

**CEQA FINDINGS OF FACT
and
STATEMENT OF OVERRIDING
CONSIDERATIONS**

**OF THE PLANNING COMMISSION OF
THE CITY OF ROSEVILLE**

**for the
KAISER PERMANENTE ROSEVILLE MEDICAL
CENTER INPATIENT BED TOWER PROJECT**

OCTOBER 2022

CEQA FINDINGS OF FACT
and
STATEMENT OF OVERRIDING CONSIDERATIONS

I. INTRODUCTION

These findings, as well as the accompanying statement of overriding considerations, have been prepared in accordance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (14 CCR § 15000 et seq.), and the local procedures adopted by the City of Roseville (City). The City is the lead agency for the environmental review of the project and has the principal responsibility for its approval. The project covered by these findings and the relevant CEQA documents is known as the Kaiser Permanente Roseville Medical Center Inpatient Bed Tower Project (Project).

The Draft Supplemental Environmental Impact Report (Draft SEIR or DSEIR) prepared for the Project updates the CEQA analysis performed in the 2004 Kaiser Permanente Roseville Medical Center Expansion Project Environmental Impact Report (SCH no.2003062014) (2004 Expansion Project EIR) and addresses the potential environmental effects associated with constructing and operating the Project. These findings refer to the Notice of Preparation (NOP) or Final SEIR (FSEIR) where the material appears in either of those documents. Otherwise, references are to the DSEIR.

CEQA generally requires that a lead agency must take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project. In order to effectively evaluate any potentially significant environmental impacts of a proposed project, an EIR must be prepared. The EIR is an informational document that serves to inform the agency decision-making body and the public in general of any potentially significant environmental impacts. The preparation of an EIR also serves as a medium for identifying possible methods of minimizing any significant effects and assessing and describing a reasonable range of potentially feasible alternatives to the project.

The SEIR for this Project was prepared by the City as the “lead agency” in accordance with CEQA and has been prepared to identify and assess the anticipated effects of the Project. The City, as the lead agency, has the principal responsibility for approval of the Project.

II. TERMINOLOGY OF FINDINGS

CEQA and the CEQA Guidelines require that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency decision-making body must issue a written finding reaching one or more of the three allowable conclusions:

1. Changes or alterations which avoid or mitigate the significant environmental effects as identified in the EIR have been required or incorporated into the project;

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and such changes have been adopted by such other agency or can and should be adopted by such other agency; or
3. Specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the DSEIR.

(Pub. Resources Code, § 21081, subds. (a)(1)–(a)(3); see also CEQA Guidelines, §15091, subds. (a)(1)–(a)(3).)

III. STATEMENT OF FINDINGS

The findings and determinations contained herein are based on the competent and substantial evidence, both verbal and written, contained in the entire record relating to the Project and the SEIR. The findings and determinations constitute the independent findings and determinations by the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific pages within the Draft and Final SEIRs in support of various conclusions reached below, the Planning Commission hereby incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited herein, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Planning Commission’s approval of mitigation measures recommended in the SEIR, and the reasoning set forth in responses to comments in the Final SEIR. The Planning Commission further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this Planning Commission with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

IV. DEFINITIONS AND ACRONYMS

“CEQA” means California Environmental Quality Act.

“City” means City of Roseville.

“Commission” or “Planning Commission” means the Planning Commission of the City of Roseville.

“Council” or “City Council” means the City Council of the City of Roseville.

“DSEIR” or “Draft SEIR” means the Draft Supplemental Environmental Impact Report for the Kaiser Permanente Roseville Medical Center Inpatient Bed Tower Project, dated July 2022.

“SEIR” means Supplemental Environmental Impact Report, including both the DSEIR and FSEIR.

“FSEIR” or “Final SEIR” means the Final Environmental Impact Report for the Kaiser Permanente Roseville Medical Center Inpatient Bed Tower Project, dated October 2022.

“MMRP” means Mitigation Monitoring and Reporting Program.

“NERSP” means Northeast Roseville Specific Plan.

“NOP” means Notice of Preparation.

“PRC” means California Public Resources Code.

V. PROJECT DESCRIPTION

A. PROJECT OVERVIEW

In 2004, the City evaluated an expansion to the Kaiser Permanente Roseville Medical Center Campus (Medical Center Campus) to include construction and operation of a 705,360-square-foot expansion to the existing Medical Center Campus (2004 Expansion Project). The 2004 Expansion Project proposed a new medical office building, a new Women and Children’s Center, a new five-story, 155,000 gross-square-foot Surgery and Intensive Care Unit addition to the existing hospital building, renovation and expansion of the Emergency Department and Radiology Department, two new parking structures (including a three-story 400-space parking garage), an expansion and remodeling of the cafeteria, a Central Utility Plant, a helicopter landing pad, and other existing buildings. The City approved the 2004 Expansion Project and certified that project’s EIR in 2004. However, neither the Surgery and Intensive Care Unit Facility, nor the three-story parking garage, or the helicopter landing pad--approved as part of the 2004 Expansion Project--have been constructed. The Project would increase the height and capacity of the previously-approved 2004 Expansion Project plans, while retaining the same overall footprint.

B. THE PROJECT

Kaiser Permanente proposes to increase the size and capacity of the previously approved 2004 Kaiser Roseville Medical Center Expansion Project (2004 Expansion Project) on the existing Kaiser Permanente Roseville Medical Center Campus and add a few additional elements. Specifically, the Project revises the approved 2004 Expansion Project to allow for the following: an approximately 278,000 square foot, six-story, 138-bed Inpatient Tower building on the site of the prior approved Surgery and Intensive Care Unit Facility; expansion of the Emergency Department (part of the Main Hospital Building) to add 36 new treatment bays (change of use with no additional square footage); a new four-level garage with rooftop parking to accommodate approximately 800 stalls located on the site of the prior approved parking garage; relocation of the northwest corner loop road; a new main hospital entrance and drop off area; a new generator yard; and internal upgrades to the existing Central Utility Plant.

C. PROJECT SITE

The Project site is located within the existing Medical Center Campus at 1600 Eureka Road in the City (Assessor’s Parcel Number 048-012-001). The approximately 49-acre Project site is bounded by Lead Hill Boulevard on the north, Douglas Boulevard on the south, Rocky Ridge Drive on the west, and Eureka Road on the east. Interstate 80 is approximately 1 mile west of the Project site and the City’s eastern boundary is approximately 0.25 miles to the east of the site.

D. EXISTING LAND USE DESIGNATIONS AND ZONING

The Project site is designated Business Professional (BP) on the City’s General Plan land use map (last updated December 2021) and also in the Northeast Roseville Specific Plan (NERSP). Uses allowed under this land use designation include business park and professional office, medical campus, and research and development. The General Plan notes that hospitals and clinics may also

be permitted under this land use designation. The site is zoned Planned Development for Medical Campus (PD 470). Uses permitted include professional offices and general medical services.

