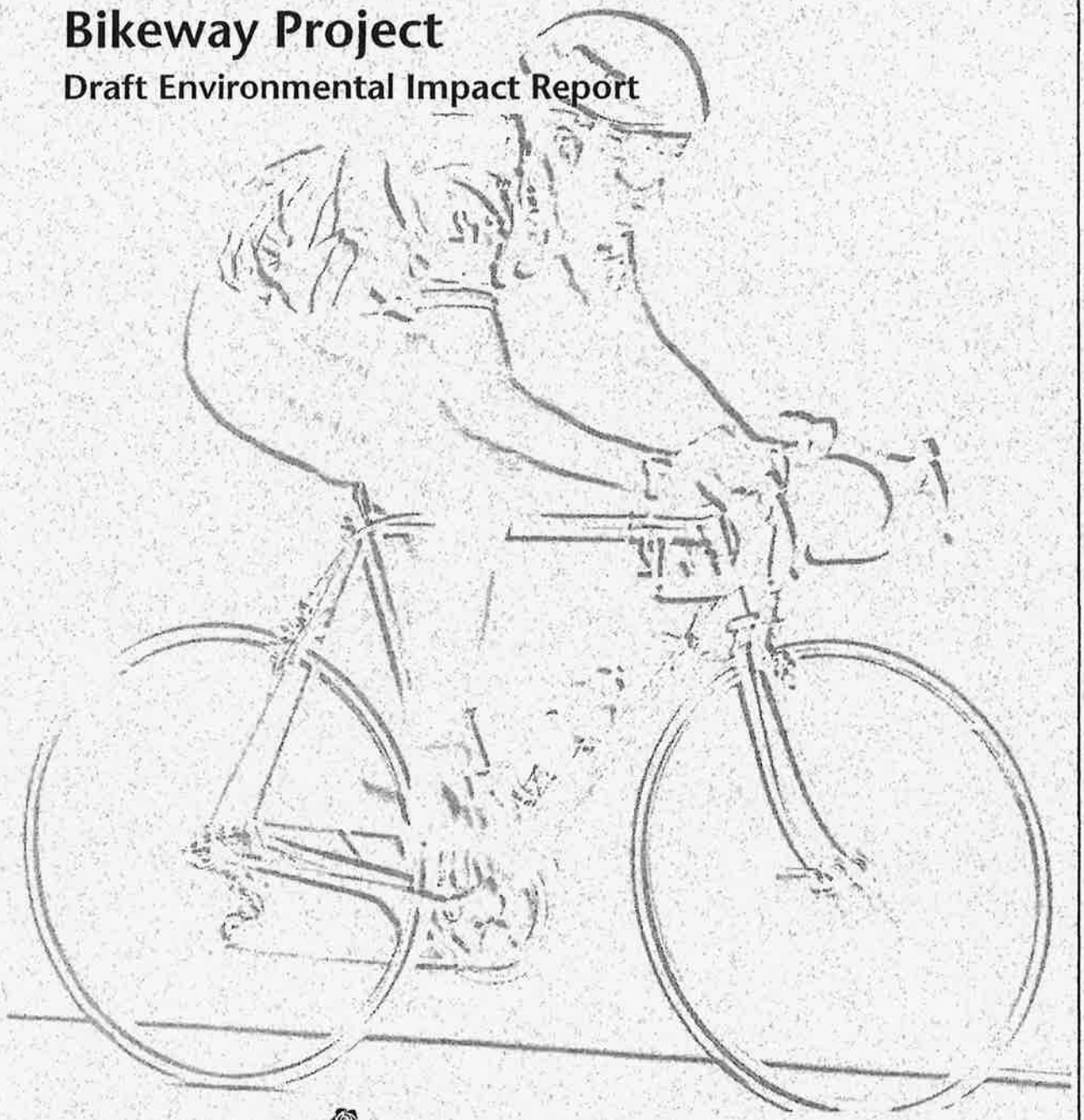
Harding Boulevard to Royer Park Bikeway Project

Draft Environmental Impact Report



Lead Agency: CITY OF ROSEVILLE TRADITION • PRIDE • PROGRESS

Environmental Consultant: Jones & Stokes

State Clearinghouse Number: 2000122078

February 2004

AGENDA ITEM
51

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

Community Development Department
311 Vernon Street • Roseville, CA 95678
916.774.5334 • FAX 916.774.5195

DATE: February 17, 2004

TO: Interested Parties

FROM: City of Roseville Community Development Department

SUBJECT: **Notice of Availability of a Draft Environmental Impact Report (EIR) for the Harding Boulevard to Royer Park Bikeway Project**

A draft environmental impact report (DEIR) for the proposed bikeway project is available for public review.

Project Location and Description: A draft environmental impact report (DEIR) for the proposed bikeway, extending from Harding Boulevard to Royer Park is available for public review beginning February 18, 2004. The proposed bike trail alignment follows the Dry Creek corridor along the north side of the creek, from Harding Boulevard to Royer Park. The project area encompasses the riparian corridor along Dry Creek and various surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

Significant Effects: The DEIR identifies the following potentially significant impacts that could occur if the proposed project is implemented however mitigation measures included in the DEIR would reduce the impacts to a less-than-significant level: Geology, Air Quality, Biological Resources, Traffic and Circulation, and Cultural Resources.

Public Review/Comment: The public comment period will extend for 45 days, from **February 18 to April 2, 2004** ***at 5:00 p.m.*** The DEIR is available for public review at the following locations:

- The City of Roseville Permit Center, 311 Vernon Street, Roseville, CA 95678 (8:00 A.M. to 5:00 P.M., Monday through Friday).
- The Roseville Main Library (225 Taylor Street) and the Maidu Branch Library (1530 Maidu Drive) during normal operating hours.

Public Hearings: The DEIR is tentatively scheduled for public hearing before the City of Roseville Transportation Commission on March 16, 2004. Transportation Commission meetings start at 7:00 p.m. in the Roseville Council Chambers, 311 Vernon Street. Interested parties should call the Roseville Public Works Department to confirm the meeting agenda, time, and date (746-1300).

Contact: Written comments should be directed to:
Mark Morse
City of Roseville Community Development Department
311 Vernon Street, Roseville CA 95678
(916/774-5334)

Harding Boulevard to Royer Park Bikeway Project
Draft Environmental Impact Report
State Clearinghouse Number 2000122078

Lead Agency:

City of Roseville Community Development Department
311 Vernon Street
Roseville, CA 95678
Contact: Mark Morse, Environmental Coordinator
916/774-5334

Environmental Consultant:

Jones & Stokes
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Sacramento, CA 95818-1914
Contact: Brian Bergfalk
916/737-3000

February 2004

This document should be cited as:

Jones & Stokes. 2004. Harding Boulevard to Royer Park bikeway project draft environmental impact report. February. (J&S 02-271.) Sacramento, CA. Prepared for City of Roseville Community Development Department, Roseville, CA.

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LIST OF ACRONYMS AND ABBREVIATIONS

AC	asphalt concrete
ACHP	Advisory Council on Historic Preservation
ADT	average daily trips
APCD	air pollution control district
APE	area of potential effects
AQAP	air quality attainment plan
ARB	California Air Resources Board
BA	biological assessment
BO	biological opinion
BMP	City of Roseville Bicycle Master Plan
Caltrans	California Department of Transportation
CCAA	California Clean Air Act
CE	Categorical Exemption
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CHRIS	California Historical Resource Information System
City	City of Roseville
CNDDB	California Natural Diversity Database
CO	carbon monoxide
Corps	U.S. Army Corps of Engineers
CRMP	creek and riparian management and restoration plan
dB	decibels
dbh	diameter at breast height
DFG	California Department of Fish and Game
EIR/EA	environmental impact report/environmental assessment
ESA	federal Endangered Species Act
FEP	Flood Encroachment Permit
FHWA	Federal Highway Administration
FR	Federal Register
ISA	initial site assessment
ISTEA	Intermodal Surface Transportation Efficiency Act
MA	Monitoring Agreement
NAAQS	national ambient air quality standards
NAHC	California Native American Heritage Commission

NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NO_2	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NO_x	oxides of nitrogen
NRHP	National Register of Historic Places
PCC	Portland cement concrete
PCFCWCD	Placer County Flood Control and Water Conservation District
PM10	particulate matter 10 microns or less in diameter
ppd	pounds per day
RFD	Roseville Fire Department
RWQCB	Regional Water Quality Control Board
SACOG	Sacramento Area Council of Governments
SIP	state implementation plan
SO_2	sulfur dioxide
SPRR	Southern Pacific Railroad
SWPPP	Storm Water Pollution Prevention Plan
UPRR	Union Pacific Railroad
VELB	valley elderberry longhorn beetle
$\mu g/m^3$	micrograms per cubic meter

LIST OF TECHNICAL REPORTS

Biological Resources	Biological study report for the Harding Boulevard to Royer Park bikeway project, Roseville, California. Prepared by Jones & Stokes in 2000.
	Biological assessment of impacts on central valley steelhead and designated critical habitat along Dry Creek in Roseville, California. Prepared by Jones & Stokes in 2000.
	Harding Boulevard to Royer Park bikeway project—biological assessment. Prepared by Environmental Science Associates in 2002.
Cultural Resources	A cultural resource investigation of the Roseville Bike Trail Expansion Project, Roseville, California. Prepared by Foster, J. W., and D. G. Foster in 1995.
	Historic architecture survey and evaluation report for a proposed bikeway along Dry Creek, Roseville, Placer County, California. Prepared by Jones & Stokes in 2000.
	Positive archaeological survey and extended survey report for a proposed bikeway along Dry Creek, Roseville, Placer County, California. Prepared by Jones & Stokes in 2000.
Geotechnical	Preliminary geotechnical report—Royer Park bike trail, Roseville, California. Prepared by España Geotechnical Consulting in 1997.
Hazardous Materials	Initial site assessment—Royer Park Bike Trail, Roseville, California. Prepared by España Geotechnical Consulting in 1997.
Hydraulics	Hydraulic analysis of proposed Dry Creek Bike Path for City of Roseville, California—Harding Bridge to Royer Park. Prepared by Ayres Associates in 1998.

ES.0 EXECUTIVE SUMMARY

ES.1 INTRODUCTION

The City of Roseville (City) proposes to construct a bikeway from Harding Boulevard to Royer Park, providing an important link between the existing Royer Park and Miners Ravine Bikeways. Under the proposed project, the City Public Works Department would construct a bikeway for bicycle and pedestrian use to enhance bicycle recreation opportunities and provide a safe and feasible alternative for commuting and recreation consistent with the City of Roseville Bicycle Master Plan (BMP).

The project site is located in the City of Roseville in southwestern Placer County (Figure 2.1-1). The proposed project would be a combination on-/off-street route. Generally, the route would follow the Dry Creek corridor from Harding Boulevard downstream to Royer Park (Figure 2.1-2).

As shown in Figure 2.1-2, the project area encompasses the riparian corridor along Dry Creek and various existing surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

ES.2 PROJECT OBJECTIVES

By implementing the proposed action, the City intends to fulfill two main purposes or objectives:

- Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.

- Objective 2: Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

ES.3 COMPLIANCE WITH CEQA AND NEPA

The City, as the state lead agency undertaking the project, is required to prepare an appropriate environmental document, in this case an environmental impact report (EIR), under the California Environmental Quality Act (CEQA). This EIR discloses the environmental effects associated with construction and operation of the proposed bikeway and satisfies CEQA requirements. This EIR will be used by the City and other responsible agencies under CEQA to make informed decisions concerning the issuance of required permits and project approvals. Refer to the Notice of Availability or contact the Roseville Community Development Department for information concerning the public comment period, including public hearing dates and the deadline for submission of written comments.

Compliance with NEPA is also required because funds for preliminary engineering and environmental assessment for the project were provided in part under the federal Intermodal Surface Transportation Efficiency Act (ISTEA). In a letter dated December 10, 2001, the Federal Highway Administration (FHWA) stated its determination that the project qualifies for a categorical exclusion (CE) under NEPA and that the project is exempt from 4(f) evaluation requirements (Appendix B). FHWA has completed consultation with U.S. Fish and Wildlife Service (USFWS), the National Oceanic and Atmospheric Administration Fisheris Service (NOAA Fisheries), and the State Historic Preservation Officer (SHPO) as required for the project. FHWA prepared a CE to complete project compliance with NEPA (May 21, 2003; Appendix H).

ES.4 SCOPING AND PUBLIC WORKSHOPS

On January 30, 1997, a public workshop was conducted by the City to discuss the proposed bikeway project (between Sculpture Park and Royer Park) and provide an opportunity for public input into the environmental process. During that meeting, a bikeway route alternative was suggested that consisted of an on-street segment alternative. The suggested alternative has been evaluated in this EIR as Route B.

On March 22, 2000, a subsequent public workshop was conducted focusing on the Harding Boulevard to Royer Park connection, the proposed project addressed in this EIR. Alternatives suggested at the March 2000 workshop are also evaluated in this EIR. In December 2000, a Notice of Preparation (NOP) of an EIR was issued for the Harding Boulevard to Royer Park bikeway project, requesting comments on the scope of this environmental document. Responses to the December NOP are included in Appendix A.

ES.5 PROPOSED PROJECT (ROUTE A)

The proposed bikeway from Harding Boulevard to Royer Park would complete the bikeway link along the north side of Dry Creek, providing an alternate mode of transportation and passive recreation opportunities in the open space areas along the creek. The proposed project is shown as Route A in Figure 2.1-2. The bikeway would maximize off-street access to the scenic corridor.

The eastern end of the bikeway would begin at Harding Boulevard as a Class I route, connect with Miners Ravine bikeway (planned for construction in spring/summer 2003 between Harding Boulevard and Sculpture Park) near the upstream side of the Harding Boulevard bridge, and continue southward to a bridge crossing Antelope Creek. After crossing the creek, the route would continue along the north side of Dry Creek on city-owned land adjacent to residential and undeveloped properties to William L. Taylor Park. Rock slope protection would be installed along the streambank approximately 500 feet downstream of William L. Taylor Park to maintain the alignment on city-owned property. This portion of the streambank is substantially eroded. The route would continue west through City and private residential parcels, pass under Folsom Road, connect to the City's parking lots on the east and west sides of Lincoln Street to end at the existing Royer Park footbridge. The bikeway becomes a Class III route as it passes though the City's parking lots. A more detailed description can be found in Section 2.0.

ES.6 ALTERNATIVES TO THE PROPOSED PROJECT

Design Variations

At one location at the approximate midpoint of the proposed project, the Dry Creek streambank has eroded substantially and the remaining bank width presents a physical constraint to constructing a durable bike trail on city property through this portion of the project area. Three design variations to address bank protection, described in detail in subsection 2.3, were analyzed in this EIR. The preferred and most feasible variation would consist of installing rock slope protection along the streambank. The other two Bank Stabilization design variations would install a 24-foot-high gabion wall or a 24-foot-high pile foundation retaining wall. The design variations are presented in Appendix I, "Preliminary Design Plans."

Route A Linda Drive Bypass—Route A1

Route A1 is a variation of the portion of the proposed project between Lincoln Street and Folsom Road. Route A1 would bypass the route section along Dry Creek under the Folsom Bridge by re-routing on Linda Drive. A more detailed description of this alternative is in Section 4.0.

On-Street Alignment Alternative—Route B

During the public scoping meetings, landowners adjacent to the proposed project on the north side of Dry Creek downstream of Lincoln Estates park brought up privacy concerns. To address these concerns, Route B was suggested. Route B would modify the proposed project by using an on-street segment from Lincoln Estates Park to Folsom Road instead of the streamside route. This alternative would connect to the northern section of Route A via a bridge over Dry Creek, from Lincoln Estates Park to William L. Taylor Park. This route is shown in Figure 4.0-1 and described in more detail in Section 4.0.

No-Project Alternative

Under the No-Project Alternative, the proposed bikeway project would not be constructed. The No-Action Alternative provides the environmental baseline against which the proposed project and alternatives can be compared. This component of the updated BMP would not be implemented; no benefits from alternative transportation and passive recreation opportunities would occur. As a consequence, bicyclists and pedestrians would be required to use the existing street network to connect between the Miners Ravine and Darling-to-Douglas bike trails. This on-street connection likely would involve the use of Wills Road, Atlantic Street, Vernon Street, and Lincoln Street. Under the No-Action Alternative, none of the environmental effects resulting from construction of the proposed bikeway project would occur.

ES.7 IMPACTS OF THE PREFERRED ROUTE

Impacts of the proposed project are summarized in Table ES-1, which also identifies mitigation measures recommended to reduce significant impacts to a less-than-significant level. The EIR also provides information on impacts of the various alternatives to the preferred route.

ES.8 OTHER CEQA CONSIDERATIONS

Growth-Inducing Effects

The proposed bikeway project would not induce growth. It would not foster economic or population growth or the need for additional housing. It would not remove obstacles to planned or unplanned growth, tax community services or facilities, or facilitate other activities that cause significant environmental effects. Although the bikeway would be seen by many residents and potential residents as a desirable neighbor amenity, the project area is an infill area that is not subject to significant new growth.

Significant and Unavoidable Adverse Impacts

Based on the impact analysis for the proposed project, there are no direct or indirect effects that will result in significant and unavoidable adverse impacts. However, the project would contribute incremental effects which, when considered along with impacts resulting from implementing the BMP and other development anticipated within and around the City, would lead to cumulative impacts.

Cumulative Impacts

Cumulative impacts are two or more individual impacts that, when considered together, are considerable or that compound or increase other environmental impacts of the project in conjunction with reasonably foreseeable future projects. An EIR has been certified for the updated BMP (SCH 2000112063). The EIR was prepared at a program level to enable broad consideration of the BMP's environmental impacts and adequate evaluation of, and mitigation for, cumulative impacts. As described in more detail in subsection 1.2, this project-level EIR tiers from the updated BMP EIR. Section 15152 of the State CEQA Guidelines allows for the tiering of environmental analyses to avoid repetitive analyses where effects have been adequately addressed in the prior EIR.

Cumulative impacts of the proposed project were evaluated from the perspective of BMP buildout. The analyses of resource factors relevant to this bikeway project are based on the cumulative impact determinations in the updated BMP EIR. As authorized by Section 15150 of the State CEQA Guidelines, the analyses of effects and impacts contained in the updated BMP EIR, including significant and unavoidable adverse impacts and cumulative impacts, are hereby incorporated by reference. Measures to avoid or mitigate significant impacts, included in the Mitigation Monitoring Plan (MMP) for the programmatic updated BMP EIR are incorporated in this project-level EIR. The following BMP impacts, which could not be avoided or mitigated to a less-

Table ES-1. Summary of Impacts and Mitigation Measures for the Proposed Harding Boulevard to Royer Park Bikeway Project (Route A)

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Land Use			
3.1-1: Consistency with general plan or BMP policies, goals, or objectives	Less than significant	None	Less than significant
3.1-2: Compatibility with adjacent land uses	Less than significant	None	Less than significant
Geology			
3.2-1: Potential increase in bank or slope instability from construction of the bikeway	Less than significant	BMP EIR [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures.	Less than significant
3.2-2: Potential siltation of Dry Creek from erosion of exposed soils	Potentially significant	BMP EIR [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.	Less than significant
Water Resources			
3.3-1: Potential water quality degradation during construction activities	Less than significant[2]	None	Less than significant
3.3-2: Increase in 100-year water surface elevations	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Air Quality			
3.4-1: Temporary generation of construction-related air pollutant emissions	Potentially significant	3.4-1: Comply with each of the mitigation measures recommended by the Placer County Air Pollution Control District for reducing construction-related impacts to the maximum extent possible.	Less than significant
Biological Resources			
3.5-1: Loss or disturbance of approximately 3.3 acres of ruderal grassland	Less than significant	None	Less than significant
3.5-2: Placement of approximately 0.044 acre of fill material into a water of the United States (Dry Creek)	Significant	BMP EIR [1] B-1: Provide for no net loss of wetlands. BMP EIR [1] B-5: Implement construction protocols for stream activities. BMP EIR [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.5-3: Loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat	Significant	3.5-1: Retain an environmental monitor (recommended). 3.5-2: Minimize impacts on sensitive biological resources during project design. 3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction. 3.5-4: Compensate for permanent impacts on woody riparian vegetation (as required in Corps and DFG permit conditions). BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas.	Less than significant [3]
3.5-4: Potential disturbance of and direct loss of approximately 13 native oak trees	Significant	BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success.	Less than significant [3]
3.5-5: Short-term disturbance of common wildlife species	Less than significant	None	Less than significant
3.5-6: Potential loss or disturbance of special-status and common raptors	Potentially significant	BMP EIR [1] B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
		compensate for loss of occupied burrows. BMP EIR [1] B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions.	
3.5-7: Temporary disturbance of habitat for northwestern pond turtle	Less than significant	None	Less than significant
3.5-8: Potential indirect impacts on habitat for valley elderberry longhorn beetle	Less than significant[2]	None	Less than significant
3.5-9: Disturbance to chinook salmon and steelhead habitat	Less than significant	BMP EIR [1] B-1: Provide for no net loss of wetlands. BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] B-5: Implement construction protocols for stream activities.	Less than significant
Traffic and Circulation			
3.6-1: Potential bicycle-pedestrian conflicts at Lincoln Street and Folsom Road	Potentially significant	BMP EIR [1] T-1: Prepare and implement a traffic management plan. BMP EIR [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections.	Less than significant
3.6-2: Increased demand for parking	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.6-3: Potential bicyclist-motorist conflicts at the Lincoln Street and Oak Street parking lots	Less than significant	BMP EIR [1] T-1: Prepare and implement a traffic management plan. BMP EIR [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections.	Less than significant
Cultural Resources			
3.7-1: Potential damage to currently unknown cultural resources	Potentially significant	BMP EIR [1] CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out.	Less than significant
Noise			
3.8-1: Generation of temporary construction noise	Less than significant	3.8-1: Implement measures to minimize noise impacts.	Less than significant
3.8-2: Generation of operation-related noise	Less than significant	None	Less than significant
Hazardous Materials			
3.9-1: Risk of potential exposure to hazardous substances or conditions	Less than significant	None	Less than significant
Public Services and Safety			
3.10-1: Potential increase in the demand for police and fire protection services in the project area	Less than significant	None	Less than significant
3.10-2: Potential increase in maintenance costs and access coordination associated with the bikeway	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Aesthetics			
3.11-1: Changes in views of the project site from parks and roadways	Less than significant	None	Less than significant
3.11-2: Changes in views of the project site from adjacent residences	Less than significant	None	Less than significant
3.11-3: Changes in views from residences along the middle portion of the route	Less than significant	None	Less than significant

Notes:
1. BMP EIR indicates measures that are required by the updated Bicycle Master Plan Environmental Impact Report Mitigation Monitoring Plan.
2. Less than significant with implementation of identified adopted or required actions.
3. This impact was identified in the BMP update EIR as a significant and unavoidable impact, or a cumulative impact for the bikeway system as a whole. Mitigation measures required by the BMP update EIR apply to this bikeway project as well.

than-significant level in the program EIR, are revisited in this project-level EIR within the specific context of the proposed project:

- Cumulative loss of biological resources, including annual grassland and riparian woodland
- Cumulative degradation of water quality
- Cumulative increase in flooding

Copies of the updated BMP EIR are available for review at the City of Roseville Community Development Department, at 311 Vernon Street, in Roseville.

Environmentally Superior Alternative

Each of the route alternatives described in this EIR would have the same environmental effects for the section of the route extending upstream from Lincoln Estates Park. For the portions of the route alternatives downstream from the park, the effects vary somewhat. The environmental effects associated with Route A1 are comparable to those of Route A with the exception of bicycle-motorist conflicts at two places along the route.

Route B avoids impacts on riparian habitat downstream from the proposed stream crossing to Folsom Road. However, Route B also causes a bicyclist-motorist conflict point on Folsom Road at Evelyn Avenue and is much less direct. This alternative also does not achieve the goal of constructing a Class I bicycle trail along Dry Creek.

Although Route B avoids some impacts on riparian areas, Route A provides the most direct route between Harding Boulevard and Royer Park while minimizing potential safety issues involving bicyclists and motorist or pedestrians. For this reason, and the fact that other environmental impacts would be of similar magnitude for the other route alternatives, Route A (the proposed project) would be considered the environmentally superior alternative.

ES.9 REQUIRED PERMITS AND APPROVALS

Project implementation would require permits and approvals from the following jurisdictions, agencies, or decision bodies.

- City of Roseville—Project Approval, Tree Permit, and Flood Encroachment Permit
- FHWA—Documentation for compliance with NEPA. FHWA is providing a portion of funding for preliminary engineering and environmental review.
- SHPO—Consultation under Section 106 of the National Historic Preservation Act (completed)

- Sacramento District of the U.S. Army Corps of Engineers—Section 404 Permit under Section 404 of the Clean Water Act

- USFWS—Consultation under Section 7 of the Endangered Species Act (completed)

- NOAA Fisheries—Consultation under Section 7 of the Endangered Species Act (completed)

- Central Valley Regional Water Quality Control Board—Water Quality Certification or Waiver

- Central Valley Regional Water Quality Control Board—Storm Water Pollution Prevention Plan

- California Department of Fish and Game—Streambed Alteration Agreement under Section 1601 of the California Fish and Game Code

- State Reclamation Board—Encroachment Permit

ES.10 AREAS OF KNOWN CONTROVERSY

The preferred trail alignment, Route A, comprises both public and private property. In some areas, existing ownership and development patterns make public access to the creek corridor either difficult or impossible. Implementation of the proposed project would require the City to purchase property "in fee" through this portion of the open space system to improve public access to the area. This change in accessibility and related privacy and liability issues have been the subject of controversy for some neighbors residing adjacent to the trail alignment. Figure 3.1-2 and Table 3.1-1 indicate which private properties will need to be purchased "in fee," in whole or in part, to implement the project.

ES.11 ISSUES TO BE RESOLVED

The selection of a preferred alignment by the City Council is an issue that remains to be resolved. The decision will be based in part on the environmental information contained in this EIR. Trail alignment selection is expected to occur after certification of the project EIR.

1.0 INTRODUCTION

The City proposes to construct a bikeway from Harding Boulevard to Royer Park, providing an important link between the existing Royer Park and Miners Ravine Bikeways. Under the proposed project, the City Public Works Department would construct a bikeway for bicycle and pedestrian use to enhance bicycle recreation opportunities and provide a safe and viable alternative for commuting and recreation consistent with the City of Roseville BMP.

1.1 PROJECT OBJECTIVES

By implementing the proposed project, the City intends to fulfill three main purposes or objectives:

Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.

The objectives of the proposed project are based on the goals and policies described in the Circulation Element and the Open Space and Conservation Element of the Roseville General Plan. The goals of the Circulation Element and the Open Space and Conservation Element include the following:

- Open Space Element Goal 3—Provide access to public open space areas through the establishment of a series of public linkages, that will be adequately managed and protected.

- Circulation Element Goal 1—Provide a safe, comprehensive and integrated bikeway and trail system that encourages the use of bikes and walking for commuting, recreational and other trips.

The policies include the following:

- Open Space Policy 1—Provide an interconnecting system of open space corridors which, where feasible, incorporate bikeways and pedestrian paths.

- Circulation Policy 1—Develop a comprehensive and safe system of recreational and commuter bicycle routes and trails that provides connections between the City's major employment and housing areas and between its existing and planned bikeways.

- Circulation Policy 2—Coordinate Roseville's bikeway and trail system with those of neighboring jurisdictions.

