



DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION

311 Vernon Street, Roseville, California 95678 • 916.774.5276

KAISER PERMANENTE ROSEVILLE MEDICAL CENTER INPATIENT BED TOWER PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Project Title/File Number: Kaiser Permanente Roseville Medical Center Inpatient Bed Tower Project
– File #PL22-0038

Project Location: 1600 Eureka Road (APN 048-012-001); City of Roseville, Placer County, California.

Project Description: 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. The 2004 Expansion Project included, among other components, construction and operation of a new five-story, 155,000 square-foot Surgery and Intensive Care Unit Facility located along the north elevation of the existing main hospital building, a three-level, approximately 400-space parking garage located in the northeast corner of the Campus, and a helicopter landing pad; however, these elements of the previously approved project were never constructed. The proposed Project revises the 2004 Expansion Project to allow for an approximately 278,000 square foot, six-story 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 parking 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 CUP.

Project Applicant: Kaiser Foundation Hospitals

Property Owner: Kaiser Foundation Hospitals

Lead Agency Contact Person: Kinarik Shallow, Associate Planner, 916.746.1309

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires that, whenever a public agency approves a project based on a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR), the public agency shall establish a mitigation monitoring and reporting program (MMRP) to ensure that all adopted mitigation measures are implemented. This MMRP is required for the Project as significant adverse impacts have been identified, and mitigation measures have subsequently been identified to mitigate those impacts.

Monitoring Process: As the CEQA lead agency, the City will coordinate review, monitor, and document the implementation of all mitigation measures. Existing monitoring mechanisms are in place that assist the City in meeting the intent of CEQA and eliminate the need to develop new monitoring processes for each mitigation measure. These mechanisms include grading plan review and approval, improvement/building plan review and approval and on-site inspections by City Departments. Given that these monitoring processes are requirements of the Project, they are not included in the MMRP. Therefore, only those mitigation measures that are unique to this Project are listed in the following monitoring table below. The table indicates the required mitigation, the responsible party for monitoring, when the monitoring is to occur, and when the monitoring has been completed.

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Impact	Mitigation Measures ^{1,2}	Monitoring/ Implementation	Verification Timing	Party Responsible for Implementation	Party Responsible for Verification
4.2 Air Quality					
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.	Mitigation Measure 4.2-2(a): Prepare a Construction Emission/Dust Control Plan A. 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 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	30 days prior to any construction activities the Project applicant's contractor shall prepare a CEDCP for review and approval by PCAPCD, along with an inventory of construction equipment to be updated and submitted monthly to the PCAPCD. The Project contractor shall also prepare a plan demonstrating how heavy-duty (> 50 horsepower) off-road construction vehicles will achieve a Project-wide fleet-average 20% NO_x reduction and 45% particulate reduction compared to the most recent CARB fleet average. The plan shall be submitted to the PCAPCD for their review and approval. During construction all personnel shall comply with the other requirements listed.	Prior to issuance of grading permit	Project applicant	City Development Svcs/PCAPCD

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	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				

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	with the anticipated construction timeline including start date, and name and 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				

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	<u>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 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</u>				

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	<u>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,				

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	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. 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).				

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	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				

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	to prevent dust impacts off site. 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				

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	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 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				

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	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:				

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	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. 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				

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	reviewed and approved by a qualified biologist. 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.				
	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) \$48,279.80 per ton of NOx emissions to the City to offset long-term operational NOx 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	Project application shall pay applicable air quality fees. Flat roofs to be made of materials that reduce energy demand. Provide power outlets at any loading docks and prohibit idling of diesel trucks.	Building permits	Project applicant	PCAPCD/City Development Svcs

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	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, <u>and funding for public transit services, programs or operations that would support the regional transportation network and provide greater access between health care facilities in the City of Roseville and the Sacramento region.</u> 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				

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	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 4.2-4: The proposed Project could result in a cumulative impact related to air quality.	Implement Mitigation Measures 4.2-2(a) through 4.2-2(d)				

Chapter 3, Initial Study**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	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	All work shall be temporarily stopped in the event any paleontological, archaeological or historic resources are unearthed and a qualified archeologist assesses the find to determine if a management plan is required. If any human remains are unearthed, the County Coroner shall be contacted and be in touch with the Native American Heritage Commission.	During site clearing, grading and earth disturbing activities	Contractor/City	City Development Svcs
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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).	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.				
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 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.	Mitigation Measure GEO-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 ▪ Removals and Over excavation ▪ Rippability and Rock Disposal ▪ Subdrains ▪ Fill and Cut Slopes	Compliance with the requirements set forth in the Geotechnical and Geohazards reports.	During construction	Contractor	City Development Svcs

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	▪ 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				
The proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Implement Mitigation Measure CUL-1.				