E. ADJACENT USES

The area surrounding the Project site is characterized as developed and includes a mix of land uses. Across Rocky Ridge Drive to the west is a retail center that includes Target and Walmart stores; to the north, across Lead Hill Boulevard is an office development with numerous medical-related services; to the east, across Eureka Road are more office buildings; and to the south, across Douglas Boulevard are more retail uses in the Rocky Ridge Town Center.

F. PROJECT OBJECTIVES

The objectives of the Project are to:

1. Expand the Kaiser Permanente Roseville Medical Center Campus through the construction and operation of new medical facilities in order to accommodate future growth of Kaiser Permanente members and the need to provide additional medical services that benefit the community.
2. Optimize the use of the development potential on the existing Medical Center Campus by developing a comprehensively planned, integrated medical campus within the existing Campus boundaries. Construction of a new hospital tower and expanded emergency department services will keep pace with increasing population growth in the City and in the region.
3. Maintain current services at the existing Roseville Medical Center Campus, including 24/7 emergency services without interruption.
4. Provide parking sufficient to accommodate membership and patient parking needs, as well as staff parking to meet current and projected future demand.
5. Redesign internal circulation on the Roseville Medical Center Campus in order to optimize safety, provide enhanced health and wellness, and create a seamless flow between pedestrians and vehicle traffic throughout the Campus.
6. Foster the creation of employment opportunities in healthcare by providing jobs for skilled personnel in specialty healthcare departments and improving the jobs/housing balance within the City of Roseville and the surrounding area.
7. Implement the vision, objectives and policies of the Northeast Roseville Specific Plan and the City of Roseville General Plan (2035).
8. Incorporate sustainable green building design features developed by the Leadership in Energy and Environmental Design (LEED) to meet the LEED Gold performance standards and Kaiser Permanente's long-term environmental stewardship goals.

G. PROJECT CONSTRUCTION

Construction of the Project, if approved, would take approximately 56 months, or 4.5 years, to complete. Site grading, trenching for utilities and re-aligning the loop road would take approximately 6 months, followed by construction of the buildings. The intent is to have the parking structure built first in order to provide additional parking on site while the Inpatient Tower building is under construction in the northwest corner of the Campus.

An off-site parking lot located at 2130 Douglas Boulevard would provide temporary parking for Kaiser employees during Project construction.

H. PROJECT APPROVALS

Discretionary Project approvals by the City of Roseville are expected to include, but are not necessarily limited to the following:

- Certification of the SEIR
- Major Project Permit Stages 1-3
- Specific Plan Amendment to the Northeast Roseville Specific Plan
- Amendment to the Development Agreement

In addition, the state Department of Health Care Access and Information (HCAI) reviews and issues permits for hospital additions and renovation permits. In essence, HCAI serves as a building department for permit application review and issuance for all hospital projects in California. HCAI would review all Project components (with the exception of the parking garage and relocation of the loop road) and issue building permits for the Inpatient Tower building, internal improvements to the CUP and generator yard Project components.

VI. ENVIRONMENTAL REVIEW PROCESS

In accordance with section 15082 of the CEQA Guidelines, the City issued a NOP for preparation of an SEIR on February 25, 2022 (SCH# 2022020590). This notice was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the scope of the SEIR analysis for the Project.

The City received a total of three letters in response to the NOP. All of the NOP comment letters received are included in Appendix A of the Draft SEIR.

The SEIR includes a discussion of prior impacts addressed in the 2004 Expansion Project EIR and an analysis of the following resource issue areas:

- Aesthetics
- Air Quality
- Greenhouse Gas Emissions
- Land Use and Planning
- Public Utilities
- Transportation and Circulation

The topics of Agriculture and Forestry Resources, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services and Recreation, Tribal Cultural Resources, and Wildfire are not studied further in the Draft SEIR because, as explained in Chapter 3 of the DSEIR (Issues Addressed in the 2004 Expansion Project EIR), impacts in these areas would be less than significant or no impacts would occur.

The City published the Draft SEIR for public and agency review on July 22, 2022. The public review period was 45 days, ending on September 6, 2022. In October 2022, the City published a Final SEIR for the Project.

VII. RECORD OF PROCEEDINGS

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Project consists of those items listed in Public Resources Code (PRC) Section 21167.6, subdivision (e). The record of proceedings for the City's decision on the Project consists of the following documents, at a minimum:

- The NOP dated February 25, 2022, and all other public notices issued by the City in conjunction with the Project;
- All applications for approvals and development entitlements related to the Project and submitted to the City;
- Comments received on the NOP issued by the City;
- The Draft SEIR and all appendices to the Draft SEIR for the Project;
- Notices of Completion and of Availability, providing notice that the Draft SEIR had been completed and was available for public review and comment;
- All comments submitted by agencies or members of the public during the comment period on the Draft SEIR;
- All comments and correspondence submitted to the City with respect to the Project, in addition to timely comments on the Draft SEIR;
- The Final SEIR for the Project dated October 2022, including all documents referred to or relied upon therein, and documents relied upon or referenced in these findings, which include, but are not limited to the following:
 - All timely comments received on the Draft SEIR and responses to those comments;
 - All Technical Appendices to the SEIR;
 - Letters and correspondence submitted to the City following the release of the Final SEIR;
 - The Mitigation Monitoring and Reporting Program for the Project;
- The Notices of Public Hearing issued in connection with City Planning Commission hearings on the Project;
- All findings and resolutions adopted by the Planning Commission in connection with Project approvals, and all documents cited or referred to therein;
- All reports, studies, memoranda (including internal memoranda not protected by the attorney-client privilege), maps, staff reports, or other planning documents relating to the

Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;

- All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Project cited or referenced in the preparation of the Draft SEIR or Final SEIR;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing, including staff reports;
- Any documentary or other evidence submitted to the City at any other information sessions, public meetings or public hearings;
- The relevant files of the City of Roseville Planning Division for the Project;
- The relevant City files and the materials submitted by the Project applicant;
- The City of Roseville General Plan, the Northeast Roseville Specific Plan, and Roseville Municipal Code;
- Matters of common knowledge to the City including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by PRC section 21167.6(e).

The administrative record of these proceeding is the City's Development Services Department, located at 311 Vernon Street, Roseville, CA 95678. The custodian of these documents and other materials is the City Clerk.

The Planning Commission has relied on all of the documents listed above in reaching its decisions on the Project even if not every document was formally presented to the Planning Commission or City Staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions with which the Planning Commission was aware in approving the Project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the Planning Commission as the final decision making body.