In addition to these adopted goals and policies, the BMP provides goals that specifically address development of bicycle trails through Roseville. These goals include the following:

- Recreation—Increase the range of recreational amenities and opportunities for Roseville residents.

- Commuting—Reduce traffic congestion by providing a viable alternative to the automobile.

- Interconnectivity—Provide a bikeway system that will offer convenient routes between employment centers, residential areas, recreation centers, parks, schools, shopping centers, transit stops, train stations, and will close gaps in the existing system.

- Connectivity—Provide a bikeway system that offers connections to adjacent and regional bikeways.

- Safety—Improve safety for bicycle riders through public awareness campaigns, bicycle safety education, and other amenities, where needed, such as call boxes, lighting, signs, etc.

- Environment—Reduce traffic, noise and improve air quality by providing a viable alternative to the automobile.

Other goals from the BMP are the development of an implementation plan to ensure that construction and maintenance of the bikeway system are adequately funded, and the development of a list of bikeway project priorities for use in securing funding.

Objective 2: Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

The Dry Creek riparian corridor is a valuable natural resource for Roseville. The corridor includes riparian communities containing native vegetation and high-quality wildlife habitat. This type of open space is rare in an urbanized setting. Currently, the general public can reach this corridor on foot from William L. Taylor Park, Royer Park, Lincoln Estates Park, and Saugstad Park and from the Miners Ravine and Darling-to-Douglas bikeways. Because contiguous private property exists along most of the Dry Creek corridor, public access for compatible passive recreation is limited. Constructing a bikeway through this corridor would greatly improve access to this corridor and increase the value of this unique land for passive recreational use. This objective is consistent with goals and policies in the Roseville General Plan Circulation Element and Open Space and Conservation Element that describe providing access to public open space areas with linkages such as bikeways.

Objective 3. Seek the most effective and efficient balance of capital cost, operational and maintenance costs, environmental or community impacts, and public benefits when improving passive recreational access to the Dry Creek corridor and in pursuing the achievement of goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.

In providing the many public benefits of the proposed bikeway facility, the City must balance expected benefits with costs associated with design, construction, operation, and long-term maintenance. Comparative assessment of design alternatives is an essential step in planning a project, enabling the City to:

- Evaluate site, operational, and financial constraints;
- Develop different approaches to solve design and operational challenges and minimize impacts;
- Evaluate and compare the capital improvement and on-going costs of different design and construction solutions;
- Assess the performance of design and construction alternatives in achieving expected benefits; and
- Select a project alternative that can achieve greatest benefit for the least costs and impacts within the limitations of available funding.

Direct consideration of cost issues is not required under CEQA. However, efforts to attain this objective are part of the design process employed by the City in meeting its health, welfare, and economic obligations to the citizens of Roseville.

1.2 COMPLIANCE WITH CEQA AND NEPA

CEQA Compliance

The City, as the state lead agency undertaking the project, is required to prepare an appropriate environmental document, in this case an EIR, under CEQA. This EIR discloses the environmental effects associated with construction and operation of the proposed bikeway and satisfies CEQA requirements. This EIR will be used by the City and other responsible agencies under CEQA to make informed decisions concerning the issuance of required permits and project approvals. This EIR is a project-level document tiering from the programmatic updated BMP EIR discussed below.

City of Roseville Bicycle Master Plan

In July 2002, the City adopted the BMP, which was developed to meet the goals and policies outlined in the Circulation Element and Open Space and Conservation Element of the Roseville General Plan. The purpose of the BMP is to provide a systematic approach for expanding the City's bikeway system to make bicycling more convenient, enjoyable, and safe. The current BMP is an update of the 1994 BMP. The 2002 BMP incorporates approved specific plans and other bikeways, and:

- allows the City to continue planning, constructing, and maintaining the bikeway system;
- reflects updates based on new specific plan areas and adjusts routes to meet the current and future needs of city residents;
- identifies routes that have been built or approved since the 1994 BMP was prepared;
- enabled programmatic environmental review under the State CEQA Guidelines; and
- meets current state and federal funding criteria.

The ultimate bikeway system envisioned by the BMP is shown in Figure 1.2-1. The ultimate system consists of approximately 168 miles of bike paths, lanes and routes. There are currently about 12 miles of Class I bike paths in Roseville. The ultimate bikeway system includes approximately 34 miles of off-street bike paths, or about 21% of the total. The bike paths follow creeks, channels, ravines, and easements throughout the City (see Figure 1.2-1). The proposed project, a connection between Miners Ravine and Royer Park, is identified in the BMP as a portion of the 22 miles of Class I bike path that are intended for development within the planning horizon of the BMP.

An EIR has been certified for the updated BMP (SCH 2000112063). The EIR was prepared at a program level to enable broad consideration of the plan's environmental impacts and adequate evaluation and mitigation of cumulative impacts. Environmental analyses of individual project-level bikeway routes, such as the proposed project, can then be tiered off the program EIR, as described in the State CEQA Guidelines, Section 15152. This approach reduces repetitive analysis of issues that may be relevant to multiple projects. Program-level consideration of cumulative impacts also enables the City to address those impacts in a unified and effective way and provide the City with an appropriate forum for proposing citywide mitigation that might not be possible with individual project-level analyses. As authorized by Section 15150 of the State CEQA Guidelines, the analyses of effects and impacts contained in the updated BMP EIR, including significant and unavoidable adverse impacts and cumulative impacts, are hereby incorporated by reference. Measures to avoid or mitigate significant impacts, included in the MMP for the programmatic updated BMP EIR, are incorporated in this project-level EIR as appropriate. Copies of the updated BMP EIR are available for review at the City of Roseville Community Development Department at 311 Vernon Street, in Roseville.

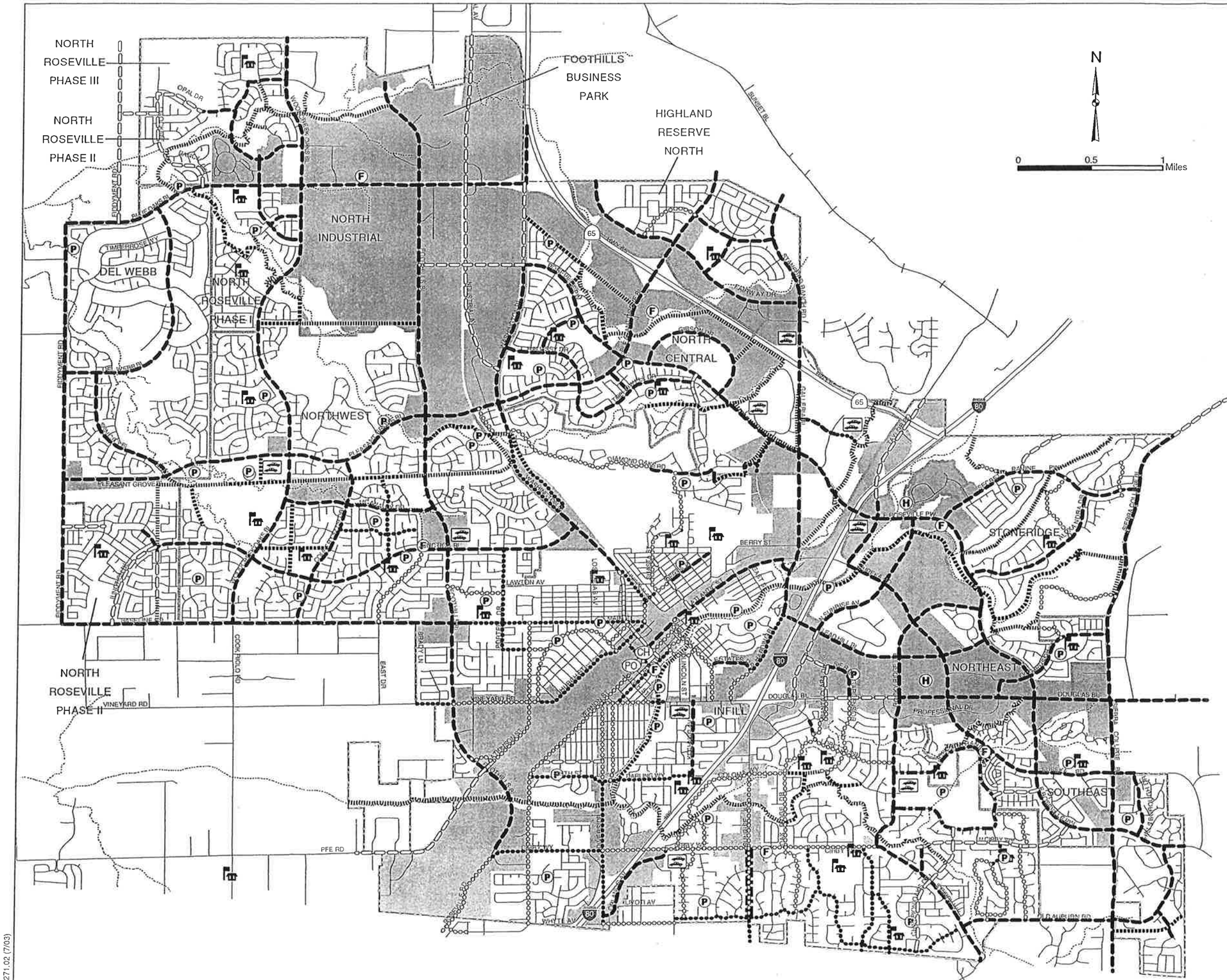


Figure 1.2-1
Proposed Bikeway Plan

Legend

- Employment Centers†
- City Limits
- Specific Plan Boundaries
- City Street
- Creek
- City Hall
- Post Office
- Schools
- Parks
- Hospitals
- Fire Station
- Park-and-Ride Lots

Existing Bikeways

- Class I
- Class IA
- Class II
- Class III

Proposed Bikeways

- Class I *
- Class II
- Class III

† Areas zoned for Business Professional (BP), Community Commercial (CC), Neighborhood Commercial (NC), Central Business District (CBD), General Industrial (IND), or Light Industrial (LI).

* Precise locations of proposed Class I trails are subject to refinement during project-level engineering and CEQA review.

Source:

CITY OF ROSEVILLE
TRADITION·PRIDE·PROGRESS
ROSEVILLE GIS

02271.02 (7/03)

In 1994, a study was prepared to review various bikeway alignments capable of providing the desired connection between Miners Ravine and Royer Park (Fugro West 1994). These alignments provided the basis for the alternatives described herein.

NEPA Compliance

Compliance with NEPA is also required because the project includes funds provided under the federal Intermodal Surface Transportation Efficiency Act (ISTEA). In a letter dated December 10, 2001, FHWA conveyed the determination that the project qualifies for a CE under NEPA, and that the project is exempt from 4(f) evaluation requirements (Appendix B). FHWA has completed the consultation with USFWS, NOAA Fisheries, and SHPO required for the project. FHWA prepared a CE on May 21, 2003, to document compliance with NEPA (Appendix H).

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The project site is located in the City of Roseville in southwestern Placer County (Figure 2.1-1). The proposed project is a combination on-/off-street route. Generally, the route would follow the Dry Creek corridor from Harding Boulevard downstream to Royer Park (Figure 2.1-2).

As shown in Figure 2.1-2, the project area encompasses the riparian corridor along Dry Creek and various existing surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

2.2 PROJECT DESIGN CHARACTERISTICS

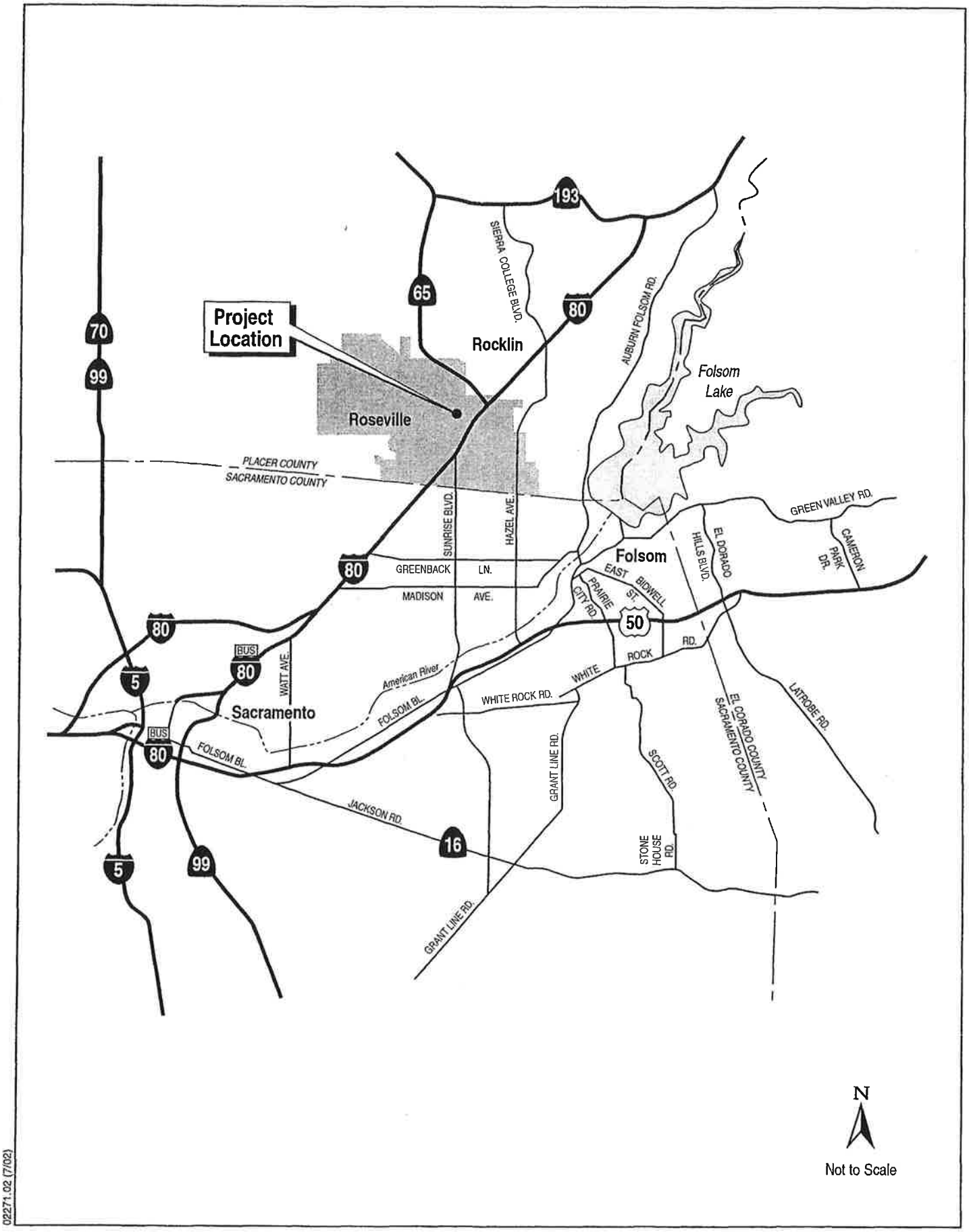
Preliminary engineering plans (Appendix I) have been prepared for the project and provide the basis for the project description and related environmental analysis. These plans are preliminary and subject to refinement during the final engineering phase.

General Characteristics

The proposed bikeway has been designed to be consistent with City design and construction standards and design guidelines provided in Chapter 1000, "Bikeway Planning and Design," of the California Department of Transportation (Caltrans) Highway Design Manual (California Department of Transportation 1995). Off-street facilities would conform to the criteria set for a Class I bikeway. On-street facilities would also conform to Caltrans and City standards and guidelines for Class II and III bike routes. By definition, a Class I bikeway (bike path) provides a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross-flow minimized; a Class II bikeway (bike lane) provides a striped lane for one-way bicycle travel on a street or highway; and a Class III bikeway (bike route) provides for shared use with pedestrian or motor vehicle traffic.

A design speed of 25 mph was assumed in the preliminary routing layout. For this speed, the minimum horizontal curve for Class I bikeways is 155 feet. The alternative routes developed for this study typically use 155 feet as a minimum; however, at certain locations, the radius is reduced to less than 155 feet.

The Americans with Disabilities Act recommends a maximum grade of 5.0% for Class I bikeways. Steeper grades with landing areas can be used in compliance with the act for short segments of up to 500 feet long. Although almost all of the proposed bikeway can be constructed to grades no steeper than 20:1 (or 5.0% maximum), preliminary plans for the connector ramp heading downstream from Folsom Road will exceed 5% grade, with a short segment at about a 15% grade. The excess slope cannot be avoided by the off-street bikeway alignment because of the existing proximate driveway and slope of the Dry Creek bank at that location.



02271.02 (7/02)

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Figure 2.1-1
Regional Location of the Project

The minimum paved width allowed by Caltrans for a two-way bike path is 8 feet. The proposed Class I bikeway would be constructed in accordance with City standards, which call for a 10-foot-wide paved trail with 2-foot-wide shoulders. This standard is flexible and allows for reduced width, if necessary, to accommodate environmental or other constraints. This paved width would be consistent with the existing Miners Ravine and Darling-to-Douglas bikeways. The current design maintains the City's 10-foot-wide design standard throughout the entire alignment.

Any work on banks, including bank fortifications and bridge work, may involve dewatering a portion of the channel and diverting streamflow around the work area. However, the impoundment of water or complete dewatering of the channel would not be necessary. Dewatering or diversion would take place only during April 15–October 15 to avoid disturbing anadromous fish.

The final design and construction of the proposed bikeway will be consistent with the relevant visual resources goals and policies in the City's community design guidelines, which promote use of high-quality building materials, architectural and site designs, landscaping, and signage and encourage projects that preserve, enhance, and incorporate natural resources into the designs.

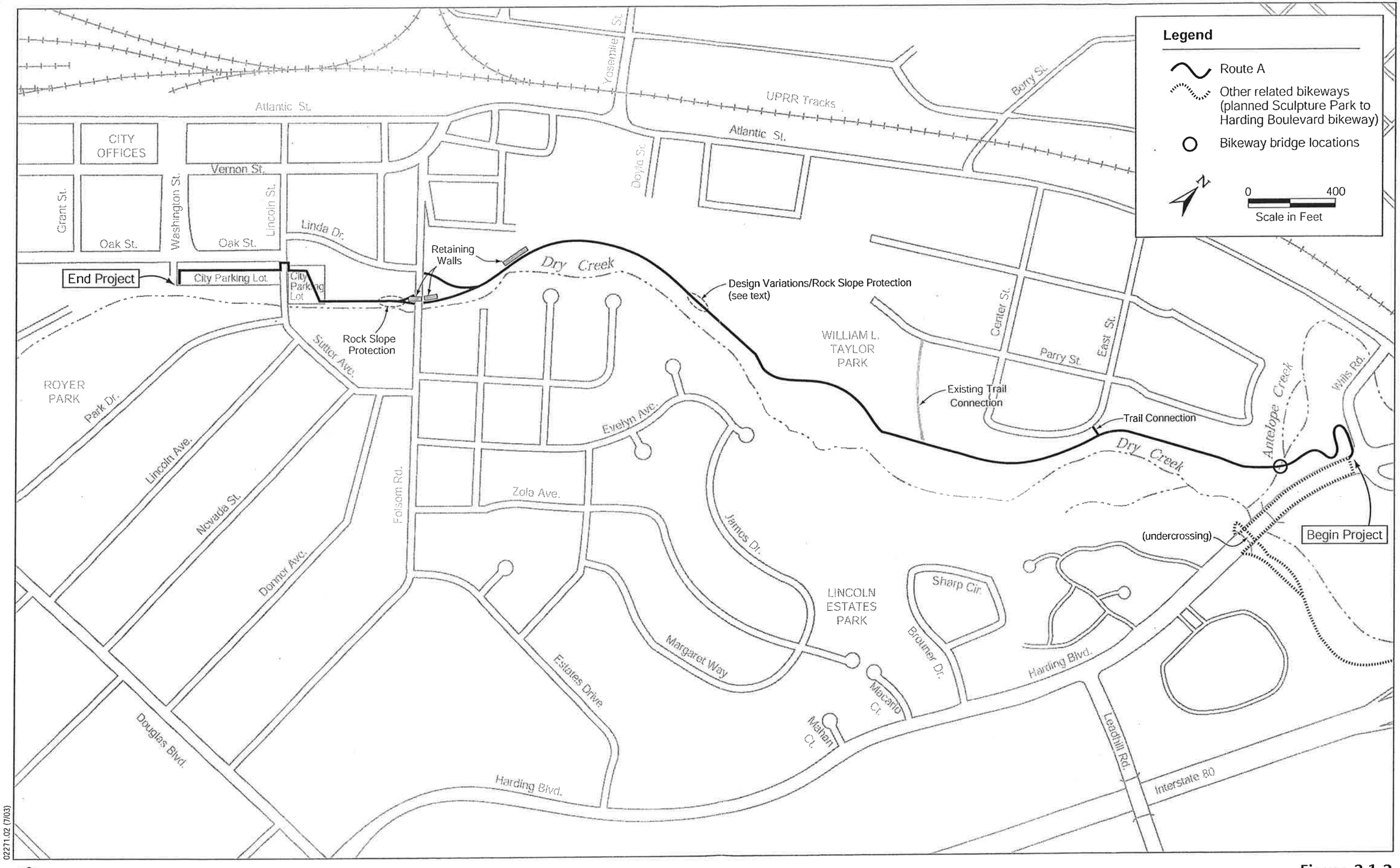
Grading

Grading would be allowed only as necessary to construct the bikeway. In flat areas adjacent to creeks, grading would be required only for the pavement section and to conform to the adjacent ground contours. In areas where ramps and hillside trails must be constructed, a 2:1 maximum cut-and-fill slope is anticipated. As part of final project design, a geotechnical engineering report would provide the necessary information to adequately design cut-and-fill slopes. All grading activities would comply with the City of Roseville Improvement and Construction Standards and the requirements of a Floodway Encroachment Permit (FEP) issued by the City for the project.

Paving, Slope Protection, and Retaining Walls

The proposed Class I bikeways would have a minimum structural section of 2-inch-thick asphalt concrete (AC) on a 6-inch-thick aggregate base. Similar to the Miners Ravine bikeway, a structural section of Portland cement concrete (PCC) under roads and freeway bridges is proposed. In these areas, the trail would be constructed of a 6-inch-thick layer of PCC on a 6-inch-thick aggregate base. The structural sections for the bikeways would be provided in a geotechnical engineering report during the final design stage. It is anticipated that the structural section of the trail would be designed to accommodate sewer access vehicles to provide maintenance access to manholes.

The PCC pavement section under bridges would provide protection from high-velocity flows and their scouring effects, which frequently occur under and around bridges in the project area. In addition, gabions (wire baskets filled with rock) would be constructed under bridges as necessary for added protection from erosion and scour.



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Jones & Stokes

Figure 2.1-2
Proposed Harding Boulevard to Royer Park Bikeway Route

Rock slope protection likely would be used at some locations to prevent bank erosion. Rock slope protection is anticipated to be used at two locations along the preferred alignment: at the Folsom Road undercrossing and at the approximate the midpoint of the project route (as identified in Figure 2.1-2). At the latter location, three methods of slope protection were considered for erosion control and are discussed in more detail below under "Design Variations."

Retaining walls would also be used at locations where excessive slope cuts are required to accommodate trail construction. Retaining wall construction is currently anticipated to be used at two locations: at the Folsom Road undercrossing (89 feet long with an average height of 8 feet) and at a point approximately 350 feet upstream of Folsom Road (122 feet long with an average height of 8.5 feet).

Bikeway Bridge Crossing

A bridge would be located near Harding Boulevard over Antelope Creek (Figure 2.1-2). The bridge would be either a prefabricated steel bridge on concrete abutments or a precast reinforced concrete bridge on steel I-beam girders. A reinforced concrete abutment will be firmly anchored to the ground at each end of the bridge to withstand large stormflows. Gabions or rock slope protection would be placed around each abutment to provide protection from erosion and scouring.

Railings

A 54-inch-high railing would be installed along the bike trail bridge crossing, in areas where steep slopes are adjacent to the bikeway, and underneath road bridges to protect bicyclists and pedestrians. To minimize potential impacts on the 100-year floodplain associated with Dry Creek, the railings would be constructed parallel to the stream channel where installed at flood-prone locations. At bridge crossings, the railing design would be similar to replacement bridge railings designed for the Miners Ravine bikeway. Bridge railings would minimize the potential for obstruction during flood events by using a design that is able to rotate parallel to streamflows during high-water events. This rotational capability will prevent debris from collecting and blocking the flow of water through the area.

Lighting

Lighting is not proposed for most of the trail. However, lighting would be installed below the bridge at the Folsom Road Bridge undercrossing.

Easement Acquisition

The bikeway alignment crosses various privately owned properties. The amount of right-of-way acquisition required depends on which route is selected. A detailed discussion of property ownership, land acquisition, and related land use impacts is provided in the land use section of this document.

Access

The existing Miners Ravine Bikeway is equipped with gated access points so that the trail can be closed in the event of unsafe conditions. Because of the physical constraints of the Harding Boulevard to Royer Park trail and the trail's location in the floodplain, similar access controls would be implemented during periods of heavy rain. Although bicyclists and pedestrians would not be expected to use the bikeway during such periods, this would be an extra precaution to enhance public safety. The trail will also provide access for fire protection or emergency vehicles if needed for fire suppression or emergency response in remote areas along the bike trail.

2.3 PROPOSED PROJECT—ROUTE A

Route A is a bikeway alignment that would maximize off-street access to the scenic corridor along the north side of Dry Creek. This alignment would complete the bikeway link between Harding Boulevard and Royer Park, providing an alternative mode of transportation and passive recreation opportunities (bicycling and walking) in the open space areas along Dry Creek.

The eastern end of Route A would begin at Harding Boulevard, which has existing on-street bicycle facilities. Route A would connect with the Miners Ravine bikeway (currently planned for construction in spring/summer 2003 between Harding Boulevard and Sculpture Park) near the downstream side of the Harding Boulevard bridge. A connecting ramp constructed as part of the Sculpture Park to Harding Boulevard bikeway project would allow access to the southbound bicycle lane on Harding Boulevard. Using the Harding Boulevard bicycle lanes as connecting links to the Miners Ravine bikeway, Route A would continue as an off-street bike trail from the south-side crosswalk at the intersection of Harding Boulevard and Wills Road. The route would continue southward to a bridge crossing over Antelope Creek.

From the bridge crossing, the alignment would continue on city-owned land adjacent to residential and undeveloped properties to William L. Taylor Park, which is a neighborhood park at the end of Parry Street, across Dry Creek from the existing Lincoln Estates Park. An unpaved, all-weather trail connection would be constructed between the bike trail and East Street. The bike trail will connect to the existing path at the park site. From this point, the main bikeway route would continue west along the north side of Dry Creek through City and private residential parcels at varying distances from the stream channel. Some bank stabilization work would be required at a location approximately 500 feet downstream of William L. Taylor Park to maintain the trail alignment on city-owned property (see description of design variations below). The route would pass under Folsom Road and continue west through three commercial properties and one apartment complex on Linda Drive. A connecting link would be provided on both sides of the bridge between the trail and Folsom Road.

Continuing downstream, the alignment would connect to the City's parking lot on the east side of Lincoln Street. The alignment would continue through the parking lot to Lincoln Street, where it would become a Class III route. The alignment would extend north to Oak Street, cross the street at the stop sign, and continue south to the city parking lot on the west side of Lincoln Street. The alignment then would continue west through the parking lot as a Class III trail to the existing

Royer Park footbridge. The Royer Park footbridge would provide a connection to the existing Darling-to-Douglas bike trail.