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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. 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.	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.	Payment of appropriate fees to the City for payment to the Flood Control District for funding flood control projects and services identified in the Dry Creek Watershed Flood Control Plan.	Prior to grading permit	Contractor or Project applicant	Placer County Flood Control and Water Conservation District/City
	Mitigation Measure 4.6-3 Coordination with City of Roseville Public Works Department and payment of appropriate drainage fees to support improvement of the culvert under Huntington Drive.	Payment of City drainage fees	Prior to grading permit	Contractor or Project applicant	City of Roseville Public Works Department
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	Mitigation Measure 4.5-1: Implement noise controls on Medical Center campus.	Comply with City's Municipal Code for days/hours when construction is allowed; ensure all construction equipment is muffled and in good working	During construction	Contractor	City Development Svcs

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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 or ground borne noise levels.	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). B. The applicant's contractor, as part of Kaiser's operational plan, shall use best efforts to minimize disturbance to hospital patients within the existing hospital. The following measures shall	order; minimize disturbance to on-site hospital patients; use electric-powered impact tools or use exhaust mufflers on any pneumatic tools;; place generators and other stationary construction equipment away from the existing medical building on the campus to the extent possible; keep hospital and medical office staff informed of the construction schedule and activities.			

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	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: C. 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				

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	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. D. 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. E. As part of Kaiser's operational plan to be				

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	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. F. 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 proposed hospital facilities and medical buildings. Proposed hospital facilities and medical office buildings	The new hospital tower shall include noise attenuation features to ensure interior noise levels do not exceed 45 dBA.	Building permit	Contractor	City Development Svcs

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	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).				
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 cultural resource that is significant	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	All work shall stop within a 100-foot radius if any cultural, human or tribal cultural resource (TCR) is unearthed. The City shall be contacted immediately, along with a qualified archeologist to evaluate the find and develop management recommendations, if any. If human remains are unearthed, the City and Placer County Coroner shall be	During construction	Contractor	City Development Svcs

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pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.	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. 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	contacted. If management is required, the City shall review and approve the proposed management plan.			

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	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.				

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	Whenever there is question as to whether or not the discovery represents a tribal resource, culturally affiliated tribes shall be 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				

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	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 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,				

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	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				

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	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 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				

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	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				

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	completed to its satisfaction. ▪ <u>Response to Human Remains</u>: If the find includes human remains, or remains that 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				

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Impact	Mitigation Measures ^{1,2}	Monitoring/ Implementation	Verification Timing	Party Responsible for Implementation	Party Responsible for Verification
	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 disturbed (§				

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Impact	Mitigation Measures ^{1,2}	Monitoring/ Implementation	Verification Timing	Party Responsible for Implementation	Party Responsible for Verification
	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.				
Biological Resources					
Per the Migratory Bird Treaty Act and the Fish and Game Code	Preconstruction Nesting Bird Surveys. If construction or tree removal is proposed during the breeding season (February 1 through August 30), a preconstruction nesting bird survey shall be conducted at the project site (including a 250-foot buffer for raptors) by a qualified biologist 14 days	If construction or tree removal occurs between Feb 1 through Aug 30, a preconstruction nesting bird survey shall be conducted by a biologist 14 days before any site clearing occurs. If any nesting birds are identified within 250 feet of disturbance areas, the biologist shall flag the appropriate buffer and shall make the final determination	14 days prior to any site clearing	Contractor	City Development Svcs

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Impact	Mitigation Measures ^{1,2}	Monitoring/ Implementation	Verification Timing	Party Responsible for Implementation	Party Responsible for Verification
	prior to the beginning of construction activities, in order to identify any active nests in the vicinity of the project area. If no active nests are found during the preconstruction survey, no further actions are required. If any active nests are found within 250 feet of disturbance areas, a temporary buffer shall be determined and flagged by the qualified biologist based on the location of the nest and planned construction activity in the vicinity of the nest. These nests shall be avoided until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist.	as to when construction in the area can resume, after any birds have fledged and the nests are no longer active.			

Notes:

- ¹ **Note:** Some Mitigation Measures from the 2004 Expansion Project EIR have been modified to reflect current requirements and are shown in the table as strike out and underline text.
- ² Mitigation measures not named or numbered in the 2004 IS are identified with an abbreviation of the topic it addresses and its chronological order of introduction within the analysis. All numbered mitigation measures are from the 2004 Expansion Project EIR.