For that reason, such documents form part of the underlying factual basis for the Planning Commission's decisions relating to approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

VIII. FINDINGS REQUIRED UNDER CEQA

PRC section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in PRC section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).)

The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).)

The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) PRC section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.”

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City must therefore glean the meaning of these terms from the other contexts in which the terms are used. PRC section 21081, on which CEQA Guidelines section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” (Pub. Resources Code, § 21002.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to

substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, will specify whether the effect in question has been reduced to a less than significant level, or has been substantially lessened but remains significant. Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the Final SEIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a).) With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).)

In addition to describing the disposition of the various significant effects identified in the DSEIR, the findings must also explain why the project alternatives described in the 2004 Expansion Project EIR are not being selected for implementation. In other words, the City of Roseville is required to describe the specific economic, legal, social, technological, or other considerations that make each alternative infeasible.

The SEIR for the Project identified one cumulative aesthetic (light and glare) impact as significant and unavoidable resulting from the Project, and thus a Statement of Overriding Considerations was prepared.

IX. LEGAL EFFECT OF FINDINGS

These findings constitute the City’s best efforts to set forth the evidentiary and policy bases for its decision to approve the VESP in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to require implementation of these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City adopts a resolution approving the Project.

X. MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project and is being approved by the Planning Commission by the same resolution that adopts these findings. The City will use the MMRP to track compliance with adopted mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is a separate

document from the SEIR and will be approved in conjunction with certification of the SEIR and adoption of these Findings of Fact.

XI. FINDINGS REGARDING ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES

The Draft SEIR identified a number of significant and potentially significant environmental effects (or impacts) that the Project may cause. Most of these significant impacts can be reduced to a level of less than significant through the adoption of feasible mitigation measures. One impact cannot be reduced to a less-than-significant level and will be significant and unavoidable. For the reasons set forth in Section XI, *infra*, however, the City has determined that overriding economic, social or other considerations outweigh the significant, unavoidable effects of implementation of the Project.

The City's findings with respect to Project impacts requiring mitigation are set forth in Table A, attached to these findings. The findings set forth in the table are hereby incorporated by reference and the Council adopts all of the mitigation measures identified therein. This table does not attempt to describe the full analysis of each environmental impact contained in the SEIR. Instead, the table provides a summary description of each impact, describes the applicable mitigation measures identified in the Draft or Final SEIR and adopted by the Planning Commission, and states the Planning Commission's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Draft and Final SEIRs, and these findings are hereby incorporated by reference the discussion and analysis in those documents supporting the SEIR's determinations regarding mitigation measures and the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Planning Commission ratifies, adopts, and incorporates into these findings the analysis and explanation in the Draft and Final SEIRs, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft and Final SEIRs relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

XII. FINDINGS REGARDING RECIRCULATION OF THE DRAFT SEIR

The Planning Commission adopts the following findings with respect to whether to recirculate the DSEIR. Under Section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the DEIR for public review but prior to certification of the FEIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (CEQA Guidelines, §15088.5.)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is “not intend[ed] to promote endless rounds of revision and recirculation of EIRs.” (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) “Recirculation was intended to be an exception, rather than the general rule.” (*Ibid.*)

Here, the information contained within the Final SEIR involves no “significant new information” triggering recirculation because the information did not result in any new significant environmental effects or any substantial increase in the severity of any previously identified significant effects and did not otherwise trigger recirculation. Under such circumstances, the City finds that recirculation of the SEIR is not required.

XIII. PROJECT ALTERNATIVES

A. ALTERNATIVES ANALYSIS

The CEQA Guidelines require that an EIR describe a reasonable range of alternatives to a project that would feasibly attain most of the basic project objectives but would avoid or substantially lessen one or more of the project's significant effects. (CEQA Guidelines section 15126.6(a).) An EIR is not required to consider every conceivable alternative to a project, nor alternatives that are infeasible. (*Id.*)

Section 15126.6 of the CEQA Guidelines requires the consideration of a reasonable range of potentially feasible alternatives that could reduce or eliminate any significant adverse environmental effects of the proposed project, including alternatives that may, to some degree, impede the project's objectives.

PRC section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” “[I]n the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects.”

The Project is generally consistent with the prior 2004 Expansion Project EIR; therefore, according to CEQA Guidelines Section 15162(a)(3)(A), when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows that the project will have one or more significant effects not discussed in the previous EIR.

CEQA Guidelines Section 15163(a) states “A Lead or Responsible Agency may prepare a supplement to an EIR rather than a Subsequent EIR if: (1) any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.”

Furthermore, when the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the Supplemental EIR (CEQA Guidelines, Section 15163[e]). A finding under Section 15091 shall be made for each significant effect shown in the previous EIR.

According to CEQA Guidelines Section 15163, a Supplemental EIR needs to contain only the information needed to analyze the modified Project, including changed circumstances and new information requiring additional environmental review. Where the existing information and analysis in the 2004 Expansion Project Final EIR is sufficient to evaluate the impacts of the Project, no additional environmental review is required.

Project alternatives were analyzed in the 2004 Expansion Project EIR and included a No Project Alternative, a Reduced Intensity Alternative, and an Off-Site Alternative. While the 2004 Expansion Project EIR determined the No Project Alternative would be the environmentally superior alternative due to a decrease in air quality and traffic impacts, the CEQA Guidelines require that an environmentally superior alternative be designated if the No Project Alternative is the environmentally superior choice. Therefore, the Off-Site Alternative was determined to be the environmentally superior alternative due to a reduction in air quality and traffic impacts. The City’s 2035 General Plan EIR concluded that the cumulative increase in light and glare with buildout of the General Plan would be a significant and unavoidable impact. The Medical Center Campus buildout was assumed in the General Plan. Therefore, the Project’s cumulative contribution to light and glare impacts analysis now necessarily includes identification of this cumulative contribution to a significant and unavoidable impact. However, the 2035 General Plan EIR, which assumed buildout of the Campus, determined it is not feasible to mitigate light and glare impacts completely without prohibiting the use of light in new development, and no other feasible mitigation measures are available. The analysis of alternatives in the 2004 Expansion Project EIR’s Chapter 6 (Alternatives of the 2004 Expansion Project EIR) is still applicable to the Project because a hypothetical alternative to avoid or reduce this significant cumulative impact would be infeasible; therefore, the original alternatives analysis is still valid, and an analysis of additional Project alternatives is not required.

The 2004 Expansion Project Final EIR project alternatives (summarized below) were considered for analysis. As described in the Final SEIR, no additional analysis of the alternatives is warranted

for the Project, and the alternatives analysis comprehensively evaluated in the 2004 Expansion Final EIR remains adequate.