Design Variations

At one location at the approximate midpoint of the proposed project route (identified in Figure 2.1-2), the streambank has eroded substantially. The remaining bank width presents a physical constraint to constructing a durable bike trail on City property through this portion of the project area. Three design variations (Appendix I) that address bank protection have been developed for analysis in this EIR:

- Design Variation 1 consists of installing a gabion wall along a 190-foot segment of the streambank. A portion of the streambank would be excavated to accommodate a 24-foot-high gabion wall.

- Design Variation 2 would treat the same segment, but would consist of constructing a retaining wall built on a pile foundation. The degree of excavation would be similar to that proposed for Variation 1. The retaining wall would have a total height of 24 feet, which would include 1 foot above finished grade.

- Design Variation 3 also treats the same segment, but would consist of installing rock slope protection along the streambank. This variation would require substantially less excavation and would slope downward to the stream instead of creating a vertical drop-off along the constructed edge of the streambank.

Table 2.4-1 provides a comparison of the three design variations with regard to the amount of earth that would be excavated, the total area that would be disturbed, and the approximate length of construction.

Table 2.4-1. Design Variations for Bank Protection on Route A

Design Variation	Excavation Area (cubic yards)	Disturbed Area (square feet)	Approximate Construction Period
1-Gabion Wall	3,340	12,450	2–3 months
2-Retaining Wall	2,810	9,190	3–4 months
3-Rock Slope Protection	784	6,220	3–4 weeks

Design Variation 3 is preferred for this project, due to minimal (if any) effects on the cross-sectional area of Dry Creek and greatest expected cost-effectiveness.

2.4 REQUIRED PERMITS AND APPROVALS

Project implementation would require permits and approvals from the following jurisdictions, agencies, or decision bodies.

- City of Roseville—Project Approval. The Roseville City Council is charged with selecting a bikeway alignment and approving the project. The City is also responsible for conducting a selection process and for awarding project construction to the successful bidder.

- City of Roseville—Tree Permit. The Roseville Planning Department, Planning Commission, and City Council are charged with reviewing the project and making decisions regarding approval of a tree permit for removing, and mitigating the loss of, protected oak trees in accordance with the Roseville Tree Ordinance (Ordinance No. 2294).

- City of Roseville—Flood Encroachment Permit. The Roseville Planning Commission issues flood encroachment permits for projects proposed within the City's designated Floodway (FW) District (Municipal Code Section 19.74.010). This permit would require preparing rough and final grading plans, as well as an erosion control plan that conform to the City's improvement standards.

- Federal Highway Administration—NEPA compliance. FHWA has funded a portion of the project design and environmental review. FHWA prepared a CE on May 21, 2003, to document compliance with NEPA (Appendix H).

- Sacramento District of the U.S. Army Corps of Engineers—Section 404 Permit under Section 404 of the Clean Water Act. Projects that result in the placement of dredged or fill materials into waters of the United States, including wetlands, require a Section 404 permit from the U.S. Army Corps of Engineers (Corps). Depending on the amount of dredged or fill material and associated impacts, the project may receive authorization under a nationwide permit.

- U.S. Fish and Wildlife Service—Endangered Species Act Consultation. FHWA is funding a portion of the project, and is responsible for Section 7 consultation with the USFWS because of issues involving valley elderberry longhorn beetle (VELB), a federally listed threatened species that occurs in the project area. Formal consultation was concluded with a biological opinion dated April 10, 2003 (see Appendix E).

- National Marine Fisheries Service—Endangered Species Act Consultation. FHWA is funding a portion of the project, and is responsible for Section 7 consultation with NOAA Fisheries for issues regarding Central Valley steelhead, a federally listed threatened species that occurs in the project area. Consultation was initiated on December 11, 2000; and was completed on February 26, 2002 (Appendix C).

- Central Valley Regional Water Quality Control Board—Water Quality Certification or Waiver. Projects requiring Section 404 permits from the Corps also need a waiver of water quality certification from the Regional Water Quality Control Board (RWQCB) as a permit condition.

- Central Valley Regional Water Quality Control Board—Storm Water Pollution Prevention Plan (SWPPP). Under the National Pollutant Discharge Elimination System general stormwater permit for construction, a storm water pollution prevention plan may be required. The plan would identify best management practices that would be implemented before, during, and after construction to reduce pollution in stormwater runoff.

- California Department of Fish and Game—Streambed Alteration Agreement under Sections 1601 of the California Fish and Game Code. Projects located in a 100-year floodplain fall under the jurisdiction of the California Department of Fish and Game (DFG), which is charged with protecting stream corridor habitat. Because the bikeway would be constructed adjacent to Dry Creek and Antelope Creek, the project is within the jurisdiction of DFG and requires a Streambed Alteration Agreement.

- State Reclamation Board—Encroachment Permit. An encroachment permit would be required for any work proposed within the designated Dry Creek floodway or any work that would affect existing flood control structures.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section describes the environmental setting and potential impacts of construction and operation of the project. Each resource subsection begins with a description of the project's environmental setting and regulatory setting as it pertains to the particular topic. The environmental setting provides a point of reference for assessing the environmental impacts of the proposed project and alternatives. Existing conditions as of 2003 were selected as the baseline scenario to which the proposed project would be added. The regulatory setting provides an overview of the local, state, and federal regulations and policies that are relevant to the proposed project and to the resource topic or issue.

The setting description in each section is followed by a discussion of impacts and mitigation measures. This portion of the section includes numbered impact statements, each of which is followed by an explanation of the impact and an analysis of its significance before and after any mitigation. Mitigation includes measures prescribed on a program level by the BMP EIR MMP. If the BMP EIR mitigation measures and other required or adopted measures are not sufficient to reduce the impact to a less-than-significant level, additional project-specific mitigation is proposed. An example of an impact statement for a hypothetical issue is provided below.

Impact 1-1:	Statement of impact
Baseline significance under CEQA:	Significant
Adopted and/or required actions:	Laws, adopted measures, permit requirements
BMP EIR mitigation measures:	Mitigation prescribed by the BMP EIR MMP
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Significant
Proposed mitigation measures:	Mitigation Measure 1-1
Significance under CEQA after implementation of all measures:	Less than significant

Discussion of the impact appears in paragraph format after the statement.

Following the impact analysis in each section is an explanation of the mitigation measures identified for specific impacts. This discussion provides additional information on the steps that must be taken to implement the mitigation measures identified in the impact analysis. An example is provided below:

1-1: Title of mitigation measure. Text description of mitigation measure.

In addition to the project-specific measures proposed, applicable BMP EIR measures are described, using the same format.

3.1 LAND USE

Setting

The proposed bikeway route is in the downtown area of Roseville, approximately 14 miles northeast of Sacramento in northern California. Roseville is in Placer County, which is bordered by Yuba, Nevada, Sacramento, and El Dorado Counties. Communities near Roseville include Rocklin to the north, Antelope to the southeast, and Granite Bay to the east; unincorporated areas of Placer County are west of the project area.

The project area includes a mix of open space, residential neighborhoods, commercial developments, industrial uses, and recreation facilities to serve area residents. The oldest portions of the city, including the old-town and downtown business districts, are also nearby.

Land Use Planning Context

Roseville General Plan. Lands surrounding the project area are governed by the City. The proposed bikeway route is within the infill portion of the Roseville planning area. The Roseville 2010 General Plan designates most of the proposed bikeway route as open space/flood area because of its proximity to Dry Creek (Figure 3.1-1) (City of Roseville, 2003). The general plan provides the following statement of purpose for the Open Space land use designation:

> The Open Space land use designation is used to reserve and protect public and private lands that are significant due to wildlife habitat, natural features, or flood hazard. Within new development areas, the 100-year floodplain boundaries will be designated as Open Space. In addition, sensitive or unique natural features, including, but not limited to, wetlands, vernal pools, and oak woodlands, are also to be designated as Open Space as part of specific plan and other major development review processes.

Primary uses for lands under this designation are passive recreation and minor recreation facilities, pedestrian and bicycle trails, and natural resource interpretive facilities.

Lands surrounding the proposed bikeway route are designated as central business district; public/quasi-public; parks and recreation; and low-, medium-, and high-density residential uses. Specific uses in these categories include retail and office space, governmental or public facilities, public park and recreation facilities, single-family and multifamily residences, and resource preservation and open space areas.

Bikeway Master Plan. As described above in Section 1.1 Project Objectives, the City's BMP was developed to meet the goals and policies outlined in the Circulation Element and Open Space and Conservation Element of the Roseville 2010 General Plan. The BMP is consistent with

Significance Criteria

According to the State CEQA Guidelines, a project is considered to have a significant effect on the environment if it would:

- physically divide an established community;
- conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use (lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation);
- conflict with existing zoning for agricultural use or conflict with a Williamson Act contract; or
- involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to nonagricultural use.

No agricultural lands are present in the Dry Creek corridor (City of Roseville 1992) and, as described in Section 2.0 of this EIR, the proposed project generally follows the Dry Creek corridor or established surface streets from Lincoln Estates Park to Royer Park. Therefore, no effects to prime agricultural lands or division or disruption of the physical arrangement of the community are expected.

Impact Assessment

Impact 3.1-1:	Consistency with general plan or BMP policies, goals, or objectives
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

The proposed project is consistent with and promotes the objectives of applicable environmental plans, goals, and policies of the City. As described in Section 1.1 of this document, the project is consistent with the goals, objectives, and policies contained in both the Roseville 2010 General Plan and the BMP.

the underlying principles that form the goals and policies of the land use element. A key principle expressed in the land use element is the goal to create a land use mix and pattern that accommodates and promotes alternative transportation modes for ease of access and improved air quality. The 1994 BMP has been updated to incorporate approved specific plans and other bikeways. The 2002 BMP was adopted by the City Council on September 4, 2002 (Resolution #02-387).

Existing Land Uses

The primary land use along the proposed bikeway route is open space/flood area. Land uses adjacent to the proposed bikeway route are varied. Harding Boulevard marks the beginning of the bikeway route. Low-density and high-density residential areas and public parks (Lincoln Estates Park and William L. Taylor Park) are the primary land uses from Harding Boulevard to Folsom Road. From Folsom Road to Royer Park, land uses include commercial offices, medium-density residential development, public facilities (e.g., Veterans Memorial Building, Roseville Recreation Center, and city parking lots), and public parks (Royer Park). Adjacent land uses along the alternative routes consist primarily of low-, medium-, and high-density residential areas, commercial uses, and light industrial activities.

No prime agricultural lands are present in the project area.

Fee and Easement Acquisition

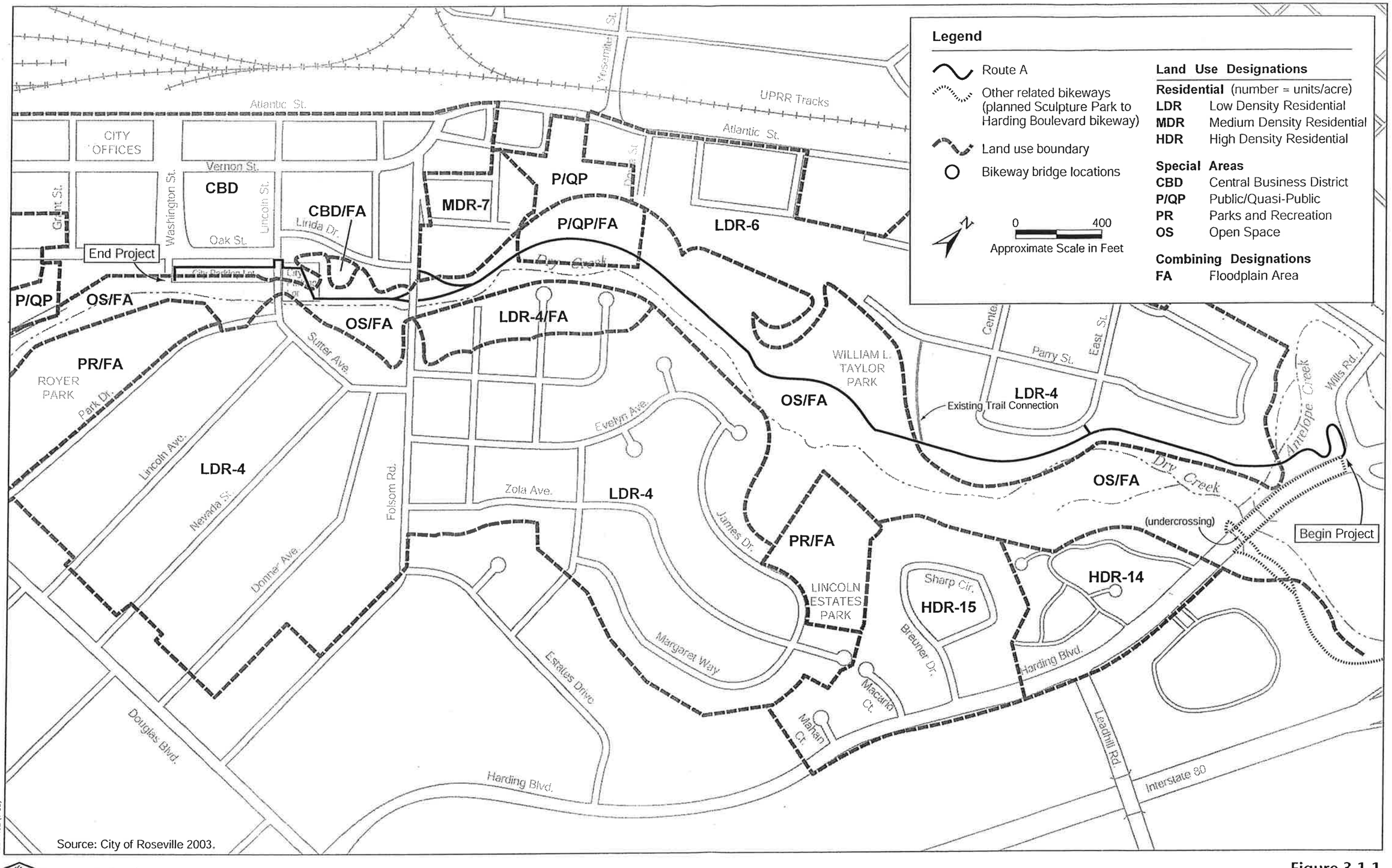
The proposed project could cross as many as 17 parcels (Figure 3.1-2). These parcels are currently owned by private parties, the City, or other public agencies. Table 3.1-1 summarizes the fee and easement acquisition requirements associated with the proposed project. Typically, the City purchases the land in fee for the bike trail to a total width of 20 feet. Additional easements for construction (temporary) and drainage (permanent) are required. Assuming that all 17 parcels must be crossed, approximately 36,525 square feet of acquisitions and/or easements would need to be obtained.

Regulatory Setting

No permits, entitlements, or other requirements related to land use are necessary for this project.

Impact Assessment Approach and Methodology

To evaluate potential land use impacts, existing land use plans, such as the City's general plan, were reviewed to determine whether the project would be in conflict with any land use policies or objectives. In addition, existing land uses along the proposed routes were reviewed to determine the potential for land use conflicts.



Source: City of Roseville 2003.

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Figure 3.1-1
General Land Use Designations along the Proposed Bikeway

Table 3.1-1. Approximate Acquisition Requirements for the Proposed Harding Boulevard to Royer Park Bikeway Project

Parcel Identification Number*	Assessor Parcel Number	Owner	Fee Acquisition (square feet)	Easement Acquisition (Square Feet)
1	015-130-016	City	0	0
2	013-030-005	City	0	0
3	013-030-006	City	0	0
4	013-211-014	City	0	0
5	013-040-003	City	0	0
6	013-040-005	City	0	0
7	013-062-009	School District	11,600	23,200
8	013-075-013	City	0	0
9	013-075-010	City	0	0
10	013-101-21	Private	5,875	3,250
11	013-101-04	Private	3,325	2,425
12	013-101-13	Private	1,475	1,150
13	013-101-14	Private	5,375	3,425
14	013-101-16	City	0	0
15	013-100-005	City	0	0
16	013-063-004	Private	3,175	1,525
17	013-075-012	Private	25	1,550
Total			30,850	36,525

*Corresponds to numbers in Figure 3.1-2.

Impact 3.1-2:	Compatibility with adjacent land uses
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

The proposed bikeway route would be compatible with adjacent land uses in the project area. Primary land uses on parcels adjacent to the proposed project include open space, parks and recreation, low- and medium-density residential development, commercial (light industrial) activities, and vacant land. Pedestrian and bicycle trails are designated in the City's general plan as an acceptable use for open space areas, and exist as generally compatible uses at certain locations throughout the City's open space system. Construction of the proposed bikeway would not conflict with any existing or known planned uses of properties in the project area. The project would implement a critical segment of the City's BMP, provide a recreational amenity, and improve access to the Dry Creek corridor for local residents.

Issues of concern to adjacent landowners include the reduced privacy that could result from implementation of the bikeway through residential areas; increased noise resulting from public access to previously inaccessible areas along the creek; safety and liability issues relating to possible injuries to bicyclists and pedestrians; and the potential for an increased incidence of vandalism and illegal or illicit activities in open space areas. Noise impacts of the proposed project are addressed in subsection 3.8, "Noise". Safety, liability, and the increased potential for vandalism and illegal or illicit activities are addressed in subsection 3.10, "Public Services and Safety". Therefore, these topics are not discussed here.

Regarding privacy concerns, some residents have stated during public workshops that their privacy concerns cannot be mitigated. City staff intends to address these concerns, to the extent possible, during the final design phase of the project. However, design options are limited because much of the trail is located in the designated floodplain, which precludes the construction of fencing. Available design options could include planting screening vegetation and aligning the trail to maximize buffer opportunities. Even with incorporation of such design features, the introduced use and resulting privacy issues attributable to the project may be considered significant by adjacent residents. Although these impacts may be perceived as significant by adjacent landowners, such privacy concerns are not a part of the environmental analysis required under CEQA. Consequently, the finding for impact 3.1-2 remains "less than significant"; privacy concerns are summarized above for consideration by decision makers, and will continue to be addressed throughout the public input portion of the project approval process.

Design Variations

The erosion control design variations will not generate any additional land use compatibility impacts beyond those described for Route A.

Mitigation Measures

The proposed project would not result in adverse land use impacts. Land use impacts are considered to be less than significant.

3.2 GEOLOGY

Setting

The topography in the project area trends downhill toward the southeast with elevations of approximately 130-150 feet above mean sea level. The project area is covered by a thin layer of Holocene-age stream deposits, consisting of fine-grained sand, silt, and clay, which overlie older alluvial material of the Upper and Lower Riverbank Formation (Pleistocene age). The Upper Riverbank Formation typically underlies Holocene-age stream deposits and comprises dark brown to red gravelly sands, silts, and minor clays. The Mehrten Formation (Tertiary age) is thought to underlie the more recent alluvial sediments and outcrops beyond the stream channel. (España Geotechnical Consulting 1997a.)

The soils beneath the off-street segments of the proposed bikeway are likely unconsolidated terrace deposits consisting of loose to medium sands, gravels, and cobbles with varying amounts of silt and clay. The terrace deposits are typically underlain by dense sands, gravels, and cobbles. Large boulders and very dense materials associated with the Mehrten Formation may be present, especially in the eastern portion of the alignment. (España Geotechnical Consulting 1997a.)

Stream Channel Conditions

The Dry Creek stream channel varies considerably in width and depth throughout the project area. At the upstream end of the project area, near Harding Boulevard, the stream is relatively wide and has shallow channels accompanying the primary channel. The primary channel shifts its alignment regularly following periods of high stream flows. The south bank has a narrow terrace above the streambed compared to the much wider terrace on the north side. At Lincoln Estates Park, near the center of the project, the southern terrace broadens considerably and is at a much lower elevation relative to the stream channel than is the north side. Further downstream, the south bank becomes steeper and is protected somewhat by structures that appear to have been constructed by residents.

Residential structures on the north side have been constructed with a much greater setback from the stream. Compared to the south side, the north side has few structures in place for bank protection. Substantial streambank erosion has occurred along the north side of the creek downstream from Lincoln Estates Park. On the north side, approximately 350 feet east of Folsom Road, are a metal retaining wall and a gabion retaining wall. These structures have been partially compromised by floodflows that have eroded some soil from behind the structures. At this point, the terrace is approximately 10 feet wide.

Regulatory Setting

Grading activities associated with construction of the bike trail would require that an FEP be issued by the City of Roseville Public Works Department. Permit conditions require that grading and erosion control measures be incorporated into the project grading plans. Typical measures include, but are not limited to, the use of straw bales, siltation fences, siltation basins, revegetation, and soil moistening. The FEP is also reviewed for compliance with the City's improvement and construction standards, including provisions for proper drainage and erosion control measures.

Impact Assessment Approach and Methodology

Geologic conditions, including soils and erosion potential, were evaluated by reviewing existing information and determining site conditions during a field visit to the proposed bikeway route locations. Additional information can be found in the preliminary geotechnical report prepared for this project (España Geotechnical Consulting 1997a).

Significance Criteria

According to the State CEQA Guidelines, a project is considered to have a significant effect on geologic resources in the project area if the project would:

- expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Division of Mines and Geology Special Publication 42);
  - strong seismic groundshaking;
  - seismic-related ground failure, including liquefaction;
  - landslides;
- result in substantial soil erosion or the loss of topsoil;
- 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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse; or
- be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (International Conference of Building Officials 1997), creating substantial risks to life or property.

Impact Assessment

Impact 3.2-1:	Potential increase in bank or slope instability from construction of the bikeway
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
BMP EIR Mitigation Measure G-1:	Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

The proposed bikeway would be constructed primarily along the terraced areas above the stream channel. Rock slope protection is anticipated to be used at two locations along the preferred alignment: at the Folsom Road undercrossing and at the approximate midpoint of the project route (as identified in Figure 2.1-2). At the latter location, three methods of slope protection were considered for erosion control, as discussed under "Design Variations" in Section 2.0.

Retaining walls would also be used at locations where excessive slope cuts are required to accommodate trail construction. Retaining wall construction is currently anticipated at two locations: at the Folsom Road undercrossing (89 feet long with an average height of 8 feet) and at a point approximately 350 feet upstream of Folsom Road (122 feet long with an average height of 8.5 feet). Implementation of these design features will protect the bikeway and the adjacent bank areas.

Although impacts due to slope instability would be less than significant, implementing BMP EIR Mitigation Measure G-1 will ensure compliance with City standards and enable the project to minimize slope instability.

Impact 3.2-2:	Potential siltation of Dry Creek from erosion of exposed soils
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions	• Comply with the City's grading ordinance • Comply with the general stormwater permit for construction activity as administered by the RWQCB • Comply with conditions of the Section 1601 Streambed Alteration Agreement (DFG) • Comply with conditions of the NOAA Fisheries Biological Opinion
BMP EIR Mitigation Measure HY-1:	Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable.
BMP EIR Mitigation Measure HY-3:	Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

Construction of the bikeway would include grading; construction of pavement; and, in some areas, construction of bank stabilization or slope protection features. The earthwork required to construct this project would expose soils to precipitation, which could carry soil into the waterway, resulting in siltation.

In accordance with the City's grading ordinance, all grading activities will require an FEP from the Engineering Division of the City of Roseville Public Works Department. Permit conditions require that grading and erosion control measures be incorporated into the project grading plans. Typical measures include, but are not limited to, the use of straw bales, siltation fences, siltation

basins, revegetation, and soil moistening. The FEP is also reviewed for compliance with the City's improvement and construction standards, including the provision of proper drainage and appropriate dust and erosion control measures. In addition, the 1601 agreement, NOAA Fisheries Biological Opinion, and general stormwater permit for this project will include required measures that will minimize potential siltation effects. Typical 1601 agreement conditions restrict construction activities in the 100-year floodplain during the wet season (October 15 through April 15). Consequently, no additional onsite erosion control measures are necessary.

Design Variations

At one location approximately 1,300 feet east of Folsom Road, the terrace is relatively narrow and adjacent to an eroding streambank. Rock slope protection would be constructed along the streambank in this area to minimize erosion and protect the bike trail pavement section. The design variations considered for this project consist of different approaches to constructing the bike trail through this area. Each variation would limit bank erosion through different treatment scenarios for the streambank. Design Variation 1 and Design Variation 2 would have greater potential for erosion than the preferred design variation (Variation 3), due to substantially larger excavation areas and disturbed surface areas. Regardless, the mitigation measures identified under Impact 3.2-2 would reduce potential impacts under each design variation to less-than-significant levels.

Mitigation Measures

BMP EIR G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures.

During the design phase of individual Class I bikeway projects, the City shall conduct a site-specific geotechnical study to ensure that bikeways are designed to minimize geologic impacts and erosion impacts on the surrounding habitats and waterways. The geotechnical study shall address, at a minimum, the following issues:

- fill control,
- expansive soils,
- differential settlement,
- slope and foundation instability,
- streambank protection, and
- other significant geologic characteristics pertinent to development of the project site.

The study shall provide grading and design recommendations to address potential slope and foundation instability. The study shall also determine which soil types must be tested for shrink-swell potential to identify load-bearing and strength concerns.

Requirements of the City's improvement standards shall be implemented. As part of the process for obtaining a grading permit, the City must prepare a site-specific geotechnical study and improvement or grading plans along with a site-specific erosion and sedimentation control plan. The requirements for submittal of each of these documents are detailed in Section 11,

"Grading", of the City's improvement standards and in Chapter 16.20 of the Roseville Municipal Code.

An NPDES [National Pollutant Discharge Elimination System] permit will be required by the SWRCB if grading would affect 1 acre or more on a given bikeway route. If this permit is required, the City shall prepare an SWPPP. The objectives of the SWPPP would be to identify sources of sediment and other pollutants that affect the quality of stormwater discharges and to ensure implementation of practices to reduce sediment and other pollutants in stormwater discharges. The SWPPP must identify source reduction measures such as temporary silt fences, temporary sedimentation basins, mulching, and diversion ditches.

BMP EIR HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB [State Water Resources Control Board] general construction activity stormwater discharge permit requirements and best management practices, if applicable.

The City shall comply with the following requirements regarding impacts on stormwater runoff and water quality to minimize impacts on area waterways resulting from bikeway construction:

(a) City improvement standards: An erosion control plan shall be prepared and implemented as part of the City's improvement standards. The erosion control plan must contain a description of the project site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls. Improvements must be constructed in compliance with the specifications of the PCFCWCD's [Placer County Flood Control and Water Conservation District's] Storm Water Management Manual requirements.

(b) SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable: If a particular project would disturb more than 1 acre, or after the State of California adopts its revised general construction activity permit, the City will be required to obtain a general construction activity stormwater permit under the NPDES. Under this permit, the City shall prepare an SWPPP that includes compliance with SWRCB best management practices. These practices include schedules of activities, prohibitions of practices, management practices, and maintenance procedures (i.e., straw bales, dikes, silt fences, sediment traps, or similar methods) to prevent or reduce pollution.

In areas where the risk of flooding or erosion and sedimentation is found to be high, structural measures could include perimeter controls, diversion channels, sedimentation collection systems, and soil stabilization. Operational measures may include maintaining landscaping to reduce nutrients, pesticides, and insecticides, and conveying stormwater using grassed swales.

BMP EIR HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.

