

The City of Citrus Heights and the Project construction contractor are responsible for oversight of compliance of the mitigation measures in the MMRP.

5.4 Mitigation Monitoring and Reporting Program

The column categories identified in the MMRP are described below.

- **Mitigation Measure** – This column lists the mitigation measures by number.
- **Oversight Responsibility** – This column provides the entities responsible for complying with the requirements of the mitigation measure, agencies responsible for oversight of the mitigation implementation, and any outside agencies with which the City of Citrus Heights may coordinate for implementation of the mitigation measure.
- **Monitoring Timing or Schedule** – This column lists the timing of each activity, and the frequency/schedule of monitoring for each activity.

- **Actions/Coordination/Reports** – This column summarizes the mitigation activities and reports/deliverables that must be prepared to implement and comply with the required mitigation measure. These actions/reports are described in more detail in the mitigation measure text.

Sylvan Corners Subdivision
Final Mitigated Negative Declaration

SYLVAN CORNERS SUBDIVISION MITIGATION MONITORING AND REPORTING PROGRAM			
Documentation of Compliance			
Mitigation Measure	Oversight Responsibility	Monitoring Timing or Schedule	Actions/Coordination/Reports
Air Quality			
<p>AQ-1: Implement SMAQMD Basic and Enhanced Construction Emission Control Practices to Reduce Fugitive Dust</p> <p>The implementing agency will require the construction contractor(s) to implement basic and enhanced control measures to reduce construction-related fugitive dust as a standard or specification of their contract. The following measures are required for the entirety of the construction area. The implementing agency will ensure, through contract provisions and specifications, that the contractor adheres to the mitigation measures before and during construction and documents compliance with the adopted mitigation measures.</p> <ul style="list-style-type: none"> ■ Control of fugitive dust is required by District Rule 403 and enforced by District staff. ■ Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. ■ Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. 	Project Contractor and City of Citrus Heights	During Project construction	

Sylvan Corners Subdivision
Final Mitigated Negative Declaration

SYLVAN CORNERS SUBDIVISION MITIGATION MONITORING AND REPORTING PROGRAM			
Documentation of Compliance			
Mitigation Measure	Oversight Responsibility	Monitoring Timing or Schedule	Actions/Coordination/Reports
<ul style="list-style-type: none"> ■ Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. ■ Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). ■ All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. ■ Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. ■ Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. ■ Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. 			

Sylvan Corners Subdivision
Final Mitigated Negative Declaration

SYLVAN CORNERS SUBDIVISION MITIGATION MONITORING AND REPORTING PROGRAM			
Documentation of Compliance			
Mitigation Measure	Oversight Responsibility	Monitoring Timing or Schedule	Actions/Coordination/Reports
Biological Resources			
BIO-1: Nesting Birds and Raptors <ul style="list-style-type: none"> ■ Retain a qualified biologist to conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within 5 days of the commencement of construction or tree removal during the nesting season (generally February 1 through August 31). Surveys should be conducted in accessible areas within a minimum 500-foot radius around the Project site for nesting raptors and birds. ■ If active nests are not found during the preconstruction survey, the biologist shall document the findings in a letter report for CDFW and the lead agency, and no further mitigation shall be required. ■ If active nests are found, a no-disturbance buffer shall be established around the nest. The buffer distances shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary. ■ If an active nest is discovered outside of the typical nesting season, it shall be avoided using the same 	Project Contractor, Project Biologist, and City of Citrus Heights	Within 5 days prior to the start of construction or tree removal activities	Nesting raptor and non-raptor preconstruction surveys. No-disturbance buffers to be established in consultation with CDFW if active nests are found.

Sylvan Corners Subdivision
Final Mitigated Negative Declaration

SYLVAN CORNERS SUBDIVISION MITIGATION MONITORING AND REPORTING PROGRAM			
Documentation of Compliance			
Mitigation Measure	Oversight Responsibility	Monitoring Timing or Schedule	Actions/Coordination/Reports
<p>avoidance measures that would be applied during the typical nesting season.</p> <ul style="list-style-type: none"> ■ If it is determined that construction will not affect an active nest or disrupt breeding behavior onsite, construction may proceed without any restriction or mitigation measure. 			
<p>BIO-2: Roosting Pallid Bats</p> <ul style="list-style-type: none"> ■ A bat roost survey shall be conducted by a qualified wildlife biologist within 14 days before any ground disturbance. Specific survey methodologies may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (e.g., SonoBat, Anabat). If no active roost sites are present within the Project Area, no further actions under this measure are required. ■ If it is determined that an active roost site cannot be avoided and will be affected, bats will be excluded from the roost site before the tree is removed. The biologist shall consult with CDFW on appropriate bat exclusion methods and roost removal procedures. Exclusion methods may include use of one-way doors at roost entrances (bats may leave, but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Once it is confirmed 	<p>Project Contractor, Project Biologist, and City of Citrus Heights</p>	<p>Within 14 days prior to the start of construction or tree removal activities</p>	<p>If roosting bats are determined to be present within the Project site, consultation with CDFW prior to initiation of construction activities will be required.</p>