Alternative 1, No Project Alternative

The “No Project” alternative assumes no Kaiser Medical Center expansion on the project site but assumes medical office use buildout of the site as permitted under General Plan and Specific Plan policies and regulations. Under the General Plan and NERSP the undeveloped area of the 49-acre Kaiser site along Douglas Boulevard would be developed with medical office space.

Impacts: The No Project Alternative would result in a decrease in the following impacts associated with the Project:

- Transportation and Circulation
- Air Quality

The level of significance of other impacts would not be substantively changed.

Findings: The City of Roseville hereby makes finding (a)(3), as stated in CEQA Guidelines Section 15091, with respect to this alternative. The No Project Alternative is hereby rejected as infeasible because it would not provide comprehensive medical services for members in Roseville and surrounding areas; and would provide fewer employment opportunities in the City. Under this alternative, Kaiser would consider moving some portion of its operations out of Roseville in order to consolidate its facilities and services at an alternative campus. This would further fragment Kaiser's facilities and services, and therefore would be in conflict with the objectives for the Project.

Alternative 2, Reduced Intensity Alternative

The Reduced Intensity Alternative assumes a reduced Medical Center expansion project on the project site. The Reduced Intensity Alternative would include a smaller expansion of the Medical Center. This alternative would construct approximately 491,130 gsf of new buildings and additions, approximately 214,230 gsf less than the proposed Project.

Impacts: The Reduced Intensity Alternative would result in a decrease in the following impacts associated with the Project:

- Transportation and Circulation
- Air Quality

The level of significance of other impacts would not be substantively changed.

Findings: The City of Roseville hereby makes finding (a)(3), as stated in CEQA Guidelines Section 15091, with respect to this alternative. The Reduced Intensity Alternative is hereby rejected as infeasible because it would not maximize the quality and efficiency of use of the Kaiser Roseville Medical Center Campus to the same extent as the proposed Project, and therefore would not fully accommodate existing and future demands for medical care in the region. The Reduced

Intensity Alternative would also not create as many high-quality employment opportunities for the City. Under this alternative, Kaiser would consider additional site(s) in or around the Roseville area to provide supplementary services. This would fragment Kaiser's facilities and services and could result in the establishment of duplicative facilities. This alternative would not maximize the quality and efficiency of uses on the site, would reduce employment opportunities, and therefore would be in conflict with the objectives for the Project.

Alternative 3, Off-Site Alternative

The Off-Site Alternative assumes partial Medical Center use buildout on the project site and construction of Kaiser administrative and clinical space at the Stone Point Campus site at 1445 Eureka Road. The Off-Site Alternative would use nearby leased space to accommodate a portion of Kaiser's proposed Medical Center Expansion project. The leased space would be located at the 130-acre Stone Point Campus development site at 1445 Eureka Road, within the NERSP area; the site is approximately $\frac{3}{4}$ mile (about 4,000 feet) northwest of the project site.

Impacts: The Off-Site Alternative would result in a decrease in the following impacts associated with the Project:

- Transportation and Circulation
- Air Quality
- Traffic Noise

The level of significance of other impacts would not be substantively changed.

Findings: The Off-Site Alternative is hereby rejected as infeasible because the Stone Point Campus site at 1445 Eureka Road (or 1 Adventist Health Way) was developed in 2019 with the Adventist Health Campus and would therefore be unable to accommodate any portion of the Project. In addition, any off-site alternative does not meet the basic objectives of the Project, as the primary purpose of the Project is to modify and expand the existing facility/site. Lastly, an off-site alternative would not change the outcome of the cumulative contribution to light and glare as significant and unavoidable.

XIV. STATEMENT OF OVERRIDING CONSIDERATIONS

“CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian.” (CEQA Guidelines, § 15021, subd. (d).)

To reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment, an agency must prepare a statement of overriding considerations.” (CEQA Guidelines, §§ 15021, subd. (d), 15093.)

A statement of overriding considerations must set forth the specific reasons why the agency found that the project's “specific economic, legal, social, technological, or other benefits” rendered

“acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, subd. (a), 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).)

A. SIGNIFICANT AND UNAVOIDABLE IMPACTS

As set forth above, the approval of the Project will result in one significant adverse environmental effect in relation to Aesthetics (cumulative light and glare impact) that cannot be avoided even with the adoption of all feasible mitigation measures.

B. FINDING OF OVERRIDING CONSIDERATIONS

The following statement identifies the reasons why, in the City’s judgment, the benefits of the Project outweigh its unavoidable significant impact.

The City finds that each of the overriding considerations expressed as benefits and set forth below constitutes a separate and independent ground for such a finding. The substantial evidence supporting the various benefits can be found in the documents identified for inclusion in the Record of Proceedings.

The City has considered the SEIR, the public Record of Proceedings on the Project and other written materials presented to and prepared by the City, as well as verbal and written testimony received, and hereby determines that implementation of the Project would result in the following substantial public benefits:

Furtherance of City Goals and Policies

The Project will implement the goals, objectives, and policies of the City’s General Plan and its Northeast Roseville Specific Plan by providing expanded medical services within the existing Medical Center Campus to accommodate existing and future demands for medical care in the City and the region, while ensuring compatibility with surrounding uses. The Project promotes General Plan Land Use Element Community Form – Jobs/Housing and Economic Development Policies LU5.1, LU5.6 and LU 5.7. Consistent with these policies, the Project will provide local employment and will help maintain the land use mix and the fiscal viability of the City. Furthermore, the Project adheres to the City’s Design Guidelines and other regulatory requirements.

Expanded Development of an Existing Site

The Project will expand upon development on an existing medical campus site in an existing urbanized area. The Project will result in regional environmental benefits because it will not require the extension of utilities or roads into undeveloped areas, and it is convenient to major arterials, services, and transit.

Increased Economic Impacts to the City of Roseville

The Project would positively contribute to the City’s local economy through new capital investment. The Project will foster the creation of employment opportunities in healthcare by providing jobs for skilled personnel in specialty healthcare departments and improving the jobs/housing balance within the City of Roseville and the surrounding area. The approximate 278,000 square foot, six-story, Inpatient Tower building proposed with the Project would help ensure the retention of the approximately 2,800 existing Kaiser employees in the City, and is anticipated to generate approximately 728 new jobs. In addition to creating long-term employment opportunities through the new hospital tower building, project construction would generate approximately 370 new construction-related jobs at peak construction. The Project would help achieve a well-balanced mix of land uses, housing types, and job opportunities as identified in Land Use Element, Community Form – Jobs/Housing and Economic Development Goal LU5.1. Given the proximity of employment opportunities and commercial services to residential areas, the Project plays a role in achieving the desirable goals set forth in the policy.