The City and its contractors shall comply with improvement standards for preparation and implementation of rough and final grading plans, which would include erosion control measures such as those identified in SWRCB's Storm Water Best Management Practices Handbook. In addition, drainage structures for Class I bikeways along creeks and in open space areas shall be designed so that changes in drainage patterns do not substantially change the overall drainage patterns of the surrounding area.

3.3 WATER RESOURCES

Surface Hydrology

The project site is located entirely within the Dry Creek watershed, which has a total drainage area of approximately 100 square miles. Dry Creek is a perennial stream that feeds into the Natomas East Main Drainage Canal in Sacramento County, which ultimately flows into the Sacramento River. Dry Creek originates near the beginning of the proposed bikeway route at the confluence of Antelope Creek and Miners Ravine near Harding Boulevard. (Michael Brandman Associates 1992.)

Dry Creek has a recent history of periodically overflowing its banks onto adjacent properties at various locations in Roseville. Dry Creek floods when storm runoff exceeds the stream system's capacity. Flooding is exacerbated by the presence of impervious soils of the Mehrten Formation and clay subsoils and hardpan that allow little infiltration, leading to more runoff than other soil types produce.

The Placer County Flood Control and Water Conservation District (PCFCWCD) and the Sacramento County Water Agency are implementing the Dry Creek Watershed Flood Control Plan (James M. Montgomery Consulting Engineers 1992). The plan outlines a strategy for managing storm flows within the Dry Creek watershed, including structural alternatives such as channel improvements, levees, floodwalls, and bridge and culvert replacements; criteria for developing regional detention facilities; and nonstructural measures such as onsite detention, floodplain management, regional flood warning systems, and funding mechanisms.

The plan identifies Miners Ravine as a feature that could provide water detention in the watershed. The purpose of a detention basin in Miners Ravine would be to detain increased regional flows upstream of the area, which would allow peak flows downstream to level off and decrease. Construction of such a detention basin is encouraged in the plan as consistent with the regional flood control strategy. On the other hand, detention is not recommended for certain areas in the Dry Creek watershed because coincident peak flows could cause downstream water levels to increase. PCFCWCD continues to evaluate detention alternatives capable of achieving the regional flood control strategy outlined in the Flood Control Plan.

For the Roseville 2010 General Plan, Nolte and Associates analyzed the 100-year floodplain associated with Roseville's streams and calculated the expected 100-year water surface elevation at

buildout of the proposed general plan area. Figure 3.3-1 shows the approximate extent of the 100-year floodplain associated with Dry Creek under general plan buildout. Most of the bikeway would be constructed within the predicted 100-year floodplain.

Surface Water Quality

No major sources of pollution are known to be present that would affect water quality in Dry Creek. Nonpoint sources of surface water pollution, including runoff from streets, parking lots, landscaped areas, and driveways, are present, however. Urban runoff from these sources may contain oil and grease, heavy metals, phosphates, nitrates, chlorides, and other substances.

Groundwater Hydrology

Regionally, groundwater is located approximately 30-40 feet below mean sea level with a westerly gradient (España Geotechnical Consulting 1997a). Because the bikeway route follows the banks of Dry Creek, groundwater is relatively close to the surface and would likely be encountered if excavation extended below the surface elevation of the creek.

Groundwater Quality

Little information is available regarding groundwater quality in the project area. Some contamination has been reported in two former city wells and at the Union Pacific Railroad railyard. Most residents in the project area use water from city water supply lines.

Regulatory Setting

The Regional Water Quality Control Board (RWQCB) may require the preparation of a stormwater pollution prevention plan to identify best management practices that will be implemented before, during, and after construction activities to reduce pollution in stormwater runoff. Best management practices would include techniques such as revegetating disturbed areas, controlling vehicle access to the site, and locating fueling areas away from drainage areas. A water quality certification must also be obtained from the RWQCB before construction begins.

A Section 1601 Streambed Alteration Agreement must be obtained from DFG before construction begins on any activities that would affect the stream channel, such as bridge crossings. Compliance with the typical requirements of these agreements will minimize damage to resources associated with the stream.

A flood encroachment permit from the State Reclamation Board and an FEP from the City will also be required for this project.

Impact Assessment Approach and Methodology

To determine the hydraulic effects of the proposed Class I pathway and bridge crossings on the 100-year water surface elevations of Antelope Creek and Dry Creek, a hydraulic analysis was

prepared in 2003 by Ayres Associates using the HEC-RAS computer model. The HEC-RAS model is the most current, updated version of the Federal Emergency Management Administration (FEMA) HEC-2 model. The model is used to compute water surface profiles associated with streamflows, using channel cross-section information. Existing hydraulic data were provided by the City for use in analyzing the project. The model was used to evaluate existing and postproject conditions with regard to water surface elevations in the two creeks. The report of the hydraulic analysis is contained in Appendix E of this EIR, and copies can be obtained from the City of Roseville Community Development Department, at 311 Vernon Street, in Roseville.

Direct or indirect effects upon water quality were evaluated qualitatively by reviewing typical construction activities and identifying potential effects to groundwater and surface water quality from these activities.

Because this project does not involve the use of groundwater during or after construction, effects on groundwater hydrology were not included in this analysis.

Significance Criteria

With regard to water resources, the State CEQA Guidelines state that a project would normally have a significant effect on the environment if it would:

- violate any water quality standards or waste discharge requirements;
- substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted);
- substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite;
- substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite;
- create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- otherwise substantially degrade water quality;
- place within a 100-year flood hazard area structures that would impede or redirect floodflows;

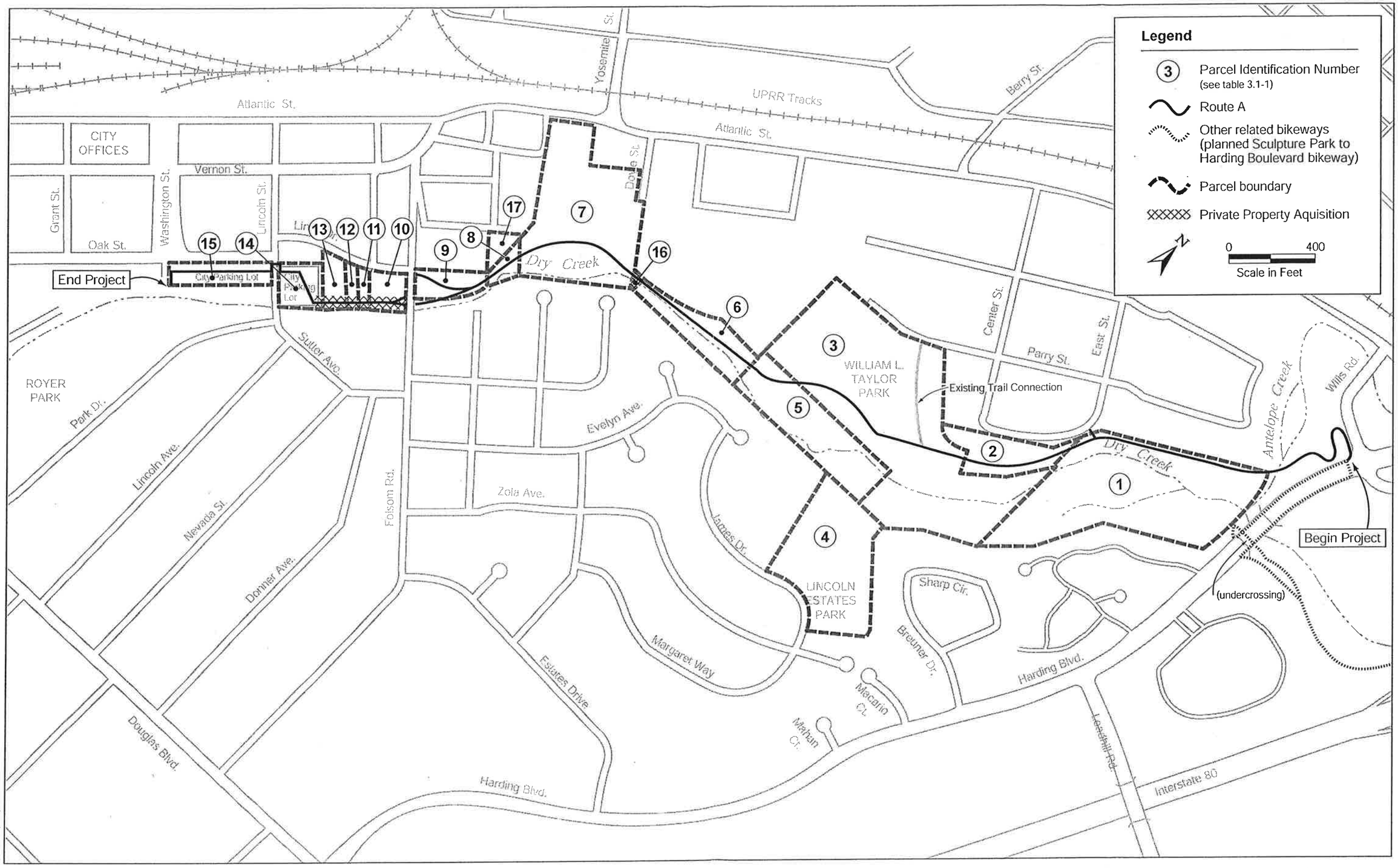

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Figure 3.1-2
Parcels Affected by the Proposed Action

Table 3.1-1. Approximate Acquisition Requirements for the Proposed Harding Boulevard to Royer Park Bikeway Project

Parcel Identification Number*	Assessor Parcel Number	Owner	Fee Acquisition (square feet)	Easement Acquisition (Square Feet)
1	015-130-016	City	0	0
2	013-030-005	City	0	0
3	013-030-006	City	0	0
4	013-211-014	City	0	0
5	013-040-003	City	0	0
6	013-040-005	City	0	0
7	013-062-009	School District	11,600	23,200
8	013-075-013	City	0	0
9	013-075-010	City	0	0
10	013-101-21	Private	5,875	3,250
11	013-101-04	Private	3,325	2,425
12	013-101-13	Private	1,475	1,150
13	013-101-14	Private	5,375	3,425
14	013-101-16	City	0	0
15	013-100-005	City	0	0
16	013-063-004	Private	3,175	1,525
17	013-075-012	Private	25	1,550
Total			30,850	36,525

*Corresponds to numbers in Figure 3.1-2.

Impact 3.1-2:	Compatibility with adjacent land uses
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

The proposed bikeway route would be compatible with adjacent land uses in the project area. Primary land uses on parcels adjacent to the proposed project include open space, parks and recreation, low- and medium-density residential development, commercial (light industrial) activities, and vacant land. Pedestrian and bicycle trails are designated in the City's general plan as an acceptable use for open space areas, and exist as generally compatible uses at certain locations throughout the City's open space system. Construction of the proposed bikeway would not conflict with any existing or known planned uses of properties in the project area. The project would implement a critical segment of the City's BMP, provide a recreational amenity, and improve access to the Dry Creek corridor for local residents.

Issues of concern to adjacent landowners include the reduced privacy that could result from implementation of the bikeway through residential areas; increased noise resulting from public access to previously inaccessible areas along the creek; safety and liability issues relating to possible injuries to bicyclists and pedestrians; and the potential for an increased incidence of vandalism and illegal or illicit activities in open space areas. Noise impacts of the proposed project are addressed in subsection 3.8, "Noise". Safety, liability, and the increased potential for vandalism and illegal or illicit activities are addressed in subsection 3.10, "Public Services and Safety". Therefore, these topics are not discussed here.

Regarding privacy concerns, some residents have stated during public workshops that their privacy concerns cannot be mitigated. City staff intends to address these concerns, to the extent possible, during the final design phase of the project. However, design options are limited because much of the trail is located in the designated floodplain, which precludes the construction of fencing. Available design options could include planting screening vegetation and aligning the trail to maximize buffer opportunities. Even with incorporation of such design features, the introduced use and resulting privacy issues attributable to the project may be considered significant by adjacent residents. Although these impacts may be perceived as significant by adjacent landowners, such privacy concerns are not a part of the environmental analysis required under CEQA. Consequently, the finding for impact 3.1-2 remains "less than significant"; privacy concerns are summarized above for consideration by decision makers, and will continue to be addressed throughout the public input portion of the project approval process.

Design Variations

The erosion control design variations will not generate any additional land use compatibility impacts beyond those described for Route A.

Regulatory Setting

Grading activities associated with construction of the bike trail would require that an FEP be issued by the City of Roseville Public Works Department. Permit conditions require that grading and erosion control measures be incorporated into the project grading plans. Typical measures include, but are not limited to, the use of straw bales, siltation fences, siltation basins, revegetation, and soil moistening. The FEP is also reviewed for compliance with the City's improvement and construction standards, including provisions for proper drainage and erosion control measures.

Impact Assessment Approach and Methodology

Geologic conditions, including soils and erosion potential, were evaluated by reviewing existing information and determining site conditions during a field visit to the proposed bikeway route locations. Additional information can be found in the preliminary geotechnical report prepared for this project (España Geotechnical Consulting 1997a).

Significance Criteria

According to the State CEQA Guidelines, a project is considered to have a significant effect on geologic resources in the project area if the project would:

- expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Division of Mines and Geology Special Publication 42);
  - strong seismic groundshaking;
  - seismic-related ground failure, including liquefaction;
  - landslides;
- result in substantial soil erosion or the loss of topsoil;
- 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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse; or
- be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (International Conference of Building Officials 1997), creating substantial risks to life or property.

Impact 3.2-2:	Potential siltation of Dry Creek from erosion of exposed soils
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions	• Comply with the City's grading ordinance • Comply with the general stormwater permit for construction activity as administered by the RWQCB • Comply with conditions of the Section 1601 Streambed Alteration Agreement (DFG) • Comply with conditions of the NOAA Fisheries Biological Opinion
BMP EIR Mitigation Measure HY-1:	Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable.
BMP EIR Mitigation Measure HY-3:	Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

Construction of the bikeway would include grading; construction of pavement; and, in some areas, construction of bank stabilization or slope protection features. The earthwork required to construct this project would expose soils to precipitation, which could carry soil into the waterway, resulting in siltation.

In accordance with the City's grading ordinance, all grading activities will require an FEP from the Engineering Division of the City of Roseville Public Works Department. Permit conditions require that grading and erosion control measures be incorporated into the project grading plans. Typical measures include, but are not limited to, the use of straw bales, siltation fences, siltation

"Grading", of the City's improvement standards and in Chapter 16.20 of the Roseville Municipal Code.

An NPDES [National Pollutant Discharge Elimination System] permit will be required by the SWRCB if grading would affect 1 acre or more on a given bikeway route. If this permit is required, the City shall prepare an SWPPP. The objectives of the SWPPP would be to identify sources of sediment and other pollutants that affect the quality of stormwater discharges and to ensure implementation of practices to reduce sediment and other pollutants in stormwater discharges. The SWPPP must identify source reduction measures such as temporary silt fences, temporary sedimentation basins, mulching, and diversion ditches.

BMP EIR HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB [State Water Resources Control Board] general construction activity stormwater discharge permit requirements and best management practices, if applicable.

The City shall comply with the following requirements regarding impacts on stormwater runoff and water quality to minimize impacts on area waterways resulting from bikeway construction:

(a) City improvement standards: An erosion control plan shall be prepared and implemented as part of the City's improvement standards. The erosion control plan must contain a description of the project site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls. Improvements must be constructed in compliance with the specifications of the PCFCWCD's [Placer County Flood Control and Water Conservation District's] Storm Water Management Manual requirements.

(b) SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable: If a particular project would disturb more than 1 acre, or after the State of California adopts its revised general construction activity permit, the City will be required to obtain a general construction activity stormwater permit under the NPDES. Under this permit, the City shall prepare an SWPPP that includes compliance with SWRCB best management practices. These practices include schedules of activities, prohibitions of practices, management practices, and maintenance procedures (i.e., straw bales, dikes, silt fences, sediment traps, or similar methods) to prevent or reduce pollution.

In areas where the risk of flooding or erosion and sedimentation is found to be high, structural measures could include perimeter controls, diversion channels, sedimentation collection systems, and soil stabilization. Operational measures may include maintaining landscaping to reduce nutrients, pesticides, and insecticides, and conveying stormwater using grassed swales.

buildout of the proposed general plan area. Figure 3.3-1 shows the approximate extent of the 100-year floodplain associated with Dry Creek under general plan buildout. Most of the bikeway would be constructed within the predicted 100-year floodplain.

Surface Water Quality

No major sources of pollution are known to be present that would affect water quality in Dry Creek. Nonpoint sources of surface water pollution, including runoff from streets, parking lots, landscaped areas, and driveways, are present, however. Urban runoff from these sources may contain oil and grease, heavy metals, phosphates, nitrates, chlorides, and other substances.

Groundwater Hydrology

Regionally, groundwater is located approximately 30-40 feet below mean sea level with a westerly gradient (España Geotechnical Consulting 1997a). Because the bikeway route follows the banks of Dry Creek, groundwater is relatively close to the surface and would likely be encountered if excavation extended below the surface elevation of the creek.

Groundwater Quality

Little information is available regarding groundwater quality in the project area. Some contamination has been reported in two former city wells and at the Union Pacific Railroad railyard. Most residents in the project area use water from city water supply lines.

Regulatory Setting

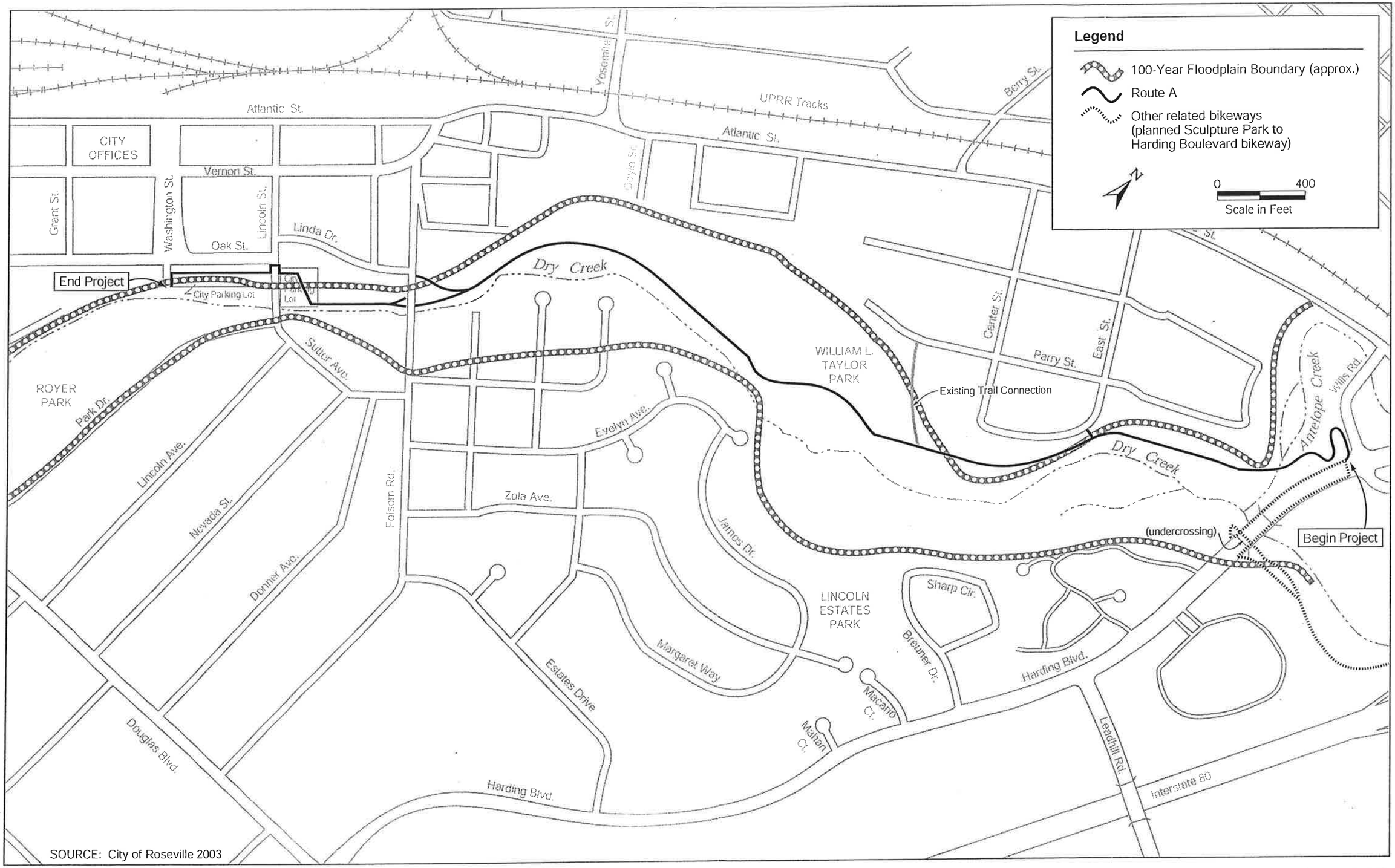
The Regional Water Quality Control Board (RWQCB) may require the preparation of a stormwater pollution prevention plan to identify best management practices that will be implemented before, during, and after construction activities to reduce pollution in stormwater runoff. Best management practices would include techniques such as revegetating disturbed areas, controlling vehicle access to the site, and locating fueling areas away from drainage areas. A water quality certification must also be obtained from the RWQCB before construction begins.

A Section 1601 Streambed Alteration Agreement must be obtained from DFG before construction begins on any activities that would affect the stream channel, such as bridge crossings. Compliance with the typical requirements of these agreements will minimize damage to resources associated with the stream.

A flood encroachment permit from the State Reclamation Board and an FEP from the City will also be required for this project.

Impact Assessment Approach and Methodology

To determine the hydraulic effects of the proposed Class I pathway and bridge crossings on the 100-year water surface elevations of Antelope Creek and Dry Creek, a hydraulic analysis was



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Jones & Stokes

Figure 3.3-1
Approximate Future 100-Year Floodplain
(Assuming Buildout of Dry Creek Basin)

- expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or

- contribute to inundation by seiche, tsunami, or mudflow.

This project would result in no impacts on public water supplies or groundwater hydrology.

Impact Assessment

Impact 3.3-1:	Potential water quality degradation during construction activities
Adopted and/or required actions:	• Comply with the City's grading ordinance • Comply with the general stormwater permit for construction activity as administered by the RWQCB • Comply with conditions of the Section 1601 Streambed Alteration Agreement (DFG) • Comply with conditions of the NOAA Fisheries Biological Opinion
Baseline significance under CEQA:	Less than significant with implementation of adopted and/or required actions
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Construction activities would include grading, construction of pavement, and other activities involving the use of construction vehicles along the bike route. These activities increase the potential for introducing soil materials, vehicle fuel, or other substances into areas that are adjacent to the waterways, which could then be introduced to the stream in runoff. In addition, direct spillage of hazardous substances, such as gasoline or lubricants, onto the ground surface has the potential to affect groundwater quality.

As described in subsection 3.2, the potential for direct or indirect water quality impacts will be minimized through compliance with the City's FEP requirements, the RWQCB's general stormwater permit for construction activity, the NOAA Fisheries Biological Opinion, and DFG's 1601 agreement conditions.

In the BMP EIR, the City determined that a site-specific hydraulic analysis shall be conducted for individual bikeway projects in areas where the risk of flooding or erosion potential is high. The hydraulic modeling report conducted by Ayres (2003, Appendix E) complies with the requirements of Mitigation Measure HY-2 of the BMP EIR. Implementation of Adopted and Required Actions will implement changes to the bikeway design if needed to ensure that the final design minimizes stormwater runoff and water quality impacts, in compliance with BMP EIR Mitigation Measure HY-2. Consequently, related impacts are considered less than significant.

Impact 3.3-2:	Increase in 100-year water surface elevations
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

The proposed bikeway facilities would change the existing ground surface and build structures within the 100-year floodplain of Dry Creek and Antelope Creek. Project improvements could alter the hydraulic flow characteristics or capacity of the floodplain, which could cause changes in flood water elevations in the project area and upstream or downstream of the project. Substantially increasing the 100-year water surface elevation of Dry Creek or Antelope Creek would increase the potential for flooding.

To address this potential impact, BMP EIR Mitigation Measures HY-2 and HY-4 require preparation of a site-specific hydraulic analysis to ensure that erosion risks are minimized and that no substantial increase in water surface elevation results from the proposed improvements. To comply with these measures, a HEC-RAS hydraulic model was developed by Ayres Associates (2003, Appendix E). The Ayres study compared the current 100-year floodwater elevations of Dry Creek and Antelope Creek to 100-year floodwater surface elevations that could result from a 14-foot-wide bike path along the proposed alignment north of Dry Creek and bridge crossings at Antelope Creek (near Harding Boulevard) and Dry Creek (between William L. Taylor Park and Lincoln Estates Park; the latter bridge is considered a project alternative in this EIR). Both bridges were modeled as 2-foot-thick spans across the low-flow channel of each creek, with some embankment fill at the bridge abutments.

Hydraulic modeling of the proposed project indicates a general decrease in water surface elevation (as much as 0.26 feet) throughout the project reach on Dry Creek. This effect is a result of replacing portions of comparatively "rough", unpaved surface area in the floodway with the more "smooth" bikeway surface, which decreases the frictional resistance of the floodway to the flow of water. Model results for the project reach on Antelope Creek indicate small increases and decreases in water surface elevation. The maximum increase in the 100-year floodwater elevation of Antelope Creek is 0.05 feet, just upstream of the proposed bicycle bridge. This slight increase in water surface elevation, which is less than the accuracy limits of the HEC-RAS model, is completely attenuated upstream within about 1,500 feet.

The nominal changes to the 100-year floodwater elevations that would result if the proposed bikeway facilities were constructed are considered a less-than-significant impact of this project. For a discussion of cumulative flooding impacts, refer to Section 5.

Design Variations

The proposed project includes three proposed design variations for stabilization of an approximately 190-foot section of bank that has been subject to increasing lateral erosion by Dry Creek. As described in subsection 2.4, Variation 1 is a 24-foot gabion wall, Variation 2 is a retaining wall on a pile foundation, and Variation 3 is rock slope protection. All three design variations would partially refill this portion of the bank of Dry Creek. The results of the Ayres hydraulic modeling show that the bank stabilization measures would not increase flood elevations or impede floodflows (2003, Appendix E:8–10). The model results do not distinguish between the three design variations.

Mitigation Measures

No mitigation is required.

3.4 AIR QUALITY

Climate and Weather

The Sacramento Valley is bounded on the west by the Coast Ranges and on the north and east by the Sierra Nevada. In general, the prevailing wind in the project area is from the southwest, primarily because of marine breezes through the Carquinez Strait. During winter, however, the sea breezes diminish and winds blow more frequently from the north. The region can experience temperature inversions that limit atmospheric mixing and trap pollutants, resulting in high pollutant concentrations near the ground. Surface inversions (0-500 feet above the ground) are most frequent during winter, whereas subsidence inversions (1,000-2,000 feet above the ground) are more common during summer.

Existing Air Quality Conditions

Air quality data for 1998–2000 from monitoring stations in Placer County are summarized in Table 3.4-1. Because some monitoring stations do not monitor all pollutants, a distinct set of monitoring stations was chosen for each pollutant that would best represent conditions in the project area or, in the case of ozone, regional conditions.

Monitored CO levels have generally stabilized in recent years below standards, primarily as a result of the use of oxygenated gasoline during winter, when CO concentrations are highest. The state ozone standard has been exceeded up to 24 times each year. Ozone monitoring data do not show an upward or downward trend. The state 24-hour PM10 standard has been exceeded infrequently.