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that all bats have left the roost, crews will be allowed to continue work in the area.			
<p>BIO-3: Protected Trees</p> <ul style="list-style-type: none"> ■ The Project proponent shall ensure appropriate tree removal or work permits have been obtained in accordance with Chapter 106.39 Tree Preservation and Protection of the Citrus Heights Municipal Code and that compensatory mitigation has been provided, as necessary, for Native Oak Trees and other Protected Trees within the Study Area that will be directly impacted (removed) or indirectly impacted (construction activities within the tree's dripline) by the Project. ■ Prior to any mobilization or grading on the site, the Project proponent shall prepare and implement a Tree Replacement Plan in accordance with Chapter 106.39 Tree Preservation and Protection of the Citrus Heights Municipal Code for Native Oak Trees and other Protected Trees in the Study Area that will be directly impacted (removed). 	Woodside Homes and City of Citrus Heights	Prior to the start of construction or tree removal activities	

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Cultural Resources			
<p>CUL-1: Unanticipated Discoveries</p> <p>If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> ■ If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required. ■ If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agency. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA, if applicable. Work may not resume within the 	<p>Project Contractor, Project Archaeologist, City of Citrus Heights</p>	<p>During Project construction</p>	<p>If the Project Archaeologist determines a find represents a cultural resource, consultation with CRHR, Sacramento County Coroner, and NAHC may be required.</p>

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<p>no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.</p> <ul style="list-style-type: none"> ■ If the find includes human remains, or remains that are potentially human, the professional archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sacramento County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include 			

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either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.			
Geology and Soils			
GEO-1: Discovery of Unknown Paleontological Resources If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until the City is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples shall be collected and processed to determine additional fossil potential on the Project site. If the City resumes work in a location where paleontological remains have been discovered and cleared, the City shall have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation	Project Contractor, Project Paleontologist, City of Citrus Heights	During Project construction	

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activities shall be deposited in an accredited and permanent scientific institution, such as the UCMP Berkeley, for the benefit of current and future generations.			
Greenhouse Gas Emissions			
<p>GHG-1: Implement SMAQMD Tier 1 Best Management Practices.</p> <p>The implementing agency shall require the Project to implement Sacramento Metropolitan Air Quality Management District Tier 1 Best Management Practices:</p> <ul style="list-style-type: none"> ■ BMP 1 - Projects shall be designed and constructed without natural gas infrastructure. ■ BMP 2 - Projects shall meet the current CalGreen Tier 2 standards, except all electric vehicle capable spaces shall instead be electric vehicle ready. 	Project Contractor and City of Citrus Heights	During Project construction	
Noise			
<p>NOI-1: Land Use Compatibility</p> <p>The Project applicant shall install air conditioning in all residences constructed on Lots 1 – 5, 82, and 85 – 94, at a minimum, to allow occupants to close doors and windows as desired for additional acoustical isolation. The City shall ensure that building plans include the required air conditioning equipment prior to issuance of building permits.</p>	Woodside Homes, City of Citrus Heights	During City Design Review	

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Traffic and Transportation			
<p>TRANS-1: Auburn Boulevard/Sylvan Road Intersection</p> <p>To address increased levels of queuing on Auburn Boulevard and additional pedestrian activity by Project residents, the Project applicant shall modify the intersection as follows:</p> <ul style="list-style-type: none"> ■ Modify signal phasing to operate the eastbound and westbound approaches with lead/lag protected left-turn phasing (versus current split phasing). ■ Signalize the channelized southbound, eastbound, and westbound right-turn lanes, providing pushbutton pedestrian detection in each crosswalk. ■ Extend the southbound Class II bike lane by providing green skip striping (to designate a merge area) to provide for a continuous and more visible facility. <p>The improvements would directly benefit the Project by virtue of shorter queues on southbound Auburn Boulevard (i.e., fewer blockages of north project access) and improved conditions for Project residents walking/biking in the area.</p>	<p>Woodside Homes, Project Contractor, City of Citrus Heights</p>	<p>During Project construction</p>	

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<p>TRANS-2: Illegal Southbound U-Turns on Auburn Boulevard</p> <p>To address Project trips desiring to travel northbound on Auburn Boulevard that may choose to perform an illegal U-turn at the southbound left-turn lane serving the Sylvan Corners Plaza, the City shall:</p> <ul style="list-style-type: none"> ■ Monitor (either through counts or complaints filed with the City) this turn lane for unlawful movements, and if warranted, increase enforcement and/or post additional signage to discourage those behaviors. 	City of Citrus Heights	After completion of Project construction	
Tribal Cultural Resources			
<p>TCR-1: Unanticipated Discoveries</p> <p>If subsurface deposits are encountered which represent a Native American or potentially Native American resource that does not include human remains, all work shall cease within 100 feet of the find and the contractor shall immediately contact the City of Citrus Heights and coordinate to contact a member of a culturally affiliated tribe. If the tribal representative determines the find is a TCR, the tribe and the City of Citrus Heights shall consult on appropriate treatment measures. Preservation in place is the preferred treatment, if feasible. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Tribal Cultural Resource or a Historical Resource under CEQA, as defined in</p>	Project Contractor, Project Archaeologist, City of Citrus Heights	During Project construction	Consultation between the City and the culturally affiliated tribe is required in the event of a potentially Native American resource discovery.

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Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction. This Mitigation Measure shall be implemented in conjunction with Mitigation Measure CUL-1.			

6.0 LIST OF ATTACHMENTS

Attachment A – Notice of Intent

Attachment B – Proof of Publication

Attachment C – Notice of Determination and CDFW Filing Fee Receipt

Attachment D – Draft Initial Study and Mitigated Negative Declaration for the Sylvan Corners
Subdivision

ATTACHMENT A

Notice of Intent

ATTACHMENT B

Proof of Publication

Notice of Determination and CDFW Filing Fee Receipt

Draft Initial Study and Mitigated Negative Declaration for the Sylvan Corners Subdivision