Enhanced Public Safety and Public Health

The Project expands a major medical care facility to serve existing and future demand in the City of Roseville and the greater region, which will in turn result in an increase in the quality and efficiency of medical care delivery to patients. Construction of a new hospital tower and expanded emergency department services will keep pace with increasing population growth in the City and in the region. The new parking structure will provide additional parking to accommodate membership and patient needs, as well as staff parking to meet current and projected future demand. The Project will supplement and support existing Kaiser Permanente medical offices, hospitals and other facilities in the region that are currently constrained in their ability to enhance existing services or to renovate clinical areas.

Implementation of Sustainable Development Strategies

The Project is designed to comply with Title 24 (California Energy Efficiency Standards) and meet Leadership in Energy and Environmental Design (LEED) requirements, would be constructed in compliance with current CALGreen building codes, and would also include a variety of sustainability measures [see Chapter 2, Project Description].

Pursuant to PRC section 21081 and section 15093 of the State CEQA Guidelines, the Planning Commission of the City of Roseville adopts and makes the following statement of overriding considerations regarding the remaining significant unavoidable impact of the Project, as discussed above, and the anticipated economic, social, and other benefits of the Project.

The Planning Commission finds and determines that: (1) the majority of the significant impacts of the Project will be reduced to acceptable levels by implementation of the mitigation measures recommended in these findings; (2) the Planning Commission’s approval of the Project as proposed will result in one significant adverse environmental effect that cannot be avoided or reduced to a less-than-significant level even with the incorporation of all feasible mitigation measures into the Project; and (3) there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level the remaining significant environmental impact.

After weighing the economic, legal, social, technological, and other benefits of the Project against the significant unavoidable impact of the Project identified in the SEIR, the City hereby determines that those benefits outweigh the risks and adverse environmental impacts of the Project, and further determines that the Project's significant unavoidable impact is acceptable.

Accordingly, the City adopts the Statement of Overriding Considerations, recognizing that a significant unavoidable impact will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, as discussed in the SEIR and herein; (ii) rejected alternatives to the Project, as discussed in the SEIR and herein; and (iii) recognized the significant unavoidable impact of the Project, the City hereby finds that the benefits of the Project, as stated herein, are determined to be overriding considerations that warrant approval of the Project and outweigh and override its significant unavoidable Aesthetic impact, and thereby justify the approval of the Project.

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
4.1 Aesthetics				
Impact 4.1-1: The proposed Project would not conflict with applicable zoning and other regulations governing scenic quality	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.1-2: The proposed Project would not create a new source of light or glare which would adversely affect day or nighttime views in the area.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.1-3: The proposed Project would contribute to a cumulative increase in light and glare.	PS	Given the location of the Project within a developed area of the City, the addition of new lights would be relatively limited; however, the 2035 General Plan EIR, which considered build out of the project site, determined it is not feasible to mitigate light and glare impacts completely without prohibiting the use of light in new development, and no other feasible mitigation measures are available. Therefore, the Project's cumulative contribution would be considerable, and the impact would be significant and unavoidable.	SU	Finding: No mitigation measures are available to reduce this impact to a less-than-significant level. The Planning Commission, therefore, finds that there are no feasible changes or alterations that could be incorporated into the Project to avoid the significant environmental effect as identified in the SEIR. Explanation/Facts in Support of Finding: Specific economic, legal, social, technological, other

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
				considerations, including the City's General Plan finding that cumulative increase in light and glare would be a significant and unavoidable impact, make infeasible the mitigation measures or Project alternatives identified in the 2004 Expansion Project EIR and the FSEIR.
4.2 Air Quality				
Impact 4.2-1: The proposed Project would not conflict with or obstruct implementation of the Sacramento Regional 8-hour Ozone Attainment and Reasonable Further Progress Plan.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.2-2: The proposed Project could result in a cumulatively considerable increase of any criteria pollutant for which the Project region is in non-attainment.	PS	Mitigation Measure 4.2-2(a): Prepare a Construction Emission/Dust Control Plan (note: the 2004 Expansion Project EIR mitigation measure stated below includes changes to reflect current air district requirements) Thirty days prior to the start of construction, the Placer County Air Pollution Control District (PCAPCD) requires, at a minimum, preparation of a Construction Emission/Dust	LTS	Finding: Compliance with Mitigation Measure 4.2-2 (subsections (a) thru (d)) has been required or incorporated into the Project, and will reduce this impact to a less-than-significant level by ensuring: a Construction Emission/Dust Control Plan (CEDCP) is prepared and

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		Control Plan (CEDCP) and submittal of the CEDCP to the PCAPCD for review and approval. The CEDCP shall identify mitigation measures to reduce the level of construction-related emissions <u>below the PCAPCD threshold of 82 pounds per day</u> in accordance with the standards of the PCAPCD. Mitigation measures could include some or all of the following to reduce emissions to less than significant levels (below the PCAPCD threshold of 82 pounds per day): Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. b. The prime contractor shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall be updated and submitted monthly throughout the duration of the Project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty offroad equipment, the Project representative shall provide the District with the anticipated construction timeline including start date, and name and		followed during construction; payment of required fees; and compliance with the air district's best management practices. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project could result in a cumulative increase in NOx emissions generated during construction and operation. Significant impacts associated with construction and operation would be reduced to a less-than-significant level as a result of the Project's compliance

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		phone number of the Project manager and on-site foreman. c. An enforcement plan shall be established to evaluate project related on- and off road heavy duty vehicle engine emission opacities weekly, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy-duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours. An Independent Environmental Coordinator or Placer County Air Pollution Control District staff. CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate Project-related off-road and heavy-duty on-road equipment emissions during construction for compliance with engine emission opacities, using standards as defined in the California Code of Regulations, Title 13, Sections 2180-2194. Operators of vehicles and equipment found to exceed opacity limits shall be notified and the		with dust and emission control plan, payment of required fees, and compliance with the air district's best management practices. (DSEIR, p. 4.2-24 thru 4.2-30)

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		<u>equipment must be removed from service and repaired prior to being placed back in service. Equipment owners and operators found to be operating equipment that is out of compliance shall be subject to a notice of violation and monetary fines.</u> d. The Project shall provide a plan for approval by the PCAPCD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction Project, including owned, leased and subcontractor vehicles, will achieve a Project-wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. e. There shall be no open burning of removed vegetation during infrastructure improvements. Vegetative material should be chipped or delivered to waste-to-energy facilities. f. Minimize idling time to 10 minutes.		