Regulatory Setting

Air quality management responsibilities are divided among local, state, and federal government agencies. Placer County Air Pollution Control District (Placer County APCD) has jurisdiction over air quality issues within Placer County. The APCD administers air quality regulations developed at the federal, state, and local levels within Placer County. Air quality regulations applicable to the proposed project are described below.

Federal Clean Air Act. The federal Clean Air Act (CAA), promulgated in 1970 and amended twice thereafter (including the 1990 amendment), establishes the framework for modern air pollution control. The Act directs the Environmental Protection Agency (EPA) to establish ambient air standards for six pollutants: ozone, carbon monoxide, lead, nitrogen dioxide, particulate matter, and sulphur dioxide. The standards are divided into primary and secondary standards; the former are set to protect human health within an adequate margin of safety and the latter to protect environmental values, such as plant and animal life.

The EPA has established National Ambient Air Quality Standards (NAAQS) for criteria pollutants (Table 3.4-2). Criteria pollutants include carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), ozone, particulate matter less than 10 microns in diameter (PM10), and lead.

Areas that do not meet the NAAQS shown in Table 3.4-2 are called "nonattainment" areas. For these nonattainment areas, the federal Clean Air Act requires states to develop and adopt State Implementation Plans (SIPs), which are air quality plans showing how air quality standards will be attained. In California, the EPA has delegated authority to prepare SIPs to the California Air Resources Board (ARB), which, in turn, has delegated that authority to individual air districts.

California Clean Air Act. Responsibility for achieving California's standards, which are more stringent than federal standards, is placed on the ARB and local air pollution control districts, and is to be achieved through district-level air quality management plans that will be incorporated into the SIP.

The California CAA of 1988 substantially added to the authority and responsibilities of air districts. The California CAA designates air districts as lead air quality planning agencies, requires air districts to prepare air quality plans, and grants air districts authority to implement transportation control measures. The California CAA focuses on attainment of the state ambient air quality standards, which, for certain pollutants and averaging periods, are more stringent than the comparable federal standards.

The California CAA requires designation of attainment and nonattainment areas with respect to state ambient air quality standards. The California CAA also requires that local and regional air districts expeditiously adopt and prepare an air quality attainment plan if the district violates state air quality standards for carbon monoxide, sulfur dioxide, nitrogen dioxide, or ozone. These Clean Air Plans are specifically designed to attain these standards and must be designed to achieve an annual five percent reduction in districtwide emissions of each nonattainment pollutant or its

Table 3.4-1. Ambient Air Quality Monitoring Data for Placer County: 1998-2000

Pollutant Standards and Monitoring Stations	1998	1999	2000
Ozone (O_3) - Auburn: C Avenue/Dewitt Center			
Maximum 1-hour concentration (ppm)	.144	.142	.124
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	15	24	22
NAAQS 1-hour (>0.12 ppm)	5	2	0
Ozone (O_3) - Colfax: City Hall			
Maximum 1-hour concentration (ppm)	.132	.159	.119
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	11	9	10
NAAQS 1-hour (>0.12 ppm)	1	1	0
Ozone (O_3) - Rocklin: Rocklin Road			
Maximum 1-hour concentration (ppm)	.143	.128	.118
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	16	17	16
NAAQS 1-hour (>0.12 ppm)	3	3	0
Ozone (O_3) - Roseville: North Sunrise Boulevard			
Maximum 1-hour concentration (ppm)	.153	.136	.128
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	20	14	13
NAAQS 1-hour (>0.12 ppm)	5	2	1
Carbon Monoxide (CO) - Roseville: North Sunrise Boulevard			
Maximum 8-hour concentration (ppm)	2.36	2.24	2.36
Maximum 1-hour concentration (ppm)	4.20	3.90	3.20
Number of Days Standard Exceeded			
CAAQS 8-hour (≥9.0 ppm)	0	0	0
NAAQS 8-hour (≥9.0 ppm)	0	0	0
CAAQS 1-hour (≥20 ppm)	0	0	0
NAAQS 1-hour (≥35 ppm)	0	0	0

Table 3.4-1. Continued

Pollutant Standards and Monitoring Stations	1998	1999	2000
Particulate Matter (PM10) - Rocklin: Rocklin Road			
Maximum 24-hour concentration ($\mu g/m^3$)	70.0	75.0	46.0
Second highest 24-hour concentration ($\mu g/m^3$)	47.0	72.0	41.0
Average geometric mean concentration ($\mu g/m^3$)	16	21	19
Average arithmetic mean concentration ($\mu g/m^3$)	19	24	20
Number of Days Standard Exceeded[a]			
CAAQS 24-hour (>50 $\mu g/m^3$)	1	4	0
NAAQS 24-hour (>150 $\mu g/m^3$)	0	0	0
Particulate Matter (PM10) - Roseville: North Sunrise Boulevard			
Maximum 24-hour concentration ($\mu g/m^3$)	67.0	89.0	58.0
Second highest 24-hour concentration ($\mu g/m^3$)	62.0	83.0	50.0
Average geometric mean concentration ($\mu g/m^3$)	19	22	22
Average arithmetic mean concentration ($\mu g/m^3$)	22	26	23
Number of Days Standard Exceeded[a]			
CAAQS 24-hour (>50 $\mu g/m^3$)	3	4	1
NAAQS 24-hour (>150 $\mu g/m^3$)	0	0	0

Notes: CAAQS = California Ambient Air Quality Standards.

NAAQS = National Ambient Air Quality Standards.

[a] Calculated exceedances based on measurements taken every 6 days.

Sources: California Air Resources Board 2002, Environmental Protection Agency 2002

Table 3.4-2. Ambient Air Quality Standards Applicable in California

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria	
			California	National	California	National	California	National
Ozone	O_3	1 hour	0.09	0.12	180	235	If exceeded	If exceeded on more than 3 days in 3 years
		8 hours	NA	0.08	NA	157	NA	If exceeded on more than 3 days in 3 years
Carbon monoxide	CO	8 hours	9.0	9	10,000	10,000	If exceeded	If exceeded on more than 1 day per year
		1 hour	20	35	23,000	40,000	If exceeded	If exceeded on more than 1 day per year
(Lake Tahoe only)		8 hours	6	NA	7,000	NA	If equaled or exceeded	NA
Nitrogen dioxide	NO_2	Annual average	NA	0.053	NA	100	NA	If exceeded
		1 hour	0.25	NA	470	NA	If exceeded	
Sulfur dioxide	SO_2	Annual average	NA	0.03	NA	80	NA	If exceeded
		24 hours	0.04	0.14	105	365	If exceeded	If exceeded on more than 1 day per year
		1 hour	0.25	NA	655	NA	NA	NA
Hydrogen sulfide	H_2S	1 hour	0.03	NA	42	NA	If equaled or exceeded	NA
Vinyl chloride	C_2H_3Cl	24 hours	0.010	NA	26	NA	If equaled or exceeded	NA
Inhalable particulate matter	PM10	Annual geometric mean	NA	NA	20	NA	If exceeded	NA
		Annual arithmetic mean	NA	NA	NA	50	NA	If exceeded
		24 hours	NA	NA	50	150	If exceeded	If average 1% over 3 years is exceeded
	PM2.5	Annual geometric mean	NA	NA	12	NA	If exceeded	NA
		Annual arithmetic mean	NA	NA	NA	15	NA	If exceeded
		24 hours	NA	NA	NA	65	NA	If average 2% over 3 years is exceeded

Table 3.4-2. Continued

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria	
			California	National	California	National	California	National
Sulfate particles	SO_4	24 hours	NA	NA	24	NA	If equaled or exceeded	NA
Lead particles	Pb	Calendar quarter	NA	NA	NA	1.5	NA	If exceeded no more than 1 day per year
		30 days	NA	NA	1.5	NA	If equaled or exceeded	NA

Notes:
All standards are based on measurements at 25°C and 1 atmosphere pressure.
National standards shown are the primary (health effects) standards.
NA = not applicable.

precursors. No locally prepared attainment plans are required for areas that violate the state PM10 standards.

The California CAA requires that the state air quality standards be met as expeditiously as practicable but, unlike the federal CAA, does not set precise attainment deadlines. Instead, the act established increasingly stringent requirements for areas that will require more time to achieve the standards.

Recently enacted amendments to the California Clean Air act impose additional requirements designed to ensure an improvement in air quality within the next five years. More specifically, local districts with moderate air pollution that did not achieve "transitional nonattainment" status by December 31, 1997 must implement the more stringent measures applicable to districts with serious air pollution.

General Conformity. As required by the 1990 Federal CAAA, EPA enacted two separate federal conformity rules. Those rules (incorporated as Section 40 CFR Parts 51 and 93) are designed to ensure that federal actions do not cause or contribute to air quality violations in areas that do not meet the national ambient air quality standards. The two rules include transportation conformity, which applies to transportation plans, programs, and projects, and general conformity, which applies to all other nontransportation-related projects.

A general conformity determination is required by Section 40 CFR Part 51, Subpart W, and Part 93, Subpart B. The general conformity regulation requires that federal agencies sponsoring nontransportation-related activities show that the emissions associated with those activities conform to state implementation plans (SIPs) if emissions meet specific criteria. First, the emissions must occur in areas designated as nonattainment areas for one or more of the federal ambient air quality standards. Second, those emissions must exceed certain de minimis threshold levels.

Local Air Quality Management. In 1994, the Air Resources Board, in cooperation with the Sacramento Area Council of Governments (SACOG) and the five air districts of the Sacramento nonattainment area fulfilled the 1990 Clean Air Act Amendment's specific planning requirement by preparing the Sacramento Area Regional Ozone Attainment Plan (Plan). The Plan was adopted by the five air districts, including the Placer County APCD. The subsequently approved Plan became part of the overall 1994 SIP. The Plan was required to identify a detailed comprehensive strategy for reducing emissions to the level needed for attainment and show how the area would make expeditious progress toward meeting this goal. The Plan set "rate-of-progress" or "milestones" emission reduction targets and dates to gauge whether the nonattainment area was making reasonable further progress toward reaching the goal of attainment. The SIP consists of adopted measures, commitments to adopt new measures, emission inventories, air quality modeling results, contingency measures, and a demonstration of emission reductions sufficient for attainment and rate-of-progress milestones.

The new measures proposed in the plan build on the existing state and local air quality programs. Milestone reports were to be prepared starting in 1996 and every 3 years thereafter until the attainment deadline. That plan, which was prepared to fulfill the requirements of the federal

Clean Air Act, was submitted to EPA on November 15, 1994, as part of California's SIP. State and district measures in the SIP were intended to replace the FIP measures. In 1996, the EPA rescinded the Federal Implementation Plan and approved the SIP.

The 1999 Milestone Report evaluated the planned control measures committed to in the 1994 SIP. The milestone analysis determined the Sacramento nonattainment area has achieved the necessary emission reductions for meeting the 1999 rate-of-progress targets and demonstrated reasonable further progress toward attainment. Note that the air districts are now in attainment for carbon monoxide and PM10 and have requested attainment status.

In 2002, another milestone report will be prepared to determine whether the Sacramento area is on schedule to reach attainment of the 1-hour ozone standard in 2005. The year 2003 will mark the beginning of a three-year period during which attainment of the standard needs to be demonstrated. If it can be shown that by year 2005 we have achieved attainment, a maintenance plan will be submitted. If attainment cannot be demonstrated by year 2005, the nonattainment area has the option of applying for a one-year extension to the attainment deadline provided the following conditions are met.

- The nonattainment area has complied with all SIP requirements and commitments, and
- No more than one exceedance of the ozone standard has occurred in the preceding year.

A nonattainment area may obtain a maximum of two one-year extensions.

The federal and state governments have established ambient air quality standards for six criteria pollutants: ozone, CO, NO_2, SO_2, PM10, and lead. Ozone and PM10 are generally considered to be "regional" pollutants, as these pollutants or their precursors affect air quality on a regional scale. Pollutants such as CO, NO_2, SO_2, and lead are considered to be local pollutants that tend to accumulate in the air locally. PM10 is considered to be a localized pollutant as well as a regional pollutant. In the area of the proposed project, PM10 and ozone are of particular concern.

Air Quality Pollutants and Ambient Air Quality Standards. As described above, both the State of California and the federal government have established ambient air quality standards for specific criteria pollutants. A summary of state and federal ambient air quality standards is shown in Table 3.4-2. The pollutants of greatest concern in Placer County are ozone, PM10, and CO.

Ozone. Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. Ozone is a severe eye, nose, and throat irritant. Ozone also attacks synthetic rubber, textiles, plants, and other materials. Ozone cause causes extensive damage to plants by leaf discoloration and cell damage. Ozone is not emitted directly into the air, but is formed by a photochemical reaction in the atmosphere. Ozone precursors, which include reactive organic gases (ROG) and oxides of nitrogen (NO_x), react in the atmosphere in the presence of sunlight to form ozone. Because photochemical reaction rates depend on the intensity of ultraviolet light and air temperature, ozone is primarily a summer air pollution problem. The ozone precursors, ROG and NO_x, are emitted by mobile sources and by stationary combustion equipment.

State and federal standards for ozone have been set for a 1-hour averaging time. The state 1-hour ozone standard is 0.09 ppm, not to be exceeded. The federal 1-hour ozone standard is 0.12 ppm, not to be exceeded more than three times in any 3-year period.

Table 3.4-1 indicates that there have been occasional exceedances of the state and federal ozone standards in Placer County during the three most recent years for which data are available (1998–2000).

Carbon Monoxide. CO is essentially inert to plants and materials but can have significant effects on human health. CO is a public health concern because it combines readily with hemoglobin and thus reduces the amount of oxygen transported in the bloodstream. Effects on humans range from slight headaches to nausea to death. Motor vehicles are the dominant source of CO emissions in most areas. High CO levels develop primarily during winter when periods of light winds combine with the formation of ground level temperature inversions (typically from the evening through early morning). These conditions result in reduced dispersion of vehicle emissions. Motor vehicles also exhibit increased CO emission rates at low air temperatures.

State and federal CO standards have been set for both 1-hour and 8-hour averaging times. The state 1-hour standard is 20 parts per million (ppm) by volume, and the federal 1-hour standard is 35 ppm. Both state and federal standards are 9 ppm for the 8-hour averaging period.

Table 3.4-1 indicates that there have no exceedances of the state and federal CO standards in Placer County during the three most recent years for which data are available (1998–2000).

PM10. Health concerns associated with suspended particulate matter focus on those particles small enough to reach the lungs when inhaled. Particulates can damage human health and retard plant growth. Particulates also reduce visibility, soil buildings and other materials, and corrode materials. PM10 emissions are generated by a wide variety of sources including agricultural activities, industrial emissions, dust suspended by vehicle traffic, and secondary aerosols formed by reactions in the atmosphere.

The state PM10 standards are 50 micrograms per cubic meter as a 24-hour average and 30 micrograms per cubic meter as an annual geometric mean. The federal PM10 standards are 150 micrograms per cubic meter as a 24-hour average and 50 micrograms per cubic meter as an annual arithmetic mean.

Table 3.4-1 indicates that there have been occasional exceedances of the state PM10 standard and no exceedances of the federal PM10 standard in Placer County during the three most recent years for which data are available (1998–2000).

Attainment Status. The State of California has designated the Placer County APCD as being in non-attainment for ozone and in non-attainment for particulate matter smaller than or equal to 10 microns in diameter (PM10). The APCD is classified as being in attainment for CO. The EPA has designated the APCD (up to Lake Tahoe Air Basin portion) as being in severe

non-attainment for ozone, unclassified for particulate matter smaller than or equal to 10 microns in diameter (PM10), and in unclassified/attainment for CO.

Impact Assessment Approach and Methodology

Air quality impacts for the proposed project would be limited to the construction phase of the project. Operation would result in bicyclists and pedestrians using the project and would not result in air pollutant emissions, consequently, operational impacts are not addressed in this analysis. The primary construction emissions associated with the project are expected to include PM10 and ozone precursors (ROG and NO_x) emitted by construction equipment and worker commuter trips. Construction emissions of PM10 and ozone precursors were estimated using the Urbemis 2001 model.

Significance Criteria

According to the State CEQA Guidelines, a project is considered to have a significant effect on air quality if it would:

- conflict with or obstruct implementation of the applicable air quality plan;
- violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors); or
- expose sensitive receptors to substantial pollutant concentrations.

In addition to the criteria detailed above, the Placer County APCD has specified significance thresholds for project-related air quality impacts. Project-related construction emissions are considered significant if emissions would exceed 82 pounds per day (ppd) of ROG, NO_x, or PM10. There is no threshold for CO.

Impact Assessment

Impact 3.4-1:	Temporary generation of construction-related air pollutant emissions
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions:	None
Proposed Mitigation Measure 3.4-1:	Comply with each of the mitigation measures recommended by the Placer County APCD for reducing construction-related impacts to the maximum extent possible
Significance after implementation of all measures:	Less than significant

Based on an assumption of 1 acre per day of active soil excavation, 3 acres per day of active soil grading, and five pieces of heavy-duty construction equipment being operated 8 hours per day, construction-related emissions would be 9.4 ppd of ROG, 71.1 ppd of NO_x, 148.2 ppd of PM10, and 16.4 ppd of CO. This level of construction-related emissions would not exceed the Placer County APCD thresholds, with the exception of PM10.

BMP EIR Mitigation Measure AQ-1 identifies a programmatic listing of air quality measures designed to minimize construction-related impacts. Project Mitigation Measure 3.4-1 refines the BMP EIR measure to provide project-specific mitigation for construction-related air quality impacts. Implementation of Mitigation Measure 3.4-1 would reduce PM10 by approximately 50%, to 74.1 ppd, which is below the PCAPCD's threshold. Consequently, with implementation of Mitigation Measure 3.4-1, construction-related air quality impacts would be reduced to a less-than-significant level.

Design Variations

Each of the design variations affect a relatively small portion of the proposed route. The variations would result in air emissions approximately the same as those described for the proposed project.

Mitigation Measures

3.4-1: Comply with each of the mitigation measures recommended by the Placer County APCD for reducing construction-related impacts to the maximum extent possible.

The Placer County APCD has recommended implementation of several standard measures that can be used to reduce fugitive dust. These measures include the following:

- Water the site twice a day.
- Spread soil binders on the site, unpaved roads, and parking areas.
- Apply approved cellulose-based soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas that remain undisturbed for 96 hours).
- Reestablish ground cover on the construction site through seeding and watering.
- Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares.
- Reduce traffic speeds on all unpaved road surfaces to 15 miles per hour or less.
- Suspend all grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour.
- Wash off trucks leaving the site.

3.5 BIOLOGICAL RESOURCES

For the purpose of this EIR, biological resources include botanical, wildlife, and fisheries resources, as well as waters of the United States (including wetlands and streams). The biological resources present in the project area are described in this section. A discussion of federal, state, and local laws, policies, and regulations that influence biological resources is also presented in this section. Impacts on biological resources that may result from the project are identified, and mitigation measures to avoid, minimize, and compensate for potential significant impacts on biological resources are described.

Methods

Information presented in this section is based on a review of existing information, coordination and correspondence with resource agencies, and a variety of field surveys conducted between 1997 and 2003. These sources are listed below.

- DFG's California Natural Diversity Database (CNDDB) (2000, 2003).

- California Native Plant Society's (CNPS's) 2002 Inventory of Rare and Endangered Plants of California.

- Discussions with USFWS (White pers. comm.) and DFG (Pereze pers. comm.).

- Biological Opinions from the USFWS and NOAA Fisheries (contained in Appendix C and G).

- NOAA Fisheries Southwest Regional Office web site (http://swr.nmfs.noaa.gov/hcd/dist2.htm).

- The Draft Initial Study/Mitigated Negative Declaration for Enwood Park (City of Roseville 1998).

- Baseline biological data gathered during field surveys conducted by Jones & Stokes biologists on April 8 and August 5, 1997, March 18 and 19, 1998, March 9 and 20 and November 16, 2000 (biological study methods and results for this project are described in detail in the Biological Study Report for the Harding Boulevard to Royer Park Bikeway Project, Roseville, California [Jones & Stokes 2000a], on file at the City of Roseville Community Development Department. Additional reconnaissance-level field visits were conducted on November 8 and December 18, 2003, to verify existing conditions and identify potential impacts on biological resources using the most current preliminary engineering plans (contained in Appendix I of this EIR).

- Results of a Site Assessment for California Red-Legged Frog (*Rana aurora draytonii*) (Jones & Stokes Associates, Inc. 1998). This assessment concluded that California red-legged frogs have a low potential to occur in the project area based on field observations and past recorded occurrences. The assessment also determined that Dry Creek and Antelope Creek provide low-quality dispersal habitat for the species. (The report is on file at the City of Roseville Community Development Department and is contained in Appendix C of the Biological Assessment [Environmental Science Associates 2002].)

- Harding Boulevard to Royer Park Bikeway Project Biological Assessment (BA) (Environmental Science Associates 2002). This BA analyzed potential effects on federally listed species and species proposed for listing that could occur in the project area (including the federally listed valley elderberry longhorn beetle [VELB]).

- BA of Impacts on Central Valley Steelhead (Oncorhynchus mykiss) and Designated Critical Habitat along Dry Creek in Roseville, California (Jones & Stokes 2000a).

- City of Roseville BMP EIR.

A formal wetland delineation has not been conducted for the proposed project. During the field surveys, potential waters of the United States (including wetlands) were identified based on

observable characteristics (e.g., wetland vegetation and hydrology). No potential wetlands were identified during the field visit.

The jurisdictional boundaries for Dry and Antelope Creeks were visually estimated using the definition of ordinary high-water mark (OHWM) found in 33 CFR 328.3(e). Based on this definition, the OHWM is the

> "line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area."

A formal delineation using the Sacramento Corps District's Standard Guidelines (November 2002) will be required to support acquisition of permits, including a Clean Water Act Section 404 permit (Nationwide Permit authorization) from the Corps, a Clean Water Act Section 401 water quality certification from the RWQCB, and a streambed alteration agreement from DFG.

Many of the native trees in the project area have been tagged and numbered as part of a previous arborist survey. Impacts on native oak trees were not quantified using these data because an arborist report is not available for the entire project alignment. Therefore, impacts on trees were generally assessed and quantified in the field using the preliminary engineering drawings (provided in Appendix I). Most of the project area, except for the portion within APN 013-040-004, was walked during surveys, and trees in and adjacent to the construction easement were identified. The information gathered during field visits provides the basis for the impact analysis in this EIR. An arborist survey and report will be prepared by the City once it obtains full property access and final engineering plans.

Biological Communities

The project area is significantly disturbed as a result of past highway and road construction, urban development, natural flooding, and the recreational use of an existing dirt trail. The area is surrounded by developed urban areas, ruderal grassland, mixed oak woodland, and blue oak savanna. Four biological community types occur in this area:

- ruderal grassland,
- aquatic habitat,
- riparian forest and scrub, and
- mixed oak woodland.

Of these communities, aquatic habitat, riparian forest and scrub, and mixed oak woodland are considered sensitive. Ruderal grassland is common locally and regionally and is not considered a sensitive natural community. Each of the sensitive biological communities is described below and depicted in Figure 3.5-1. Plant and wildlife species identified during the field visits are listed in Tables 3.5-1 and 3.5-2.

Table 3.5-1. Plant Species Identified or Reported to Occur on the Harding Boulevard to Royer Park Bikeway Project Site

Scientific Name	Common Name
Achyrachaena mollis	Blow-wives
Aesculus californica	California buckeye
Ailanthus altissima	Chinese tree-of-heaven
Alnus rhombifolia	White alder
Ambrosia sp.[a]	Ragweed
Amsinkia menziesii[a]	Fiddleneck
Aristolochia californica	Pipevine
Artemisia douglasiana[a]	Mugwort
Arundo donax	Giant wild reed
Aster subulatus var. *ligulatus*[a]	Saltmarsh aster
Avena fatua	Wild oat
Avena barbata[a]	Slender wild oat
Baccharis pilularis	Coyote-brush
Bidens sp.[a]	Sticktight
Brassica nigra[a]	Black mustard
Briza minor	Small quakinggrass
Bromus madritensis ssp. *rubens*[a]	Foxtail chess
Bromus hordeaceus[a]	Soft chess
Bromus diandrus[a]	Ripgut grass
Catalpa sp.	Catalpa
Centaurea solstitialis[a]	Yellow star-thistle
Centaurium venustum	Canchalagua
Cephalanthus occidentalis var. *californicus*[a]	California buttonwillow
Chenopodium botrys	Jerusalem-oak
Chicorum intybus	Chickory
Chloris virgata	Silky chloris
Cholorogalum pomeridianum var. *pomeridianum*	Common soap plant
Convolvulus arvensis	Bindweed
Conyza sp.	Horseweed
Cynara scolymus	Artichoke
Cynodon dactylon	Bermuda grass
Cyperus eragrostis[a]	Nutsedge
Cyperus sp.[a]	Umbrella sedge
Cyperus odoratus[a]	Nutsedge
Cyperus difformis[a]	Small-flowered nutsedge
Cyperus niger[a]	Black nutsedge
Datura sp.	Jimsonweed
Daucus carota	Queen Anne's-lace
Dodecatheon hendersonii	Henderson's shootingstar

Scientific Name	Common Name
Echinochloa crus-galli[a]	Barnyard grass
Eleocharis macrostachya	Common spikerush
Eleocharis acicularis	Needle spikerush
Epilobium brachycarpum	Panicled willow herb
Epilobium ciliatum	Northern willow herb
Epilobium densiflorum[a]	Dense-flowered spike-primrose
Equisetum arvense	Common horsetail
Eragrostis mexicana ssp. *virescens*	Green lovegrass
Eremocarpus setigerus[a]	Doveweed
Erodium moschatum	White-stemmed filaree
Erodium botrys	Long-beaked stork's bill
Erodium cicutarium[a]	Red-stemmed filaree
Eschscholzia californica	California poppy
Foeniculum vulgare	Fennel
Fraxinus latifolia[a]	Oregon ash
Galium parisiense	Wall bedstraw
Gnaphalium palustre[a]	Western marsh cudweed
Helenium puberulum[a]	Rosilla
Hemizonia fitchii	Fitch's tarweed
Heterotheca grandiflora	Telegraph weed
Holocarpha virgata	Virgate holocarpha
Hordeum marinum ssp. *gussoneanum*	Mediterranean barley
Hordeum murinum	Barley
Hypericum mutilum[a]	Small-flowered St. John's-wort
Hypericum perforatum	Klammath weed
Hypochoeris glabra	Smooth cat's ear
Juncus balticus	Baltic rush
Juncus sp.[a]	Rush
Lactuca serriola	Prickly lettuce
Leersia oryzoides[a]	Rice cutgrass
Lepidium nitidum	Shining peppergrass
Leptochloa fascicularis[a]	Bearded sprangletop
Ligustrum sp.	Privet
Lindernia dubia var. *anagallidea*[a]	False pimpernel
Lipocarpha micrantha	Lipocarpha
Lolium multiflroum[a]	Italian ryegrass
Lotus purshianus[a]	Pursh's lotus
Ludwigia peploides ssp. *peploides*[a]	Yellow waterweed
Lupinus bicolor	Bicolor lupine
Lycopus americanus	Cut-leaved bugleweed
Lythrum hyssopifolium[a]	Hyssop loosestrife

Scientific Name	Common Name
Madia sp.	Madia
Marah fabaceus	California manroot
Marrubium vulgare	Horehound
Medicago polymorpha	Bur clover
Melilotus alba	White sweet-clover
Mentha arvensis[a]	Wild mint
Mimosa sp.	Mimosa
Mimulus guttatus	Common monkeyflower
Morus alba	White mulberry
Paspalum dilatatum[a]	Dallisgrass
Phalaris sp.	Canarygrass
Phyla nodiflora var. *nodiflora*	Phyla
Pinus sabiniana	Foothill pine
Plagiobothrys stipitatus var. *micranthus*	Small-flowered stipitate pocorn flower
Plantago virginica	Virginia plantain
Plantago lanceolata	English plantain
Platanus racemosa	California sycamore
Polygonum persicaria [a]	Lady's thumb
Polypogon monspeliensis[a]	Annual beardgrass
Populus fremontii[a]	Fremont's cottonwood
Portulaca oleracea	Common purslane
Quercus wislizenii var. *wislizenii* [a]	Interior live oak[b]
Quercus lobata[a]	Valley oak[b]
Quercus douglasii[a]	Blue oak[b]
Rosa californica	California rose
Rubus ursinus	California blackberry
Rubus discolor[a]	Himalayan blackberry
Rumex acetosella	Common sheep sorrel
Rumex crispus	Curly dock
Salix exigua[a]	Narrow-leaved willow
Salix goodingii[a]	Gooding's black willow
Salix laevigata[a]	Red willow
Salix lasiolepis	Arroyo willow
Salix lucida ssp. *lasiandra*[a]	Shining willow
Sambucus mexicana	Blue elderberry
Senecio vulgaris	Old man of spring
Setaria pumila[a]	Yellow bristlegrass
Solanum sp.	Nightshade
Solanum americanum	American black nightshade
Spergularia sp.	Sandwort
Toxicodendron diversilobum	Poison oak

Scientific Name	Common Name
Tribulus terrestris	Puncture vine
Trifolium hirtum[a]	Rose clover
Triteleia hyacinthina	Wild hyacinth
Typha latifolia	Cattail
Umbellularia californica	California bay laurel
Urtica dioca ssp. *holoserica*[a]	Hoary nettle
Urtica urens	Dwarf nettle
Verbascum thapsus	Wooly mullein
Verbena litoralis[a]	Shore vervain
Veronica peregrina ssp. *xalapensis*	Purslane speedwell
Veronica sp.	Speedwell
Vicia villosa[a]	Winter vetch
Vulpia bromoides	Six-weeks fescue
Xanthium strumarium[a]	Cocklebur

[a] Species mentioned in the text.

[b] Species reported by local residents to be present in the project area (Gouveia pers. comm.).

Table 3.5-2. Wildlife Species Identified or Reported to Occur on the Harding Boulevard to Royer Park Bikeway Project Site

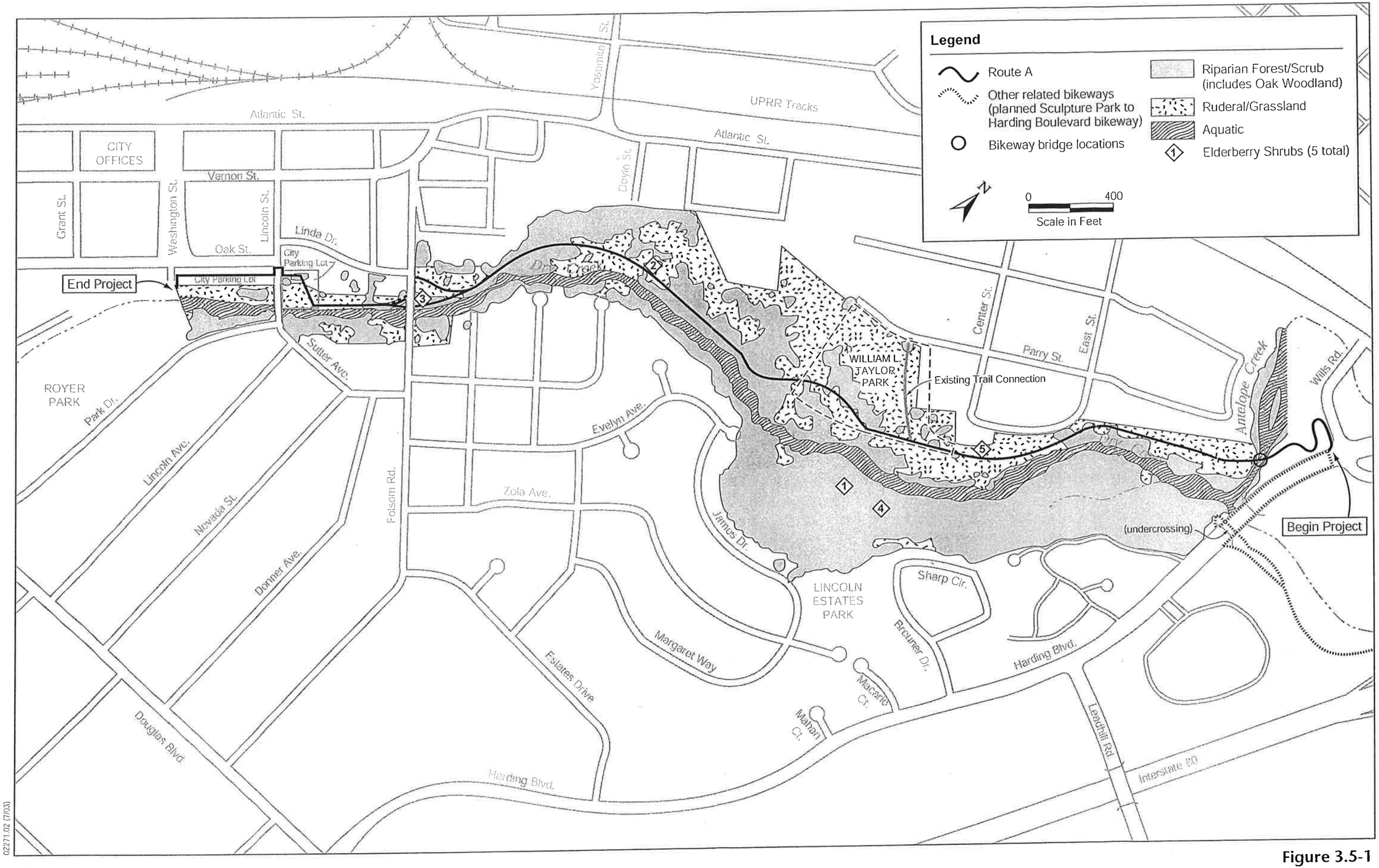
Scientific Name	Common Name
Accipiter cooperii	Cooper's hawk
Agelaius tricolor	Tricolored blackbird
Agelaius phoeniceus	Red-winged blackbird[b]
Aimophila ruficeps	Rufous-crowned sparrow
Aix sponsa[a]	Wood duck
Ambystoma californiense	California tiger salamander
Ameiurus nebulosus	Brown bullhead
Anas platyrhynchos[a]	Mallard
Aphelocoma coerulescens[a]	Scrub jay[b]
Archoplites interruptus	Sacramento perch
Ardea herodias	Great blue heron[b]
Athene cunicularia	Western burrowing owl
Baeolophus inornatus[a]	Oak titmouse
Bombycilla cedrorum	Cedar waxwing[b]
Branchinecta lynchi	Vernal pool fairy shrimp
Branta canadensis	Canada goose[b]
Bubo virginianus	Great horned owl[b]
Bufo boreas	Western toad
Buteo swainsoni	Swainson's hawk
Buteo lineatus[a]	Red-shouldered hawk
Buteo jamaicensis[a]	Red-tailed hawk
Callipepla californica	California quail[b]
Calypte anna	Anna's hummingbird[b]
Carpodacus mexicanus[a]	House finch
Castor canadensis	Beaver[b]
Cathartes aura	Turkey vulture[b]
Catostomus occidentalis	Sacramento sucker
Ceryle alcyon[a]	Belted kingfisher
Charadrius vociferus	Killdeer[b]
Chondestes grammacus	Lark sparrow
Circus cyaneus	Northern harrier
Clemmys marmorata marmorata	Northwestern pond turtle
Colaptes auratus[a]	Northern flicker
Colaptes ssp.	Shafted flicker[b]
Contia tenuis	Sharp-tailed snake[b]
Crotalus viridis	Western rattlesnake
Dendroica coronata[a]	Yellow-rumped warbler
Dendroica petechia brewsteri	California yellow warbler

Scientific Name	Common Name
Desmocerus californicus dimorphus	Valley elderberry longhorn beetle
Didelphis virginiana	Virginia opossum[b]
Elanus caeruleus	White-tailed kite
Eremophila alpestris	Horned lark
Euphagus cyanocephalus	Brewer's blackbird[b]
Falco sparverius[a]	American kestrel
Gambusia affinis	Mosquitofish
Gerrhonotus spp.	Alligator lizard[b]
Grus tabida canadensis	Greater sandhill crane[b]
Hyla regilla	Pacific chorus frog
Icterus galbula bullockii	Bullock's oriole[b]
Junco hyemalis oreganus	Dark-eyed junco[b]
Lampropeltis getulus	Common kingsnake
Lavinia exilicauda	Hitch
Lepomis cyanellus	Green sunfish
Lepomis macrochirus	Bluegill
Lepus californicus[a]	Black-tailed hare
Masticophis lateralis	California whipsnake
Melanerpes formicivorus[a]	Acorn woodpecker[b]
Meleagris gallopavo	Wild turkey[b]
Melospiza melodia[a]	Song sparrow
Mephitis mephitis	Striped skunk[b]
Microtus californicus	California vole
Mimus polyglottos[a]	Northern mockingbird[b]
Notemigonus crysaleucas	Golden shiner
Odocoileus hemionus	Mule deer
Oncorhynchus tshawytcha	Chinook salmon (fall-run)[b]
Oncorhynchus mykiss	Central Valley steelhead[b]
Ondatra zibethicus	Muskrat[b]
Passerculus sandwichensis	Savannah sparrow
Passerina amoena	Lazuli bunting
Phasianus colchicus	Ring-necked pheasant[b]
Pica nuttalli	Yellow-billed magpie[b]
Picoides nuttallii	Nuttall's woodpecker[b]
Pipilo erythrophthalmus[a]	Spotted towhee
Pipilo crissalis	California towhee[b]
Piranga ludoviciana	Western tanager[b]
Pituophis melanoleucus	Gopher snake
Plecotus townsendii pallescens	Townsend's western big-eared bat
Procyon lotor	Raccoon[b]

Scientific Name	Common Name
Psaltriparus minimus[a]	Bushtit
Ptychocheilus grandis	Sacramento squawfish
Rana boylei	Foothill yellow-legged frog
Reithrodontomys megalotis	Western harvest mouse
Sayornis nigricans[a]	Black phoebe[b]
Sceloporus occidentalis	Western fence lizard
Sciurus griseus	Western gray squirrel[b]
Selasphorus rufus	Rufous hummingbird[b]
Sialia currucoides	Mountain bluebird[b]
Sialia mexicana	Western bluebird[b]
Sitta carolinensis[a]	White-breasted nuthatch[b]
Sorex sp.	Shrew
Spermophilus beecheyi	California ground squirrel
Sturnella neglecta	Western meadowlark
Sturnus vulgaris	European starling[b]
Tachycineta bicolor[a]	Tree swallow
Thomomys bottae	Botta's pocket gopher
Thryomanes bewickii[a]	Bewick's wren
Turdus migratorius	American robin[b]
Tyrannus verticalis	Western kingbird
Tyto alba	Barn owl[b]
Urocyon cinereoargenteus	Gray fox
Zenaida macroura[a]	Mourning dove[b]

[a] Species identified during field survey.

[b] Species reported by local residents to be present in the project area (Gouveia pers. comm.).



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Jones & Stokes

Figure 3.5-1
Biological Communities Identified in the Project Area

Ruderal Grassland

Vegetation. Ruderal grassland dominates the arid flats and openings along the upper lateral flood terrace in the project area. It also forms an understory for the oak woodland and is present as inclusions within openings and around the margins of the riparian forest and scrub. Ruderal grassland develops most successfully in dry areas that have been disturbed by urban development, livestock grazing, brush clearing, and periodic flooding.

Common dominant species are soft chess, ripgut grass, foxtail chess, slender wild oat, Italian ryegrass, star-thistle, black mustard, ragweed, and slender fescue. Other common but nondominant species include red-stem filaree, common soap plant, Pursh's lotus, rose clover, winter vetch, dove weed, and fiddleneck.

Wildlife. Wildlife species commonly associated with ruderal grassland are western meadowlark, western kingbird, horned lark, savannah sparrow, rufous-crowned sparrow, lark sparrow, California vole, western harvest mouse, California ground squirrel, Botta's pocket gopher, black-tailed hare, western fence lizard, western toad, gopher snake, common king snake, striped racer, and western rattlesnake. In addition, ruderal grassland provides foraging habitat for predatory birds such as red-tailed hawk, white-tailed kite, northern harrier, and American kestrel.

Aquatic Habitat

The two main aquatic habitats in the project area are Dry Creek and Antelope Creek. The width of Dry Creek during the summer low-flow period varies from approximately 15 feet to 50 feet, with depths exceeding 5 feet in places. Antelope Creek is approximately 8 feet wide during the summer low-flow period and has a similar depth as Dry Creek. Additional information on these creeks is provided in subsection 3.3, "Water Resources".

Vegetation. Both streambeds are mostly unvegetated. In places, however, yellow waterweed, rushes, and sedges form an emergent cover along the shallow margins and small islands within the creek channels. A thin strip of herbaceous vegetation and young willow and Fremont's cottonwood seedlings and saplings is associated with the littoral zone (i.e., margins and banks). Species common in the littoral zone include dense-flowered spike-primrose, northern willow herb, nutsedge, umbrella sedge, saltmarsh aster, hyssop loosestrife, false pimpernel, marsh cudweed, lady's-thumb, rosilla, small-flowered St. John's-wort, annual beardgrass, lipocarpha, bearded sprangletop, rice cutgrass, barnyard grass, yellow bristlegrass, and rush.

Wildlife. Dry and Antelope Creeks contain important water and foraging resources for a wide variety of wildlife species. Wildlife species observed in the vicinity of aquatic habitats include Bewick's wren, song sparrow, spotted towhee, wood duck, belted kingfisher, mallard, and black phoebe. Other birds that frequent this habitat include yellow-rumped warbler, tree swallow, and lazuli bunting. Beavers, opossums, raccoons, striped skunks, shrews, and other mammals forage and breed in the vicinity of aquatic habitat. Water-dependent species, such as Pacific chorus frog, also congregate in aquatic habitats.

Fisheries. This description of aquatic and fishery conditions in the study area is based on information provided in the Cirby/Linda/Dry Creek Flood Control Project Environmental Impact Report (Dames & Moore 1992) and the Mitigated Negative Declaration for the Orlando/Cirby and Orlando/Riverside Intersection Improvement Project (Jones & Stokes Associates 1994). A Jones & Stokes fisheries biologist investigated fish habitat in the project area on March 20, 2000.
Dry Creek and Antelope Creek support aquatic habitat for a variety of fish species. Aquatic habitats in the general area have been disturbed and degraded as a result of highway bridge construction, urban development, and removal of riparian vegetation. Limited riparian vegetation and high water temperatures during summer low-flow periods limit the quality of fish habitat and determine fish species composition. Native and introduced species that are reported from the general area include Sacramento sucker, Sacramento pikeminnow [formerly Sacramento squawfish], rainbow trout, hitch, green sunfish, bluegill, Sacramento perch, brown bullhead, mosquitofish, golden shiner, and various minnows. Central Valley fall-run chinook salmon and Central Valley steelhead are known to be present seasonally in Dry Creek and potentially within Antelope Creek , and salmon fingerlings have been periodically introduced into Miners Ravine by DFG (Jones & Stokes Associates 1994). Dry Creek and its tributaries are included as critical habitat for Central Valley steelhead. Based on a field survey in December 2003, conditions in Antelope Creek indicate the presence of suitable rearing habitat for juvenile chinook; however, no spawning habitat is present in this area. Steelhead and chinook salmon are discussed below under "Special-Status Species".

Riparian Forest and Scrub

Vegetation. Riparian forest and scrub communities grow along the margins and banks of Dry Creek. The riparian community along Antelope Creek occurs as scattered tree and shrub species from the adjacent riparian and scrub communities along Dry Creek. The riparian forest community is dominated by an overstory of scattered Fremont's cottonwood, Gooding's black willow, red willow, white alder, Oregon ash, valley oak, and interior live oak. Shrub species in the forest understory and in riparian scrub communities include narrow-leaved willow, arroyo willow, shiny willow, red willow, California buttonwillow, and Himalaya blackberry. Common herbaceous species include cocklebur, sticktight, shore vervain, mugwort, hoary nettle, umbrella sedge, wild mint, dallisgrass, and annual beardgrass. Inclusions of ruderal grassland occur in the margins and openings of the riparian forest and scrub communities.

Wildlife. Wildlife species observed in riparian forest and scrub habitat are similar to those species described for aquatic habitat.

Mixed Oak Woodland

Vegetation. Small patches of mixed oak woodland occur on the upper banks and terraces of Dry Creek. The oak woodland intermingles with riparian forest and scrub species. Scattered individual oaks also occur in the riparian forest community of Dry Creek. Oak species include valley oak, blue oak, and interior live oak. Understory vegetation is composed of ruderal grassland and riparian forest and scrub species near the creeks.

Wildlife. Mixed oak woodland provides high-quality nesting and foraging areas for a variety of bird and mammal species. Wildlife species observed during the field surveys in mixed oak woodland included bushtit, scrub jay, white-breasted nuthatch, acorn woodpecker, northern flicker, mourning dove, oak titmouse, northern mockingbird, house finch, yellow-rumped warbler, red-shouldered hawk, western gray squirrel, and black-tailed hare. Mammals not observed during the field survey but that commonly occupy this habitat are striped skunk, California ground squirrel, gray fox, and mule deer. Because oak woodland is so closely associated with the riparian forest and scrub community, the wildlife species composition is similar in these two habitats.

Special-Status Species

Special-status species are plants and animals (including fish) that are legally protected under the California Endangered Species Act (CESA), the federal Endangered Species Act (ESA), or other regulations, as well as species considered sufficiently rare by the scientific community to qualify for such listing. Special-status species include:

- species listed or proposed for listing as threatened or endangered under ESA (50 CFR 17.12 [listed plants], 50 CFR 17.11 [listed animals], and various notices in the Federal Register [FR] [proposed species]);
- species that are candidates for possible future listing as threatened or endangered under ESA (64 FR 57534, October 25, 1999);
- species listed or proposed for listing by the State of California as threatened or endangered under CESA (14 CCR 670.5);
- species that meet the definitions of rare or endangered under CEQA (State CEQA Guidelines Section 15380);
- plants listed as rare under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.);
- plants considered by CNPS to be "rare, threatened, or endangered in California" (Lists 1B and 2, California Native Plant Society 2002)
- plants listed by CNPS as plants about which more information is needed to determine their status, and plants of limited distribution (Lists 3 and 4, California Native Plant Society 2002), which may be included as special-status species on the basis of local significance or recent biological information;
- animal species of special concern to DFG (Remsen 1978 [birds], Williams 1986 [mammals], and Jennings and Hayes 1994 [amphibians and reptiles]); and
- animals fully protected in California (California Fish and Game Code Section 3511 [birds], 4700 [mammals], and 5050 [amphibians and reptiles]).

Information on special-status plant, wildlife, and fish species is provided below.

Special-Status Plants. Thirteen special-status plants were identified as potentially occurring in the project region (Table 3.5-3). However, none of these species was located in the project area during field surveys, and none has been previously documented in the immediate project vicinity (California Natural Diversity Database 2000, 2003). Most of these species have specific microhabitat requirements that are not present in the study area (e.g., vernal pools and serpentine soils).

Botanical field surveys were conducted during the periods when special-status plants listed in Table 3-5.3 would have been identifiable (March, April, and August). During the various botanical field surveys conducted in the project area, all plants were identified to the level necessary to determine whether they qualified as special-status plants or were plant species with unusual or significant range extensions. In general, survey intensity varied depending on species richness, habitat type and quality, and the probability that special-status plants would occur in a particular habitat type. During the field surveys, the botanists walked meandering transects through the study area and conducted more focused surveys in areas with the greatest potential for special-status plants to grow (e.g., open annual grassland and oak woodland communities).

Special-Status Wildlife. Based on data collected during various field surveys and a review of existing information, distribution data, and communication with USFWS (see the "Methods" section for sources of information), six special-status wildlife species were identified as having the potential to occur in the project area (Table 3.5-4):

- VELB,
- northwestern pond turtle,
- Swainson's hawk,
- Cooper's hawk,
- white-tailed kite, and
- western burrowing owl.

Ten additional special-status wildlife species were identified as also having the potential to occur in the region: vernal pool fairy shrimp (*Branchinecta lynchi*), California tiger salamander (*Ambystoma californiense*), ringtail (*Bassariscus astutus*), foothill yellow-legged frog (*Rana boylei*), long-eared owl (*Asio otus*), sharp-shinned hawk (*Accipiter striatus*), northern harrier (*Circus cyaneus),* tricolored blackbird (*Agelaius tricolor*), California yellow warbler (*Dendroica petechia brewsteri*), Townsend's big eared bat, and California red-legged frog. These species were determined to have a low potential to occur in the project area because either suitable habitat conditions are not present, or the project area is outside the species' known range. These ten special-status wildlife species are not discussed further in this EIR.

Information on each of the seven special-status wildlife identified as having the potential to occur in the project area is provided below.

Table 3.5-3. Special-Status Plants Identified as Having the Potential to Occur near the Harding Boulevard to Royer Park Bikeway in Roseville, Placer County, California

Plant Species	Listing Status[a] Federal/State/CNPS	Habitat Requirements	General Distribution	Potential for Occurrence on the Project Site
Hispid bird's-beak* *Cordylanthus mollis* ssp. *hispidus*	SC/--/1B	Alkaline or saline flats in alkali meadow, iodine bush scrub, and alkali grassland	Widespread but spotty in Sacramento and San Joaquin Valley and Coast Ranges. Occurs in Placer County.	Low; no suitable seasonal wetland habitat on the project site
Bogg's Lake hedge-hyssop* *Gratiola heterosepala*	SC/E/1B	Vernal pools and margins of seasonally receding ponds and lakes	Widespread but infrequent; reported from Sacramento, Fresno, Madera, Lassen, Placer, Lake, and Shasta Counties and Oregon.	Low; no suitable seasonal wetland habitat on the project site
Ahart's rush *Juncus leiospermus* var. *ahartii*	SC/--/1B	Seasonally flooded sites such as vernal pools, ephemeral drainages, and seeps in woodland and grassland communities	Known from five populations in Butte, Placer, Sacramento, and Calaveras Counties.	Low; no suitable seasonal wetland habitat on the project site
Red Bluff dwarf rush* *Juncus leiospermus* var. *leiospermus*	--/--/1B	Seasonally flooded sites such as vernal pools, ephemeral drainages, and seeps in woodland and grassland communities	Central Valley from Red Bluff south to Merced County, including Placer County.	Low; no suitable seasonal wetland habitat on the project site
Pincushion navarretia *Navarretia myersii*	--/--/1B	Seasonally wet habitats, along edges of vernal pools	Known from six populations in Amador, Lake, Merced, and Sacramento Counties.	Low; no suitable seasonal wetland habitat on the project site
Legenere* *Legenere limosa*	SC/--/1B	Seasonally wet habitats such as vernal pools	Primarily the lower Sacramento Valley and upper San Joaquin Valley. Occurs in Placer County.	Low; no suitable seasonal wetland habitat on the project site
Dwarf downingia* *Downingia pusilla*	--/--/2	Northern hardpan and claypan vernal pool in annual grasslands	Merced, Napa, Placer, Sacramento, Solano, Sonoma, and Stanislaus Counties; Sacramento and Sonoma Valleys.	Low; no suitable seasonal wetland habitat on the project site
Stinkbells* *Fritillaria agrestis*	--/--/4	Grassland and woodland habitats, typically with heavy clay soils and sometimes on ultramafic soils	Placer and Sacramento Counties and interior Coast Ranges from Mendocino County to Kern County.	Low; no heavy clay soils located on project site
Sacramento orcutt grass *Orcuttia viscida*	E/E/1B	Vernal pool	Known from seven populations in Sacramento County; located in Folsom area (Natural Diversity Data Base 1999).	Low; no suitable seasonal wetland habitat on the project site

Plant Species	Listing Status[a] Federal/State/CNPS	Habitat Requirements	General Distribution	Potential for Occurrence on the Project Site
Sanford's arrowhead *Sagittaria sanfordii*	SC/--/1B	Freshwater shallow marshes and swamps along sluggish streams	Occurs uncommonly throughout Central Valley and northern California.	Low; no suitable habitat and not known to occur in project region
Big-scale balsamroot *Balsamorhiza macrolepis* var. *macrolepis*	--/--/1B	Open grassy slopes, valleys, woodland, and chaparral.	Bay Area to northern Sacramento Valley. Occurs in Placer County.	Low; occurs in low elevation grassland most likely on ultramafic soils
Hartwig's golden sunburst *Pseudobahia bahiafolia*	E/E/1B	Rocky bare areas along rolling hills	Eastern side of Sacramento-San Joaquin Valley.	Low; no suitable habitat on the project site and not known from project region
Hoary navarretia *Navarretia eriocephala*	--/--/4	Heavy soil of seasonally wet flats; below 1,200-foot elevation	Alameda, Calaveras, El Dorado, Placer, and Sacramento Counties.	Low; no suitable seasonal wetland habitat located on the project site

* Species of special concern with known occurrences in Placer County.

[a] Status explanations:

Federal

E = listed as endangered under the federal Endangered Species Act.
SC = species of concern; species for which existing information indicates it may warrant listing but for which substantial biological information to support a proposed rule is lacking.
-- = no listing status.

State

E = listed as endangered under the California Endangered Species Act.
-- = no listing status.

California Native Plant Society (CNPS)

1B = List 1B species: rare, threatened, or endangered in California and elsewhere.
2 = Plants rare, threatened, or endangered in California but not more common elsewhere.
4 = List 4 species: plants of limited distribution.

Table 3.5-4. Special-Status Wildlife Identified as Having the Potential to Occur near the Harding Boulevard to Royer Park Bikeway in Roseville, Placer County, California

Species	Status[a] Federal/State	Distribution	Preferred Habitats	Potential for Occurrence on the Project Site
Valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	T/--	Streamside habitats below 2,000 feet throughout the Central Valley	Elderberry shrubs in riparian areas	Moderate
Northwestern pond turtle *Clemmys marmorata marmorata*	SC/SSC	Western Washington south to Baja California	Still waters such as ponds, reservoirs, and sluggish streams; breeds in upland habitat within 0.25 mile of water	Moderate to high
Swainson's hawk *Buteo swainsoni*	--/T	Lower Sacramento and San Joaquin Valleys, the Klamath Basin, and Butte Valley; the state's highest nesting densities occur near Davis and Woodland, Yolo County	Nests in oaks or cottonwoods in or near riparian habitats; forages in grasslands, irrigated pastures, and grain fields	Low to moderate
Cooper's hawk *Accipiter cooperii*	--/SSC	Found in all parts of California except high altitudes in the Sierra Nevada; winters in the Central Valley, south-eastern desert regions, and plains east of the Cascade Range; permanent residents occupy the rest of the state	Nests primarily in riparian forests dominated by deciduous species; also nests in densely canopied forests from oak woodland up to ponderosa pine; forages in open woodlands	Moderate
White-tailed kite *Elanus leucurus*	--/CP	Resident of coastal and valley lowlands throughout California	Uses herbaceous lowlands with variable tree growth and dense population of vole commonly found in agricultural areas	Low to moderate
Western burrowing owl *Athene cunicularia hypugea*	SC/SSC	Found in lowlands throughout California, including the Central Valley, northeastern plateau, southeastern deserts, and coastal areas; rare along south coast	Rodent burrows in sparse grassland, desert, and agricultural habitats	Low to moderate

[a] Status explanations:

Federal

T = listed as threatened under the federal Endangered Species Act.