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		g. Earth-moving construction equipment shall be cleaned with water once per day. h. Soil binders shall be spread on unpaved roads and employee/equipment parking areas. i. Approved chemical soil stabilizers shall be applied according to manufacturer's specifications to all inactive construction areas (i.e., previously graded areas which remain inactive for 96 hours). j. Use existing line power sources located on the site or clean fuel generators rather than temporary power generators, except during the first four weeks of construction of the first structure, when temporary generators may be used if line power sources are not feasible. k. All grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour (as measured by an on-site anemometer) and dust is impacting adjacent properties. l. All truck and equipment wheels shall be washed prior to leaving the site. m. An operational water truck shall be on site at all times. Apply water to control dust at least twice daily (morning and evening), and as needed to prevent dust impacts off site.		

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		n. Streets shall be washed or wet-broomed if silt is carried over to adjacent public thoroughfares. o. Traffic speeds on all unpaved surfaces shall be 15 miles per hour or less. In addition to the above measures, the Project applicant shall consider any of the following measures to further reduce construction-related exhaust emissions: p. Employ construction activity management techniques, such as extending the construction period outside the ozone season of May through October; reducing the number of pieces used simultaneously; increasing the distance between emission sources; reducing or changing the hours of construction; and scheduling activity during off-peak hours. q. Construction contracts shall include language that prohibits the use of pre-1996 off-road heavy-duty construction equipment on declared Spare the Air Days and prohibits the use of all heavy-duty diesel equipment on days forecast to exceed the federal one-house standard. r. Use low-sulfur fuel for stationary construction equipment. s. The applicant shall include a provision in contract language that earth-moving contractors shall not operate pre-1996		

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		heavy-duty diesel equipment on forecast Spare the Air Days. t. Use low-emission stationary equipment on site. u. Provide a flag person to guide traffic properly and ensure safety at construction sites. v. Schedule operations affecting traffic for off-peak hours. w. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. x. Minimize obstruction of through-traffic lanes. y. Develop trip reduction plan to achieve 1.5 AVR (average vehicle ridership) for construction employees In addition to the above PCAPCD measures, the following dust control measures would be required under the grading permit by the Roseville Grading Ordinance: - aa. Cover all haul trucks or maintain at least two feet of freeboard. - bb. Sweep all paved access roads, parking areas, or staging areas on a daily basis at construction sites, particularly where silt has carried over to adjacent public thoroughfares.		

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		cc. Cover, watering twice daily, or apply (non-toxic) soil binders to any exposed stockpiles (dirt, sand, etc.), particularly over weekends if stockpiles are located in proximity to the existing hospital. dd. If landscaping is not planted immediately in areas where construction has been completed, hydroseed undeveloped areas. Appropriate application of such materials (appropriate seed mixture used in hydroseeding) shall be reviewed and approved by a qualified biologist. 4.2-2(b) Contribute Air Quality Fees to offset long-term operational ozone precursor emissions. The landowner shall contribute fifty-six thousand dollars (\$56,000) <u>\$48,279 per ton of NO_x emissions</u> to the City to offset long-term operational NO_x emissions (the "Air Quality Fee"). The City and PCAPCD shall enter into an agreement for the collection and disbursement of the Air Quality fee for off-site air quality mitigation. The Air Quality Fee is to be used for projects, programs and services that result in reduced emission sources that directly benefit City residents. Such projects, programs and services may include, but are not limited to, replacing non-EPA certified wood stoves, transit vehicle conversions, and retrofitting vehicles with cleaner burning fuels.		

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
		4.2-2(c) All flat roofs shall be made of material(s) that reduce energy demand. 4.2-2(d) Provide power outlet at loading docks and prohibit diesel truck idling for more than five minutes. All truck loading and unloading docks shall be equipped with one 110/208 volt power outlet for every two dock doors. Diesel trucks shall be prohibited from idling more than five minutes and must be required to connect to the 110/208 volt power to run any auxiliary equipment. Signage shall be provided.		
Impact 4.2-3: The proposed Project would not expose sensitive receptors to substantial pollutant concentrations.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.2-4: The proposed Project could result in a cumulative impact related to air quality.	PS	Implement Mitigation Measures 4.2-2(a) through 4.2-2(d)	LTS	Finding: Compliance with Mitigation Measures 4.2-2(a) thru (d) which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level by ensuring a Construction Emission/Dust Control Plan (CEDCP) is prepared and followed during construction, payment of

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
				required fees, and compliance with the air district's best management practices. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project could result in a cumulative increase in NOx emissions generated during construction and operation. Significant impacts associated with construction and operation would be reduced to a less-than-significant level as a result of the Project's compliance with dust and emission control plan, payment of required fees, and compliance with the

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
				air district's best management practices. (DSEIR, p. 4.2-24 thru 4.2-30)
4.3 Greenhouse Gas Emissions				
Impact 4.3-1: The proposed Project would not generate GHG emissions that may have a significant effect on the environment.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.3-2: The proposed Project would not conflict with any plan policy or regulation adopted for reducing GHG emissions.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.3-3: The proposed Project would not result in a cumulative impact related to GHG emissions.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
4.4 Land Use and Planning				
Impact 4.4-1: The proposed Project would not conflict with any land use plan, policy or regulation adopted for	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
the purpose of avoiding or mitigating an environmental effect.				Guidelines, §§15126.4, subd. (a)(3), 15091.)
4.5 Utilities				
Impact 4.5-1: The proposed Project would not require the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.5-2: Sufficient water supplies would be available to serve the proposed Project.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.5-3: The proposed Project would not result in inadequate wastewater treatment capacity to serve the Project's projected increase in demand.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.5-4: The proposed Project would	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
not generate an increase in solid waste exceeding capacity of the landfill or impair the attainment of solid waste reduction goals.				impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.5-5: The proposed Project would comply with reduction statutes and regulations related to solid waste.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.5-6: The proposed Project, when combined with current and reasonably foreseeable future projects, would not result in cumulatively considerable impacts related to utilities and service systems.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
4.6 Transportation and Circulation				
Impact 4.6-1: The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
including transit, roadway, bicycle, and pedestrian facilities.				
Impact 4.6-2: The proposed Project would not conflict with adopted programs, plans, ordinances, or policies regarding bicycle facilities.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.6-3: The proposed Project would not conflict with adopted programs, plans, ordinances, or policies regarding pedestrian facilities.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.6-4: The proposed Project would not result in a geometric design feature that is inconsistent with applicable design standards.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)
Impact 4.6-5: The proposed Project would not result in roadway and transportation facilities that impede access for emergency response vehicles.	LTS	None required.	LTS	Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, §21002; CEQA Guidelines, §§15126.4, subd. (a)(3), 15091.)