PT = proposed for listing as threatened under the federal Endangered Species Act.
SC = species of concern to the USFWS.
C = candidate for listing under the federal Endangered Species Act
-- = no listing status.

State

T = listed as threatened under the California Endangered Species Act.
SSC = species of special concern.
CP = fully protected under the California Fish and Game Code.
-- = no listing status.

Valley Elderberry Longhorn Beetle. VELB is designated as threatened by USFWS. These beetles occur from as far south as Kern County to as far north as Shasta County (U.S. Fish and Wildlife Service 1999). The majority of specimens and recorded observations appear to be from the Sacramento/Davis area (Linsley and Chemsak 1972). VELB occurs primarily along riparian corridors in areas containing its host plant, the blue elderberry (Sambucus mexicanus). The larvae of VELB bore through elderberry stems and trunks that are thicker than 1 inch in diameter. The greatest activity appears to be in areas where the riparian corridor also maintains a complement of other riparian woody plant species, such as willow, cottonwood, wild grape, and boxelder.

Three elderberry shrubs that could provide habitat for VELB were located in the project area. One additional shrub occurs on the south side of Dry Creek, along the alternative bike path alignment. The locations of these shrubs are shown in Appendix G.

Northwestern Pond Turtle. The northwestern pond turtle is a state species of special concern and a federal species of concern. Two subspecies of western pond turtle, northwestern pond turtle and southwestern pond turtle, have overlapping ranges throughout the Central Valley, from Sacramento County south to Tulare County. Western pond turtles are thoroughly aquatic, preferring the quiet waters of ponds, reservoirs, and sluggish streams (Stebbins 1985). They leave the water to bask on rocks or logs and to deposit eggs along the streambank or up to 0.25 mile in adjacent uplands (Jennings and Hayes 1994). The species may overwinter in upland sites, which may enable it to occupy creeks or waterways that dry up for several months each year (Holland and Bury 1992). Western pond turtles typically become active as early as March and return to overwintering sites by October or November (Holland 1991).

No northwestern pond turtles were found during the field surveys. The creeks in the project area provide potential aquatic habitat for western pond turtles. Ruderal grasslands adjacent to the creeks also provide potential upland habitat (overwintering and nesting) for this species.

Swainson's Hawk. Swainson's hawk is state-listed as threatened, a federal species of concern, and protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503.5. The MBTA and Section 3503.5 prohibit the "take" of migratory birds, nests, and young. In the Central Valley, Swainson's hawks typically nest in oak or cottonwood trees in or near riparian habitats and oak groves, and in roadside trees and lone trees. Swainson's hawks prefer nesting sites that provide sweeping views of nearby foraging grounds consisting of grasslands, irrigated pasture, alfalfa, hay, or row or grain crops. Swainson's hawks are migratory, wintering from Mexico to Argentina and breeding in California and elsewhere in the western United States. Swainson's hawks generally arrive in the Central Valley in mid-March, and begin courtship and nest construction immediately upon arrival at the breeding sites. Young fledge in early July, and most Swainson's hawks leave their breeding territories by late August or early September.

Populations of Swainson's hawks have declined by more than 90% from historical levels (California Department of Fish and Game 1994). Population declines have been attributed to the continuing loss of suitable nesting and foraging habitat throughout the Central Valley. This loss has resulted from urban development, incompatible agricultural practices, and flood control projects.

No Swainson's hawks were observed during the field surveys. However, a focused Swainson's hawk nest search was not conducted as part of the previous field surveys. Large oak trees along Dry Creek provide potential nesting habitat for Swainson's hawk. Adjacent ruderal grasslands are not considered suitable foraging habitat for Swainson's hawk because they are highly disturbed and exist as isolated pockets between the riparian corridor and adjacent urban development.

Cooper's Hawk. Cooper's hawk is a state species of special concern. Cooper's hawks generally nest in groves or trees along waterways or near the edge of a field where a large food source (primarily other bird species) is available (Baicich and Harrison 1997). Cooper's hawks could pass through the study area, and could potentially nest in the study area.

White-Tailed Kite. White-tailed kite is a fully protected species under California Fish and Game Code Section 3511. White-tailed kites have a restricted distribution in the United States, occurring only in California and western Oregon and along the Texas coast (American Ornithologists' Union 1983). The species is fairly common in California's Central Valley lowlands.

White-tailed kites nest in riparian and oak woodlands, and forage in nearby grasslands, pastures, agricultural fields, and wetlands. They use nearby treetops for perching and nesting sites. Voles and mice are their common prey.

No white-tailed kites were observed in the project area during previous field surveys. Riparian woodlands in the project area provide suitable nesting habitat for white-tailed kites.

Western Burrowing Owl. Western burrowing owl is a federal species of concern and a state species of special concern. Western burrowing owl is found throughout much of California in annual and perennial grassland, desert, and arid scrubland (California Department of Fish and Game 1995). It can also found in vacant lots in residential areas, along railroad ballast, along dirt roads, and on canal levees. The presence of burrows is the most critical requirement for western burrowing owl habitat; the species uses burrows excavated by ground squirrels and badgers, as well as artificial burrows such as cement culverts, debris piles, or openings under roads (California Department of Fish and Game 1995). Its breeding season extends from March through August, peaking in April and May (Zeiner et al. 1990).

No burrowing owls or active burrows were observed in the project area during previous field surveys. However, a protocol-level burrowing owl survey was not conducted for this project. Ruderal grasslands in the project area provide suitable foraging and nesting habitat for western burrowing owls.

Other Non-Special-Status Migratory Birds, Including Raptors. Nesting migratory birds, including raptors, are protected by federal and state laws, including the MBTA (50 CFR 10 and 21) and California Fish and Game Code Sections 3503 and 3503.5. Several non-special-status migratory birds and raptors, including red-shouldered hawk, red-tailed hawk, song sparrow, and mallard, could breed in the project area based on the presence of suitable nesting habitat.

Special-Status Fish. Based on a review of existing information listed previously under the "Methods" section, Central Valley fall-run chinook salmon and Central Valley steelhead are the two special-status fish that occur in the project area. Each of these species is described below. Additional information is provided in the BA, on file at the City of Roseville Community Development Department (Jones & Stokes 2000a).

Central Valley Steelhead. Steelhead, a sea-run rainbow trout, exhibits one of the most complex life histories of any salmonid (i.e., trout or salmon) species. Steelhead are capable of having an anadromous life history or a freshwater residency. Resident individuals are typically referred to as rainbow trout, whereas anadromous individuals are called steelhead.

Generally, steelhead existed throughout the tributaries and headwater streams of the Sacramento and San Joaquin Rivers before dam construction. The availability of steelhead habitat in the Central Valley has been reduced by as much as 95% or more because of barriers (National Marine Fisheries Service 1996). Other factors contributing to their decline in the Central Valley include water diversion and extraction, mining, agriculture, urbanization, logging, harvesting, hydropower development, and hatchery influences (National Marine Fisheries Service 1996).

Steelhead juveniles spend a minimum of 1, typically 2, years in fresh water before emigrating to the ocean as smolts. Smolt emigration generally occurs from November through May, although based on salvage data at the state and federal pumping plants in the Delta, the peak months for emigration appear to be March and April in most years. After spending 2-3 years in the ocean, steelhead return to their natal stream to spawn as 4- or 5-year-olds.

Because steelhead have a mandatory freshwater residency period, it is critical that suitable conditions for juvenile rearing exists year-round. Requirements for optimal juvenile rearing include adequate cover (i.e., more than 25% of stream area), food supply (i.e., enough to sustain growth), and water temperatures of 43o-65oF (Raleigh et al. 1984). Although juveniles are known to withstand temperatures of up to 77oF, survival at these higher temperatures depends on a number of factors, including exposure duration, acclimation factors, food availability, water quality (specifically dissolved oxygen concentrations), and groundwater dynamics.
Dry Creek serves as a migration corridor to upstream habitats where some spawning and rearing habitat occurs.

Central Valley Fall-Run Chinook Salmon. Although it was not always the case, fall-run chinook salmon are currently the most abundant run in the Central Valley. Historical spawning areas are downstream from most Central Valley dams and as a result, this run has not been as severely affected by dam construction as the spring and winter runs, which historically spawned at higher elevations.

Chinook salmon spend most of their lives in the ocean. Generally, chinook salmon existed throughout the Central Valley in the Sacramento and San Joaquin Rivers and major rivers and tributaries before dam construction. The availability of chinook salmon habitat in the Central Valley has been greatly reduced because of barriers, water diversion and extraction, mining,

agriculture, urbanization, logging, harvesting, hydropower development, and hatchery influences (U.S. Fish and Wildlife Service 1995).

Adult fall-run chinook salmon migrate into the Sacramento and San Joaquin Rivers from July through December (Kjelson et al. 1982). Fall-run chinook salmon spawn between early October through late December, and incubation takes place during October through March. The peak of spawning is in October and November as water cools. Salmon require relatively clean, cool (less than 57EF) water to spawn successfully. All adult salmon die after spawning. Rearing habitat for chinook salmon is present in Dry Creek.

According to the NOAA Fisheries web site, Central Valley fall-run chinook may be able to get to just above Highway 65 (NOAA Fisheries 2003). The web site also states that fish access to the creek is dependent on water flow depth and rate, and also is influenced by early rains.

Regulatory Setting

Table 3.5-5 summarizes the laws, regulations, permits, and policies relevant to biological resources in the project area. For additional regulations and policies that apply to Dry Creek and Antelope Creek, refer to subsection 3.3, "Water Resources".

Impact Assessment Approach and Methods

This impact analysis is based on the most current preliminary engineering plans (contained in Appendix I) and site-specific information gathered during the various field surveys. To the extent possible, potential impacts were quantified using the best available and current information. The impact quantities presented in this section are preliminary, but are adequate for generally describing potential impacts on biological resources. Once more detailed engineering and design information becomes available and the additional field surveys have been conducted (e.g., wetland delineation and arborist survey), impact acreages and number of trees removed will be finalized. These final acreages and tree removal estimates will be provided to the resource agencies to support acquisition of permits.

Construction activities associated with the proposed project could result in temporary, short-term, or long-term impacts on biological resources in the project area. In assessing the magnitude of possible impacts, the following project understandings and assumptions were made regarding construction-related impacts on biological resources.

- All construction activities, including material stockpiling and staging, will be located in designated staging areas. These staging areas will be located either within the temporary construction easement or on disturbed sites that do not support any sensitive biological resources.

- All vegetation within or along the immediate edge of the temporary construction easement (as demarcated on the preliminary engineering drawings in Appendix I) could be removed.

Table 3.5-5. Summary of Applicable Federal, State, and Local Laws, Regulations, Permits, Policies, and Plans Relevant to Biological Resources

Law, Regulation, Permit, or Policy	Oversight Agency	Applicability
Federal Clean Water Act, Section 404	U.S. Army Corps of Engineers and U.S. Environmental Protection Agency	This law regulates the discharge of dredged or fill material into waters of the United States, including wetlands. Projects that would result in the placement of dredged or fill material into waters of the United States require a Section 404 permit from the Corps. Some classes of fill activities may be authorized under general nationwide permits if specific conditions are met. Nationwide permits do not authorize activities that are likely to jeopardize the existence of a threatened or endangered species (listed or proposed for listing under ESA) or that may affect properties listed or eligible for listing in the National Register of Historic Places (56 Federal Register [FR] 59134-59138, November 22, 1991). In addition to those outlined under each nationwide permit, project-specific conditions may be required by the Corps as part of the Section 404 permit.
Endangered Species Act—Section 7 consultation	U.S. Fish and Wildlife Service and NOAA Fisheries	ESA prohibits the "taking" of any plant or wildlife species listed as threatened or endangered, including the destruction of habitat that prevents species recovery. "Taking" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to engage in any such conduct. Section 7 consultation with the U.S. Fish and Wildlife Service and NOAA Fisheries (either formal or informal) will be required for issues regarding the valley elderberry longhorn beetle and Central Valley steelhead, federally listed threatened species that occur in the project area.
California Endangered Species Act	California Department of Fish and Game	CESA prohibits the take of state-listed endangered and threatened plants or wildlife, but habitat destruction is not included in the state's definition of take.
California Native Plant Protection Act	California Department of Fish and Game	This act affords protection to plants listed as endangered or rare in California.
No-net-loss policy for wetlands	California Department of Fish and Game	DFG has adopted a no-net-loss policy for wetlands (Executive Order 11990, California Fish and Game Commission 1987).
Mitigation policy	U.S. Fish and Wildlife Service	USFWS identifies California's riparian habitats in Resource Category 2, for which no net loss of existing habitat value is recommended (46 FR 7644, January 23, 1981).

Table 3.5-5. Continued

Law, Regulation, Permit, or Policy	Oversight Agency	Applicability
California Fish and Game Code, Section 1601	California Department of Fish and Game	DFG regulates activities that would interfere with the natural flow of, or substantially alter the channel, bed, or bank of, a lake, river, or stream. These activities are regulated under California Fish and Game Code Section 1601 for public agencies. Requirements to protect the integrity of biological resources and water quality are often conditions of streambed alteration agreements. Conditions that may be required by DFG include avoiding or minimizing vegetation removal, using standard erosion control measures, limiting the use of heavy equipment, limiting work periods to avoid impacts on fisheries and wildlife resources, and requiring that degraded sites be restored or that permanent habitat losses be compensated for. Generally, the in-water construction window for California is from June 15 to September 15, but it may be extended in drier areas.
Oak tree preservation ordinance	City of Roseville	Oak trees are protected under City of Roseville Municipal Code, Title 16, Section 16.10. The Roseville Planning Department, Planning Commission, and City Council are charged with reviewing the project and making decisions regarding approval of a tree permit for removal of protected oak trees in accordance with the Roseville Tree Ordinance (Ordinance No. 2294).
Flood encroachment permit	City of Roseville	The Roseville Planning Commission issues flood encroachment permits for project proposed within the City's designated Floodway District (Municipal Code Section 19.74.010).

- There is currently no in-water work required for the precast concrete or prefabricated metal truss bridge across Antelope Creek. Therefore, no cofferdam or other dewatering methods are required.

- There will be no fill material placed within Antelope Creek at the bridge crossing because the bridge will be mounted on reinforced concrete abutments that will be placed outside the creek OHWM.

- Installation of the rock slope protection (RSP), retaining wall, or gabion design variations along Dry Creek would require extensive excavation of the bank, dewatering, and diversion of flows around the approximate 190-foot-long area.

- RSP will be placed that three locations along Dry Creek (as shown on Pages 2 and 3 in Appendix I).

Impact Types and Causes

The following types of activities could cause impacts on biological resources.

- grading and paving activities during bike path construction;

- temporary stockpiling and sidecasting of soil, construction materials, or other construction wastes;

- soil compaction, dust, and water runoff from the construction site;

- construction-related noise (from equipment);

- long-term disturbance of the adjacent riparian habitat and wildlife species by public use of the trails;

- site preparation and installation of temporary water-diversion structures (for the retaining wall and gabion design variations);

- development of soil stockpiling areas to contain material from excavation and bike path construction;

- construction runoff containing petroleum products and sedimentation from the placement of bank stabilization measures, causing short-term degradation of water quality in the creek; and

- bank excavation and in-water work associated with the installation of either the gabion or retaining wall design variations.

Significance Criteria

The following general criteria were considered in determining whether an impact on biological resources would be significant:

- federal or state legal protection of the resource or species;
- federal or state agency regulations and policies;
- city regulations and policies; and
- resource scarcity and sensitivity, both locally and regionally.

Based on the State CEQA Guidelines and the general criteria identified above, impacts on biological resources are considered to be potentially significant if the proposed project would result in any of the following:

- a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special?status species in local or regional plans, policies, or regulations, or by DFG or USFWS;

- a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by DFG and USFWS;

- a substantial adverse effect on jurisdictional waters of the Unites States (streams or wetlands), as defined by Section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption, or other means;

- substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;

- a conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- a conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

Impact Assessment

Impact 3.5-1:	Loss or disturbance of approximately 3.3 acres of ruderal grassland
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	• Comply with the City's grading ordinance (FEP requirements) • Comply with the SWRCB's general stormwater permit conditions for construction activity
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Construction of the bikeway would result in the loss or disturbance of approximately 3.3 acres of ruderal grassland. From a botanical perspective, this grassland community is locally and regionally common and does not contain a unique assemblage of plant species or provide suitable habitat for special-status plants in the project area. However, the grassland community does provide habitat for a variety of common and special-status wildlife species. Under certain conditions, ruderal grassland provides foraging habitat for raptor species, overwintering habitat for northwestern pond turtles, and burrowing and nesting habitat for western burrowing owls. Impacts on these special-status species are described below, under Impacts 3.5-6 and 3.5-7.

The loss of 3.3 acres of ruderal grassland is not considered a significant impact from a botanical perspective for the reasons described above. Although no mitigation is required for the loss or disturbance of 3.3 acres of ruderal grassland, implementation of BMP update EIR Mitigation Measures G-1 and HY-1 (required for Geology impacts discussed earlier) will further minimize impacts on the ruderal grassland community.

Impact 3.5-2:	Placement of approximately 0.044 acre of fill material into a water of the United States (Dry Creek)
Baseline significance under CEQA:	Significant
Adopted and/or required actions:	• Comply with the City's grading ordinance (FEP requirements) • Comply with the SWRCB's general stormwater permit conditions for construction activity • Comply with conditions of Section 1601 Streambed Alteration Agreement (DFG) • Comply with conditions of the NOAA Fisheries Biological Opinion • Comply with requirements of Section 404 permit (Corps)
BMP EIR Mitigation Measure B-1:	Provide for no net loss of wetlands.
BMP EIR Mitigation Measure B-5:	Implement construction protocols for stream activities
BMP EIR Mitigation Measure HY-1:	Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable
BMP EIR Mitigation Measure HY-3:	Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

As described previously, no wetlands (outside the creek corridor) were identified in the project area. The only waters of the United States that were identified in the project area (based on reconnaissance-level data collection) are Dry Creek and Antelope Creek.

Construction of the proposed project could result in the placement of approximately 0.044 acre of permanent fill material into Dry Creek, a water of the United States that is subject to state and federal regulations (as stated under the "Methods" section, a formal delineation has not been conducted for the project; this acreage should be considered preliminary and will be confirmed after a formal wetland delineation is conducted). This fill material would be placed into Dry Creek during placement of RSP along a 190-foot-long segment of the creek bank and other small places along the creek (for the proposed locations of this RSP, see the preliminary engineering plans in Appendix I). The RSP would be placed approximately 10 feet below the OHWM in this section of the creek and would vary in relation to the OHWM at the other locations along the creek.

Based on the most current bridge design, no temporary fill material or permanent bridge components would be placed within the OHWM of Antelope Creek. The proposed bridge would be mounted on reinforced concrete abutments that would be placed outside the creek OHWM. Also, construction equipment access into Antelope Creek would not be required because construction of the bridge would be accomplished from the upland sides of the creek.

Construction activities associated with construction of the bridge, bike path, and stream bank stabilization activities (including excavation and dewatering) would also result in potential short-term sedimentation and water quality degradation. Short-term construction activities would affect water quality and special-status species that live or seasonally migrate through the creeks. A discussion of these water quality effects on special-status species, and mitigation measures that would be implemented to avoid or minimize these effects, are described below under Impact 3.5-7 (northwestern pond turtles) and Impact 3.5-9 (chinook salmon and steelhead).

The placement of 0.044 acre of permanent fill (RSP) into Dry Creek, a waters of the United States, is considered significant because the creek provides habitat for a variety of special-status species and is regulated by state and federal agencies. Implementation of the adopted and required actions listed in the impact summary (which involve obtaining and implementing state and federal permit conditions), as well as implementation of Mitigation Measures B-1, B-5, HY-1, and HY-3 of the BMP update EIR, will ensure that impacts on waters of the United States (Dry Creek) are reduced to a less-than-significant level. No additional mitigation is required.

Impact 3.5-3:	Loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat
Baseline significance under CEQA:	Significant
Adopted and/or required actions:	• Comply with conditions of Section 1601 Streambed Alteration Agreement (DFG) • Comply with conditions of the NOAA Fisheries Biological Opinion • Comply with requirements of Section 404 permit (Corps)
BMP EIR Mitigation Measure B-2:	Implement construction protocols.
BMP EIR Mitigation Measure AE-2:	Revegetate where necessary using native or compatible landscaping plants in open areas.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Significant
Proposed Mitigation Measure 3.5-1:	Retain an environmental monitor
Proposed Mitigation Measure 3.5-2:	Avoid or minimize impacts on sensitive biological resources during project design
Proposed Mitigation Measure 3.5-3:	Avoid or minimize impacts on sensitive biological resources during construction
Proposed Mitigation Measure 3.5-4:	Compensate for permanent impacts on woody riparian vegetation (as required in Corps and DFG permit conditions)
Significance after implementation of all measures:	Less than significant

Construction of the proposed project would result in the loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat along Dry Creek (this acreage does not include riparian habitat that may be removed during installation of RSP in APN 013-040-004). The riparian habitat along Dry Creek would be permanently removed during placement of RSP along the streambank (see the preliminary construction drawings in Appendix I for the proposed locations of this RSP).

A small amount of riparian habitat would also be disturbed within the temporary construction easement.

No riparian habitat would be removed along Antelope Creek because none exists within the proposed construction easement. The banks of Antelope Creek at the bridge crossing location support ruderal grassland.

Because riparian habitat provides important functions such as bank stabilization, water filtration, shading and cover for fish species, and wildlife habitat, it is considered a sensitive natural community that should be avoided to the fullest extent possible. A substantial statewide decline of riparian communities in recent years has led state and federal agencies to adopt policies to further minimize losses. For example, DFG has adopted a no-net-loss policy for riparian habitat values, and the USFWS mitigation policy places California's riparian habitats in Resource Category 2, for which no net loss of existing habitat value is recommended.

The City's BMP update EIR found the cumulative loss of riparian forest and scrub as a result of implementing the citywide bikeway system to be a significant and unavoidable impact. As described in the BMP update EIR, the City has been awarded grant funding from CalFED to develop a creek and riparian management and restoration plan. This grant will enable the City to develop a creek, riparian, and open space management and restoration plan to address cumulative concerns throughout the City's open space system, including those involving implementation of Class I bikeways in open space and park areas.

The City will implement the adopted and required actions listed in the impact summary (which involve obtaining and implementing state and federal permit conditions), as well as Mitigation Measures AE-2 and B-2 of the BMP update EIR, to reduce impacts on the riparian habitat. These BMP update EIR measures would minimize the impact on riparian habitat, but would not reduce the impact to a less-than-significant level. To reduce the impact to a less-than-significant level and ensure that the project meets DFG and USFWS no-net-loss policies for riparian habitats, the City will implement the four mitigation measures listed in the impact summary (described at the end of this section).

Impact 3.5-4:	Potential disturbance of and direct loss of approximately 13 native oak trees
Baseline significance under CEQA:	Significant
Adopted and/or required actions:	• Comply with the City's oak tree preservation ordinance • Comply with the conditions of a Section 1601 Streambed Alteration Agreement (DFG)
BMP EIR Mitigation Measure B-2:	Implement construction protocols.
BMP EIR Mitigation Measure B-6:	Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

Construction of the bike path could remove or disturb at least 13 native oak trees (valley oak, blue oak, and interior live oak) (this estimate does not include the native oaks that may be removed from APN 013-040-004). As described in the "Methods" section, this tree estimate is based on limited information gathered during one of the reconnaissance-level field visits, and is not based on an arborist survey report. Direct impacts would result from the removal of trees for the construction of the bike trail. Indirect impacts include grading, excavating, soil compaction, and other construction activities that would take place below the canopy dripline of oak trees. Indirect impacts could result in damage to, or eventual death of, individual trees. The total number of oak trees directly and indirectly affected by the project would be determined during tree permit processing and the final design phase of the project.

Oak trees are protected by the City under the oak tree preservation ordinance (City of Roseville Municipal Code, Title 16, Section 16.10), which also provides guidelines for construction activities near protected trees. As part of the project and as required by ordinance, native oak trees would be avoided during construction to the extent feasible by installing protective barriers outside the driplines of the trees. Any oak trees that cannot be avoided would be compensated for as required by the ordinance. In addition, a compensation requirement for loss of oak trees may also be required as part of the Section 1601 Streambed Alteration Agreement for this project if the trees are associated with riparian habitat.

The BMP update EIR found that the loss of protected oak trees (those greater than 6 inches in diameter at breast height [dbh]) as a result of implementing the bikeway system would be significant and unavoidable. Mitigation Measure B-6 of the BMP update EIR requires compliance with the City's tree preservation ordinance, as discussed above. Mitigation Measure B-2 of the BMP

update EIR requires implementation of protective measures during construction, such as barrier fencing and restricted activities near oak trees. Implementation of the adopted and required actions listed in the impact summary, as well as Mitigation Measures B-2 and B-6 of the BMP update EIR, would reduce the impacts on native trees to a less-than-significant level over time. No additional mitigation is required.

Impact 3.5-5:	Short-term disturbance of common wildlife species
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

The short-term disturbance of common wildlife species from construction activities (i.e., noise, barriers, and dust) and public activity in Dry Creek corridor is not considered substantial because construction effects would be temporary and the corridor is surrounded by development and is the site of some public use already. Also, common wildlife species are locally and regionally abundant, and sufficient habitat is available in the project vicinity. No mitigation is required.

Impact 3.5-6:	Potential loss or disturbance of special-status and common raptors
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions:	• Consult with DFG on preconstruction surveys and Section 3503.5 compliance
BMP EIR Mitigation Measure B-8:	Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and compensate for loss of occupied burrows.
BMP EIR Mitigation Measure B-9:	Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

Construction activities and public use of the bikeway could result in the disturbance of nesting special-status and common raptors such as Swainson's hawk, western burrowing owl,

Cooper's hawk, and white-tailed kite. Although no nesting raptors were found in the project area during the field survey; potential exists for raptors to nest there in the future. Loss of an active raptor nest could occur during vegetation removal. Disturbing an active raptor nest would violate Sections 3503 and 3503.5 of the California Fish and Game Code and could affect the species' local population.

The analysis conducted for the BMP update EIR found that citywide implementation of bicycle facility improvements would result in potentially significant impact on nesting Swainson's hawk and burrowing owls, and other legally protected birds of prey. Mitigation Measures B-7, B-8, and B-9 in the BMP update EIR provide detailed direction and performance standards for avoiding or minimizing impacts on raptors. Implementation of these measures would reduce the potential impacts on special-status and common raptors to a less-than-significant level. No additional mitigation is required.