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
Chapter 3, Initial Study Checklist				
3.2.5 Cultural Resources				
The proposed Project could cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5. The proposed Project could cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. The proposed Project could disturb any human remains, including those interred outside of formal cemeteries. The proposed Project could cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources,	Potentially Significant	Mitigation Measure CUL-1 In the event of discovery of buried paleontological, archaeological or historic deposits, project activities in the vicinity of the find shall be temporarily halted and a qualified archaeologist consulted to assess the resource and provide proper management recommendations. Possible management recommendations for important resources could include resource avoidance or data recovery excavations. If human remains are found, the Placer County Coroner's Office shall be contacted immediately. The coroner shall contact the Native American Heritage Commission, which shall notify the appropriate descendant.	Less than Significant	Finding: Compliance with Mitigation Measure CUL-1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level, by ensuring any buried paleontological, archeological, or historic resources and human remains unearthed during construction to be properly managed and the proper agencies contacted. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant.

Table A. Impact Statements, Mitigation Measures and Findings

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).				Explanation/Facts in Support of Finding: Construction of the Project could result in unearthing significant geologic or historic resources, as well as human remains. Significant impacts associated with the potential disturbance to these resources and human remains would be reduced to a less-than-significant level by ensuring a buffer would be provided and proper management protocols were followed in the event resources are unearthed. (DSEIR, pp. 3-11 thru 3-12)
3.2.7 Geology and Soils				
The project could result in substantial soil erosion or the loss of topsoil. The project could be located on a geologic unit or soil that is	PS	Mitigation Measure GEO-1 ¹ The project sponsor has agreed to abide by the recommendations of the Geotechnical and Geohazards Reports prepared for the proposed Project, which addresses the following: - General Earthwork and Grading - Earthwork Shrinkage and Subsidence	LTS	Finding: Compliance with Mitigation Measure GEO-1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level by ensuring compliance with the

¹ This mitigation measure was not named or numbered in the 2004 IS. For the purposes of identification in this IS, this mitigation measure has been labeled with an abbreviation of the topic it addresses and its chronological order of introduction within the analysis.

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Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation	Findings of Fact
unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.		▪ Removals and Overexcavation ▪ Rippability and Rock Disposal ▪ Subdrains ▪ Fill and Cut Slopes ▪ Faulting ▪ Seismic Design Parameters ▪ Liquefaction and Secondary Earthquake Hazards ▪ Foundations ▪ Rock Anchors ▪ Foundation Setbacks from Slopes ▪ Slabs on Grade ▪ Miscellaneous Concrete Flatwork ▪ Footing Excavation and Slab Preparations ▪ Lateral Load Resistance ▪ Drainage and Moisture Proofing ▪ Cement Type and Corrosion Potential ▪ Temporary Slopes ▪ Utility Trench Backfill ▪ Pavement Sections ▪ Observation and Testing		Project's Geotechnical and Geohazards report. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project could include development on unstable soils. Significant impacts associated with developing on unstable soils would be reduced to a less-than-significant level by ensuring compliance with the Project's Geotechnical and Geohazards report. (DSEIR, pp. 3-15 thru 3-17)
The proposed Project could directly or indirectly destroy a	PS	Implement Mitigation Measure CUL-1.	LTS	Finding: Compliance with Mitigation Measure CUL-1, which has been required or

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unique paleontological resource or site or unique geologic feature.				incorporated into the Project, will reduce this impact to a less-than-significant level by ensuring any buried paleontological resources unearthed during construction are properly managed and the proper agencies contacted. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project could result in unearthing significant geologic resources. Significant impacts associated with the potential disturbance to these resources would be

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				reduced to a less-than-significant level by ensuring proper management protocols are followed in the event any paleontological resources are unearthed. (DSEIR, pp. 3-11 thru 3-12)
3.2.10 Hydrology and Water Quality				
The proposed Project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which could: i) result in substantial erosion or siltation on- or off-site. ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.	PS	Mitigation Measure 4.6-2 Coordination with Placer County Flood Control and Water Conservation District and appropriation of drainage fees to support implementation of the Dry Creek Watershed Flood Control Plan. Mitigation Measure 4.6-3 Coordination with City of Roseville Public Works Department and appropriate drainage fees to support improvement of the culvert under Huntington Drive.	LTS	Finding: Compliance with Mitigation Measures 4.6-2 and 4.6-3, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level by: (i) ensuring coordination with the City to provide the fees for the City to pay appropriate drainage fees to the Placer County Flood Control and Water Conservation District for funding flood control projects and services identified in the Dry Creek Watershed Flood Control Plan; (ii) Project payment of appropriate drainage fees towards improvement of the culvert; and (iii) Project compliance with the City's Flood Damage Prevention

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iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. iv) Impede or redirect flood flows.				Ordinance Ch. 9.80 of the Roseville Municipal Code), which includes standard requirements for all new construction, including regulation of development with the potential to impede or redirect flood flows. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project could increase stormwater flows, potentially exacerbating flooding conditions at an undersized culvert. Significant impacts associated with increased flood risk and the potential

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				for the Project to contribute to increased stormwater and exceeding the capacity of an undersized culvert would be reduced to a less-than-significant level by the appropriation and payment of drainage fees and compliance with the City's flood prevention ordinance and payment of required drainage fees. (DSEIR, pp. 3-23 thru 3-24)
3.2.13 Noise				
The proposed Project could cause the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The proposed Project could cause the generation of excessive ground borne vibration	PS	Mitigation Measure 4.5-1: Implement noise controls on Medical Center campus. A. Kaiser shall use best efforts to avoid construction outside daytime hours established by Municipal Code. All construction equipment will be required to be fitted with factory-installed muffling devices, and all construction equipment shall be maintained in good working order. Such equipped and maintained equipment shall generate noise levels no greater than 75 dBA (Leq) at 50 feet, except for pavers or pneumatic tools, which can generate up to 80 dBA (Leq) at 50 feet (see Table 4.5-2, with controls).	LTS	Finding: Compliance with Mitigation Measures 4.5-1 and 4.5-2, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level by minimizing noise associated with Project construction activities. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid

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or ground borne noise levels.		B. The applicant's contractor, as part of Kaiser's operational plan, shall use best efforts to minimize disturbance of hospital patients within the existing hospital. The following measures shall be implemented where construction occurs within 100 feet of hospital receptors (200 feet for impact equipment) to the extent necessary to help maintain acceptable interior noise levels for patients in the hospital: Equipment used for project construction shall be hydraulically- or electrically-powered impact tools (e.g., jackhammers, pavement breakers, and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler should lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this should achieve a reduction of 5 dBA. Quieter procedures such as drilling rather than impact equipment shall be used whenever feasible.		the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project would increase temporary noise associated with construction equipment. Significant impacts associated with the potential for the Project to generate noise during construction would be reduced to a less-than-significant level by ensuring all equipment is in good working order, utilizing less noisy equipment wherever possible and muffling devices, placing equipment a minimum of 100 ft from existing hospital facilities, locating stationary equipment as far away from occupied buildings as possible, and including appropriate notes attenuation building materials in the new

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		- Stationary noise sources shall be located as far from hospital receptors as possible. If they must be located near hospital receptors, they shall be adequately muffled and enclosed within temporary sheds. Portable sound blankets or existing building facades should be used as necessary to reduce noise generated by construction and demolition activities at hospital receptors and nearby residential uses. Such blankets can provide up to a 10- dBA noise reduction. - As part of Kaiser's operational plan to be implemented during all construction phases, there shall be close coordination between construction staff, hospital staff, and medical office building (MOB) tenants. Hospital and medical office staffs shall be made aware of the construction schedule and activities. - During all construction phases, locations of staging areas, truck routes, and loading areas shall consider exposure to on-site hospital patient receptors, utilizing existing building facades to provide maximum shielding for these receptors. Mitigation Measure 4.5-2: Implement appropriate noise attenuation measures in		hospital building. (DSEIR, pp. 3-28 thru 3-29)

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		proposed hospital facilities and medical buildings. Proposed hospital facilities and medical office buildings shall be designed with appropriate noise attenuation measures (increased insulation, fixed windows, mechanical ventilation) to ensure that interior noise levels do not exceed 45 dBA (CNEL) for hospital facilities and 45 dBA (Leq) for medical office buildings under future noise conditions, considering future traffic increases and proposed hospital operations (including the Central Utility Plant expansion).		
3.2.19 Tribal Cultural Resources				
The Project could cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). The Project could cause a substantial adverse change in the significance of a tribal	PS	Mitigation Measure TCR-1: Post-Review Discovery Procedures If subsurface deposits believed to be cultural or human in origin, or tribal cultural resources, are discovered during construction, all work shall halt within a 100-foot radius of the discovery, and the Construction Manager shall immediately notify the City of Roseville Development Services Director by phone. The Construction Manager shall also immediately contact a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for archaeology and subject to approval by the City, to evaluate the significance of the find and develop appropriate management recommendations.	LTS	Finding: Compliance with Mitigation Measure TCR-1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level by ensuring proper procedures are followed during construction in the event a tribal cultural resource (TCR) is unearthed during construction. The Planning Commission hereby directs that this mitigation measure be adopted. The Planning Commission, therefore,

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cultural resource that is significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.		All management recommendations shall be provided to the City in writing for the City's review and approval. If recommended by the qualified professional and approved by the City, this may include modification of the no-work radius. The professional archaeologist must make a determination, based on professional judgement and supported by substantial evidence, within one business day of being notified, as to whether or not the find represents a cultural resource or has the potential to be a tribal cultural resource. The subsequent actions will be determined by the type of discovery, as described below. These include: 1) a work pause that, upon further investigation, is not actually a discovery and the work pause was simply needed in order to allow for closer examination of soil (a "false alarm"); 2) a work pause and subsequent action for discoveries that are clearly not related to tribal resources, such as can and bottle dumps, artifacts of European origin, and remnants of built environment features; and 3) a work pause and subsequent action for discoveries that are likely related to tribal resources, such as midden soil, bedrock mortars, groundstone, or other similar expressions. Whenever there is question as to whether or not the discovery represents a tribal resource, culturally affiliated tribes shall be		finds that changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the SEIR and that the resulting impacts are less than significant. Explanation/Facts in Support of Finding: Construction of the Project would require earth disturbing activities that could unearth a TCR. Significant impacts associated with the potential for the Project to unearth TCRs would be reduced to a less-than-significant level by establishing specific protocols and management procedures in the event TCRs, including Native American remains, are unearthed. (DSEIR, pp. 3-38 thru 3-39)

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		consulted in making the determination. Whenever a tribal monitor is present, the monitor shall be consulted. The following processes shall apply, depending on the nature of the find, subject to the review and approval of the City: ▪ <u>Response to False Alarms:</u> If the professional archaeologist determines that the find is negative for any cultural indicators, then work may resume immediately upon notice to proceed from the City's representative. No further notifications or tribal consultation is necessary because the discovery is not a cultural resource of any kind. The professional archaeologist shall provide written documentation of this finding to the City. ▪ <u>Response to Non-Tribal Discoveries:</u> If a tribal monitor is not present at the time of discovery and a professional archaeologist determines that the find represents a non-tribal cultural resource from any time period or cultural affiliation, the City shall be notified immediately, to consult on a finding of eligibility and implementation of 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		

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		Guidelines. The professional archaeologist shall provide a photograph of the find and a written description to the City of Roseville. The City of Roseville will notify the tribe(s) who, in writing, requested notice of unanticipated discovery of non-tribal resources. Notice shall include the photograph and description of the find, and a tribal representative shall have the opportunity to determine whether or not the find represents a tribal cultural resource. If a response is not received within 24 hours of notification (none of which time period may fall on weekends or City holidays), the City will deem this portion of the measure completed in good faith as long as the notification was made and documented. If requested by a tribe(s), the City may extend this timeframe, which shall be documented in writing (electronic communication may be used to satisfy this measure). If a notified tribe responds within 24 hours to indicate that the find represents a tribal cultural resource, then the Response to Tribal Discoveries portion of this measure applies. If the tribe does not respond or concurs that the discovery is non-tribal, work shall not resume within the no-work radius until the City, through consultation as appropriate, determines that the site either: 1) is not a Historical Resource		

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		under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction. ▪ <u>Response to Tribal Discoveries</u>: If the find represents a tribal or potentially tribal cultural resource that does not include human remains, the tribe(s) and City shall be notified. The City will consult with the tribe(s) on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be either a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines, or a Tribal Cultural Resource, as defined in Section 21074 of the Public Resources Code. Preservation in place is the preferred treatment, if feasible. Work shall not resume within the no-work radius until the City, through consultation as appropriate, determines that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) not a Tribal Cultural Resource, as defined in Section 21074 of the Public Resources Code; or 3) that the treatment measures have been completed to its satisfaction. ▪ <u>Response to Human Remains</u>: If the find includes human remains, or remains that		

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		are potentially human, the construction supervisor or on-site archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641) and shall notify the City and Placer 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 Public Resources Code, and Assembly Bill 2641 shall 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 Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. Public Resources Code § 5097.94 provides structure for mediation through the NAHC if necessary. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains in a respectful manner where they will not be further		

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		disturbed (§ 5097.98 of the Public Resources Code). 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 shall not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.		

Notes:

PS = potentially significant; LTS = less than significant, SU = significant and unavoidable