Impact 3.5-7:	Temporary disturbance of habitat for northwestern pond turtle
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

No turtles were found during project-level field surveys. However, construction activities in the creek corridor could temporarily disturb winter hibernation areas and upland breeding habitat for northwestern pond turtles. Potential habitat could be disturbed during construction of the bridge across Antelope Creek, bike path along Dry Creek, and placement of RSP along the streambank. The loss of this small quantity of habitat for turtles would not substantially affect turtle populations in Dry and Antelope Creeks because abundant breeding habitat is available in the project region (along Dry and Antelope Creeks and Miner's Ravine). Most of the acreage from habitats disturbed during construction would be available to turtles over the long term because of natural recolonization and adoption of riparian habitat mitigation measures. This minor effect on habitat would not substantially affect the turtle population.

Less-than-significant impacts on pond turtles, if they are present, would be further minimized by implementation of the mitigation measures required for Impacts 3.5-1, 3.5-2, and 3.5-3, which will offset effects on the creeks and associated aquatic and upland habitats.

Impact 3.5-8:	Potential indirect impacts on habitat for valley elderberry longhorn beetle
Adopted and/or required actions:	• Comply with conditions of the USFWS Biological Opinion (April 10, 2003)
Baseline significance under CEQA:	Less than significant with implementation of adopted and/or required actions
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

In conformance with Mitigation Measure B-3 and Mitigation Measure B-10 of the BMP update EIR, the City commissioned pre-construction surveys of the project area for special-status species and for elderberry shrubs. Three elderberry shrubs are located within 100 feet of the proposed project construction activities (Figure 3.5-1) and could be directly or indirectly affected by the project. Two additional shrubs were located in the vicinity of the proposed project but are more than 100 feet from potential ground disturbance and are unlikely to be affected by the project. Before construction activities begin, each shrub within 100 feet of the construction area will be fenced with orange construction fencing. The fencing will enclose an area that encompasses a 20-foot-wide buffer from the outer edge of the dripline of each shrub.

The project would result in direct removal of three elderberry shrubs, identified as shrubs 2, 3, and 5 in Figure 3.5-1. Disturbance of an elderberry shrub that causes harm to the health of the shrub may be considered an adverse impact on the valley elderberry longhorn beetle. Removing or disturbing elderberry shrubs would constitute "take" under ESA (which prohibits harassment, harm, or capture of a protected species) because the shrub is considered occupied habitat for the valley elderberry longhorn beetle.

In compliance with BMP update EIR Mitigation Measure B-10, the City prepared a BA to support the formal consultation between FHWA and USFWS. A mitigation plan to minimize all project-related direct and indirect impacts on VELB was developed and included in the BA. The VELB mitigation plan was submitted to USFWS by FHWA (during Section 7 consultation). USFWS issued a Biological Opinion on April 10, 2003 (Appendix F), to FHWA, which appended the proposed project to the March 11, 1997, *Formal Programmatic Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office* [of the U.S. Fish and Wildlife Service], *California (Ref # 1-1-96-F-0156)*. The Biological Opinion describes measures to avoid and minimize take of VELB and specifies compensation for incidental take due to unavoidable removal of the three valley elderberry plants (Appendix F). The requirements for the proposed project include compensation banking, creation of a conservation area for transplanted elderberry shrubs, shrub seedlings, and associated native species seedlings, the size of the conservation area and density of seedlings planted, and implementation timing. The conservation area must be protected in perpetuity as habitat for VELB and will require long-term monitoring, weed control, control of pesticide and toxicant use,

litter control, and permanent fencing and signs (some allowance may be made for recreation areas). Compensation ratios for affected elderberry shrubs are based on location (riparian versus nonriparian), stem diameter at ground level, and the presence or absence of exit holes indicative of the beetle's use of the shrub. On the basis of these required measures and compensation, an incidental take permit has been issued under ESA (see Appendix F).

The City will identify in the project plans and specifications that the contractor is required to implement Biological Opinion measures to mitigate impacts on VELB. Implementation of the measures in the Biological Opinion will reduce potential impacts on VELB habitat to a less-than-significant level. No additional mitigation is required.

Impact 3.5-9:	Disturbance to chinook salmon and steelhead habitat
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions:	• Comply with conditions in the NOAA Fisheries Biological Opinion (February 26, 2002)
BMP EIR Mitigation Measure B-1:	Provide for no net loss of wetlands.
BMP EIR Mitigation Measure B-2:	Implement construction protocols.
BMP EIR Mitigation Measure B-5:	Implement construction protocols for stream activities.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

The project area is included in the range of designated critical habitat for Central Valley steelhead and is habitat for Central Valley fall-run chinook. Construction activities and instream structures (RSP) could disturb habitat, migrating adults, and rearing juvenile salmonids through streambed disturbance, sediment input, contaminant input, or removal of riparian vegetation. Alteration of the habitat may affect the quality of rearing habitat for steelhead and chinook salmon. Removal of habitat could result in "take" under ESA. The City has entered into a Monitoring Agreement (MA) with NOAA Fisheries to address water quality issues related to Central Valley steelhead, a species listed as threatened under ESA. The MA includes commitments from the City to conduct water quality monitoring and explore appropriate adaptive management strategies based on monitoring results. The MA also establishes a framework for a more programmatic approach toward addressing impacts on fishery resources in the city. One means of accomplishing this is development of a citywide creek and riparian management and restoration plan in consultation with NOAA Fisheries. It is hoped that this plan will meet the requirements of the 4d rule. An overarching goal of the MA is to establish a cooperative relationship between the City and NOAA Fisheries to allow better protection and management of fishery resources as well as assist the City to more efficiently fulfill its various other responsibilities in and near waterways.

To avoid or compensate for potential impacts on chinook salmon and steelhead, and their designated critical habitat to ensure a less-than-significant level of impacts, the City will comply with the requirements of the NOAA Fisheries Biological Opinion (see Appendix C) as part of final project design and construction. The City will also implement the BMP update EIR Mitigation Measures B-1, B-2, and B-5. These actions will reduce this impact to a less-than-significant level. Although no additional mitigation is required, measures required for Impacts 3.5-1, 3.5-2, and 3.5-3 will also minimize potential impacts on fish species.

Design Variations

The proposed project includes three proposed design variations for stabilization of an approximately 190-foot section of bank that has been subject to increasing lateral erosion by Dry Creek. As described in subsection 2.4, Variation 1 is a 24-foot gabion wall, Variation 2 is a retaining wall on a pile foundation, and Variation 3 is rock slope protection. All three design variations would entail excavating the bed and bank of Dry Creek, temporarily dewatering the portion of the creek bed under excavation, and diverting flow to another section of the channel. No water impoundments or impediments to streamflow would be required.

Variations 1 and 2 would have substantially greater effects on biological resources than Variation 3. As shown in Table 2.4-1, Variations 1 and 2 involve substantially greater amounts of excavation, disturbed area, and construction time. Much of the excavation would take place below the elevation of the stream bed to key in the footings of the gabion wall or retaining wall. The use of gabions or a retaining wall would preclude revegetation of the fortified bank area.

Design Variation 3 involves substantially less excavation and less construction time in the bed and bank of Dry Creek. Rock slope protection provides a fortified but porous structure. Water can seep through the structure, and willow tubes can be installed and planted within the rock slope protection. Revegetation with willows (Salix spp.) or other native riparian scrub species would restore some of the natural riparian habitat values that would be affected during construction.

Mitigation Measures

3.5-1: Retain an environmental monitor (recommended).

The City will retain a biologist to monitor construction activities in sensitive biological resource areas. The biologist will be responsible for determining the placement of orange barrier fencing, maintaining fences, providing environmental briefings to instruct construction crews on impact avoidance measures, ensuring compliance with permit requirements, removing wildlife that enter the construction zone, and providing status reports to the City, permitting agencies, and other resource agencies.

3.5-2: Avoid or minimize impacts on sensitive biological resources during project design.

Impacts on riparian forest and scrub habitat and special-status species habitat will be minimized to the extent possible during the project design phase by making minor

adjustments to the route to avoid high-quality riparian habitat and large native trees. A qualified biologist will work with the City environmental staff and project engineer to make minor revisions to the route alignment that will reduce impacts on sensitive biological resources where possible.

3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction.

Sensitive biological resources located adjacent to the construction corridor will be protected by placing orange construction barrier fencing or stakes and flags (where appropriate and depending on the type of resource). Adjacent resources that may require protection include oak trees, riparian vegetation, elderberry shrubs, and seasonal wetlands. Staking will be placed at least 25 feet (or, in the case of valley elderberry longhorn beetle, the maximum feasible distance) from the outer dripline of elderberry shrubs. The locations of sensitive resources will be clearly identified on the construction drawings and marked in the field by the environmental monitor. Fencing or other barriers will remain in place until all construction and restoration work that involves heavy equipment is complete. In cases where woody riparian vegetation must be cleared, the vegetation will be trimmed rather than uprooted, where possible, to allow resprouting.

3.5-4: Compensate for permanent impacts on woody riparian vegetation (as required in Corps and DFG permit conditions, and in NOAA Fisheries Biological Opinion).

The City will compensate for the loss of any riparian habitat by enhancing or replacing similar habitat near Dry Creek in the project area and vicinity. The compensation ratio will be 3:1 (3 acres created or enhanced for every 1 acre removed). This mitigation ratio was established on the basis of communications with DFG (Pereze pers. comm.) and is consistent with the ratio recommended by NOAA Fisheries.

Potential mitigation sites in the Dry Creek and Antelope Creek corridors that could be used to create or enhance riparian habitat include riparian areas that currently support nonnative species (e.g., tree of heaven, Sesbania, and giant reed) that could be removed and replanted with native riparian species, and sparsely vegetated or degraded riparian areas that could be enhanced through planting of native woody species. Such locations will be identified and prioritized in the City's creek and riparian management and restoration plan (currently under development).

Another option for the City would be to purchase mitigation credits from a local mitigation bank (e.g., Orchard Creek mitigation bank in Placer County).

Potential mitigation sites must be evaluated as part of a formal habitat mitigation plan, as described in the BMP update EIR and as discussed in the City's soon-to-be-completed creek and riparian management and restoration plan, before the suitability of these sites to sustain riparian plantings can be determined. The following factors would be assessed as part of this mitigation plan: soils, hydrology (including groundwater levels and surface inundation), land

use, potential disturbances, habitat functions, costs associated with maintaining the plantings, and overall potential for survival.

The City will retain a restoration ecologist to develop a mitigation plan that identifies erosion control, habitat replacement, and maintenance and enhancement of habitat as the primary mitigation goals. The habitat mitigation plan will include a list of recommended species, design specifications, an implementation plan, a maintenance program, and a monitoring program. A minimum of 5 years of monitoring (or longer if required as a condition of permits) will be conducted to document the degree of success or failure in achieving success criteria and to identify remedial actions. Annual monitoring reports will be submitted to DFG, USFWS, NOAA Fisheries, Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria described below, and discuss any remedial actions performed.

After the 5-year monitoring period, the mitigation plan will be considered successful when the following criteria are met:

- establishment of a riparian habitat that is composed of a mix of native species similar to those present in the riparian corridor along Dry Creek or Antelope Creek;
- development of at least 75% absolute cover of native woody riparian vegetation in the mitigation area;
- growth of riparian species that rate good or excellent in vigor or growth (based on a qualitative comparison of leaf turgor, stem caliber, leaf color, and foliage density in the planted sites with individuals of the same species in the adjacent riparian areas);
- determination that plantings at each site are self-sustaining without human support (e.g., weed control, rodent control, or irrigation); and
- if success criteria are not being met, additional restoration measures will be developed and implemented.

Additional reporting requirements that may be specified as permit conditions will be incorporated into the mitigation plan.

BMP EIR AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas.

In open space areas where riparian habitat would be removed during the construction of bikeways, the City shall replant using drought-tolerant native or compatible plant species to create a more natural visual environment, to provide potential habitat, and to reduce long-term water consumption.

BMP EIR HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable.

This measure is described in Section 3.2, "Geology".

BMP EIR HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.

This measure is described in Section 3.2, "Geology".

BMP EIR G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures.

This measure is described in Section 3.2, "Geology".

BMP EIR B-1: Provide for no net loss of wetlands.

The City shall be required to obtain a Section 404 permit from the Corps before beginning any construction activity on bikeway routes that would affect jurisdictional waters of the United States, as determined through field surveys and a verified wetland delineation. A Section 1601 streambed alteration agreement could also be required for work in, along, and over streams and associated riparian habitat. Compliance with Corps and USFWS permit requirements for no net loss of wetland habitat value and acreage would ensure that the impacts of bikeway construction and operation on wetlands are reduced to less-than-significant levels. Under CEQA, compliance with Corps and USFWS requirements is recognized as adequate mitigation to offset the loss of wetland areas.

State and federal regulations state that, preferably, project-related impacts shall be avoided to the fullest extent feasible first, and then remaining unavoidable impacts shall be minimized to the extent feasible. To compensate for unavoidable impacts, the City shall implement one or more of the following to ensure that there is no net loss of wetlands and wetland habitat:

- Restore and/or enhance affected habitats in the project area,
- Acquire for preservation or restore and enhance similar habitats elsewhere at an approved compensation ratio, or
- Purchase credits in a certified mitigation bank.

USFWS requires participation in certified mitigation banks. Such mitigation banks are recognized by the federal government as acceptable mitigation tools. If the City chooses to use a certified mitigation bank to mitigate impacts, the City shall acquire credits for the types

of habitats and area specified in the permit conditions in direct proportion to wetland losses as determined by a verified wetland delineation.

BMP EIR B-2: Implement construction protocols.

The City shall implement appropriate construction protocols to minimize the disturbance of wildlife and surrounding land uses during construction. These protocols shall include the following:

(a) Restrict construction activities to areas away from preserved oak and riparian habitat. Contractors shall minimize construction activities near oak trees. Laydown, staging, refueling, and parking areas shall not be located next to previously undisturbed open space oak or riparian zones. Construction activities that, by necessity, occur near oak woodlands and riparian zones to be preserved shall be supervised onsite by a responsible compliance officer designated by the City (preferably a qualified biologist). Encroachments or damage that have not been authorized by a tree permit are prohibited, and measures to prevent damage to trees near construction activities shall be implemented as detailed in the Tree Preservation Chapter of the Roseville Zoning Ordinance and in Mitigation Measure B-5.

(b) Erect temporary barrier fencing to delimit protected areas. Temporary fencing, consisting of 5-foot-tall orange construction drift fence, flagging, signs, or other markings, shall be erected around open space areas and restricted areas and shall be maintained for the duration of construction to prevent inadvertent damage to natural resources. Fencing shall be maintained and shall be the responsibility of an onsite compliance officer designated by the City.

(c) Identify and implement dust suppression measures to avoid generating substantial particulate matter. The City shall implement dust suppression measures identified in the construction emissions/dust control plan approved by the Placer County APCD.

(d) Prepare and implement an erosion and sediment control plan to avoid excessive offsite runoff and sediment transport to nearby waterways. The City shall require contractors to prepare and implement an erosion and sediment control plan as required under the City's improvement standards.

BMP EIR B-5: Implement construction protocols for stream activities.

For construction involving stream activities the City will:

- Restrict construction to the dry season (June 1 until September 30) to avoid steelhead;
- Ensure no excessive turbidity or sedimentation to creeks;
- Avoid restricting stream flow and thereby fish passages; and
- Ensure that no hazardous waste products enter the creeks.

BMP EIR B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success.

The City shall comply with requirements of its tree preservation ordinance to avoid, minimize, or compensate for the removal or disturbance of native oak trees greater than 6 inches dbh during construction. If native oak trees will be affected by a project, a tree mitigation plan shall be prepared that identifies trees that qualify for protection on specific bikeway routes and specifies mitigation for impacts. Where possible, trees shall be avoided completely by rerouting during the final design phase. For any oak trees that would be removed, the City shall either replace the habitat on an inch-by-inch basis as required by the ordinance (plant one 5-gallon tree per inch dbh removed), purchase land with previously unprotected oaks and protect those trees, or pay an in-lieu fee to a mitigation bank for the protection of an equivalent amount (in inches dbh) of oak trees. The mitigation plan shall also identify success criteria for the survival of replacement trees, establish a monitoring program to ensure that appropriate levels of mitigation are reached, and provide for the replacement of mitigation trees.

Where construction activities would take place adjacent to protected trees or involve impacts that fall short of complete removal, such as trimming or root cutting, a qualified arborist shall be retained to direct all construction activities involving trees, the installation of protective fencing around trees, and the monitoring of tree health following construction. Trees that require eventual removal due to construction-related damage shall be mitigated in the same manner as trees removed directly for construction, as described above.

BMP EIR B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and compensate for loss of occupied burrows.

To ensure that the possible impacts on western burrowing owls are less than significant, the City shall implement the following measures:

(a) Before any ground disturbance related to construction activity, a qualified biologist shall conduct a pre-activity survey to identify any western burrowing owl or habitat features (e.g., burrows). The biologist shall evaluate use by burrowing owls, in accordance with DFG's current survey guidelines (California Department of Fish and Game 1995). Surveys shall be conducted by walking the proposed disturbance area and areas within 500 feet of the disturbance area where feasible.

(i) For project activities occurring during the burrowing owl breeding season (February 1 through August 31), surveys shall be conducted during the breeding season and at most 30 days before construction. The purpose of the breeding-season surveys shall be to document whether burrowing owls are nesting on or directly next to any disturbance areas.

(ii) For project activities occurring during the non-breeding season (September 1 through January 31), surveys shall be conducted during the non-breeding season and at most

30 days before construction. The purpose of the surveys shall be to document whether burrowing owls are using the area during the non-breeding season on or directly next to any disturbance area. If burrowing owls are found during the breeding or non-breeding season, measures (b), (c), and/or (d) shall be implemented.

(b) If burrowing owls are found during the breeding season (February 1 through August 31), the City shall avoid all burrowing owl nest sites that could be disturbed by project construction during the breeding season or while the nest is occupied by adults or young. Avoidance shall include the establishment of a non-disturbance buffer zone up to 250 feet in diameter around the nest sites. The buffer zone shall be marked by highly visible, temporary construction fencing. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the nest site is no longer used by burrowing owls.

(c) If burrowing owls are found during the non-breeding season (September 1 through January 31), the City will avoid the owls and their active burrows to the extent feasible. Avoidance shall include the establishment of a 160-foot-diameter non-disturbance buffer zone around the burrow(s) being used. The buffer zone shall be marked by highly visible, temporary construction fencing. If burrowing owls cannot be avoided, the City shall conduct passive relocation by installing one-way doors in burrow entrances that are used or may be used by the owls. After the one-way doors have been installed and owls are not using the burrows following a one week monitoring period, the burrows can be excavated to prevent reoccupation by owls. The one-way doors would collapse or degrade as a result of construction activities. This measure shall be implemented and monitored following DFG's recommendations (California Department of Fish and Game 1995).

BMP EIR B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions.

To ensure that unauthorized take of legally protected birds of prey does not occur during project construction as a result of direct nest removal or indirect disturbance (e.g., dust, noise, vibration), the City shall implement the following measures:

(a) When feasible, all tree removal shall occur between August 30 and March 15 to avoid the breeding season of legally protected bird species that could use the area and to discourage birds from nesting near an upcoming construction area. This period may be modified if authorized by DFG.

(b) If avoidance during the nesting season is not feasible (i.e., if construction activities must take place between March 15 and August 30), then before grading may begin, all trees within 350 feet of any grading or earthmoving activity shall be surveyed for active nests by a qualified biologist. If active nests are found within 350 feet of potential construction activity, a fence shall be erected around the nest at a distance of up to 350 feet, depending on the species, from the edge of the canopy to prevent disturbance from construction and

intrusions on the nest area. The appropriate buffer width shall be determined by the City in consultation with DFG.

(c) No construction vehicles shall be permitted within restricted areas unless directly related to the management or protection of the legally protected species.

(d) If a nest is abandoned despite efforts to minimize disturbance, and if the nestlings are still alive, the City shall contact DFG and, subject to DFG approval, fund the recovery and hacking (controlled release of captive, reared young) of the nestlings.

(e) If the nest of a legally protected species is located in a tree designated for removal, the removal shall be deferred until after August 30 or until the adults and young of the year are no longer dependent on the nest site, as determined by a qualified biologist.

3.6 TRAFFIC AND CIRCULATION

Existing Roadways

The project area extends from Harding Boulevard to the Royer Park parking lot and is intersected by numerous local streets (Figure 2.1-2). Harding Boulevard is a major north-south arterial roadway extending between Douglas Boulevard and Atlantic Street. The Roseville 2010 General Plan states that an arterial roadway would accommodate existing and future traffic volumes that exceed 12,000 average daily trips (ADT). Folsom Road is a designated collector street. This classification is for roadways that would accommodate 2,000–15,000 ADT (City of Roseville 1992). Evelyn Avenue, James Drive, Lincoln Street, and Linda Street are classified as local streets.

Existing Bikeways

Existing bikeway facilities are located at the beginning of the proposed route alignment at Harding Boulevard and at the southern end of Royer Park near Douglas Boulevard. On Harding Boulevard, a Class II bike lane extends between Lead Hill Road to a point well north of the project area. There is a Class II on Lead Hill Road southward to Douglas Boulevard. Atlantic Street also has a Class II bike lane. Proposed Class III bike routes are designated near the proposed route alignment along portions of Vernon Street, Folsom Road, Linda Street, and Oak Street. (City of Roseville 1996.)

Regulatory Setting

No permits, entitlements, or other requirements related to traffic and circulation are required for this project.

Impact Assessment Approach and Methodology

To assess potential impacts involving traffic and circulation, general traffic and parking conditions were qualitatively reviewed. Areas where a bicycle route alignment interfaces with a sidewalk or roadway were the primary focus of the analysis.

Significance Criteria

Criteria to make CEQA findings of significance for each impact were developed by staff members of the City of Roseville Community Development Department and Department of Public Works and from the State CEQA Guidelines.

A project would normally have a significant effect on traffic and circulation if it would:

- cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections);
- cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways;
- substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- result in inadequate emergency access;
- result in inadequate parking capacity; or
- conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

Impact Assessment

Impact 3.6-1:	Potential bicycle-pedestrian conflicts at Lincoln Street and Folsom Road
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions:	None
BMP EIR Mitigation Measure T-1:	Prepare and implement a traffic management plan.
BMP EIR Mitigation Measure T-2:	Install appropriate signing and striping at sidewalk and roadway intersections.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

The proposed off-street route includes connections to Folsom Road and Lincoln Street and a crossing at Lincoln Street. The intersections of the bikeway with sidewalks at these locations are designed to provide access to the collector and local streets serving the residential area. However, these connections will require bicyclists to cross the sidewalk on both sides of the roadway. Although the bikeway would be visible from the sidewalk, the potential exists for bicycle-pedestrian conflicts to occur, creating a safety hazard for both bicyclists and pedestrians. Mitigation Measure T-2 of the BMP update EIR has been refined to provide project-specific measures to mitigate this safety hazard to a less-than-significant level. An existing stop sign and crosswalk provide a crossing point on Lincoln Street at Oak Street. Implementation of BMP update EIR Mitigation Measure T-1 will ensure that temporary traffic impacts during project construction are less than significant.

Impact 3.6-2:	Increased demand for parking
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Some individuals may park their vehicles in the Royer Park parking lot and unload their bicycles before using the bikeway. These potential vehicle trips would generate a small increase in parking demand at this parking lot. According to the Roseville Department of Public Works, the existing typical parking demand at this lot is generally less than half the capacity. Infrequently, all the spaces may be occupied during special events and park visitors must find other areas to park. During these events, the additional demand that could be generated by bicyclists would not be accommodated by the existing parking lot. However, relative to the overall parking demand associated with special events, the contribution by bicyclists is expected to be minor.

Increased demand for parking may also result at William L. Taylor Park. This park is located along the bike route and may be used as a trailhead for bicyclists seeking trail access. Because this park does not have off-street parking, bicyclists would park their cars along the residential streets near the park. Although some residents in these areas may view this as a nuisance, the number of cars likely would be relatively small on a day-to-day basis. In addition, because of the size and location of this park, any special events involving bicyclists would be directed to other parks in the area that have sufficient parking to support the event.

Impact 3.6-3:	Potential bicyclist-motorist conflicts at the Lincoln Street and Oak Street parking lots
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
BMP EIR Mitigation Measure T-1:	Prepare and implement a traffic management plan.
BMP EIR Mitigation Measure T-2:	Install appropriate signing and striping at sidewalk and roadway intersections.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

The proposed project will direct traffic into the civic center parking lot that has been constructed on the east side of Lincoln Street near Dry Creek and from there to the city parking lot on the west side of Lincoln Street, south of Oak Street. Bicycle traffic would travel through the parking lots on a designated Class III route. The design of these parking lots would allow sufficient room for safe passage of bicyclists through the lots. In compliance with Mitigation Measure T-2 of the BMP update EIR, Class III bike route signs that identify these lots as part of a bike route would be posted and would serve to provide notice to motorists about the presence of the bike route. Implementation of BMP update EIR Mitigation Measure T-1 will ensure that temporary traffic impacts during project construction are less than significant.

Design Variations

The design variations considered for this project would not affect traffic in the project study area because they would be constructed in an off-street area. No impacts or mitigation are associated with these variations.

Mitigation Measures

BMP EIR T-1: Prepare and implement a traffic management plan.

The City shall prepare a traffic management plan that would apply to the construction period of each individual bikeway project. The plan shall identify general methods by which construction could take place without substantial delay to traffic. Methods identified in the plan shall address the following topics:

- Appropriate sequencing of activities (e.g., segment phasing, timing of grading, hours of construction),
- Maintenance of traffic flow,
- Maintenance of emergency access through the construction area,
- Protection or separation of work zones,
- Accommodation of pedestrian access,
- Limitation of lane closures to off-peak traffic periods, and
- Coordination with the press, schools and emergency service providers, and the community, including advance warning of construction activities and alternate routes.

Contractors shall implement the construction methods identified in the plan as they pertain to individual bikeway projects.

BMP EIR T-2: Install appropriate signing and striping at sidewalk and roadway intersections.

As part of project implementation, stop signs and striping shall be installed on Class I bikeways at roadway approaches, and signs warning bicyclists of pedestrian crossings shall be installed at sidewalk crossings. Signing or markings on sidewalks to alert pedestrians of bikeway crossings shall also be installed.

Project-specific implementation of this measure shall include installation of a stop sign and striping on the bikeway at the sidewalk approach and a sign warning bicyclists of a pedestrian crossing at Lincoln Street and Folsom Road. Signing or markings on the sidewalk to alert pedestrians of the bikeway crossing shall also be installed. The sidewalk area at the bikeway entrance should be ramped to encourage bicyclists to leave the sidewalk and enter the roadway on Folsom Road and Lincoln Street. Bollards will be installed at bikeway entrances to prevent access by unauthorized vehicles. Class III bike route signs that identify the Lincoln Street and Oak Street parking lots as part of a bike route will be posted to give motorists notice of the presence of the bike route.

3.7 CULTURAL RESOURCES

Cultural resources is the term used to describe several different types of properties: prehistoric and historic archaeological sites; architectural properties, such as buildings, bridges, and infrastructure; and resources of importance to Native Americans. The process for determining a project's impact on cultural resources has three steps. Cultural resources are identified through reviews of historical documentation, existing reports, and a search of state and national records. In the absence of existing or complete records, the project area may be surveyed. Second, resources that are identified are evaluated to determine their significance according the criteria established under both state and federal law. Third, cultural resources that are significant are examined in light of proposed project activities, and if activities will affect the resources, measures for mitigating these impacts are proposed. Technical descriptions of these activities as well as in depth discussions of prehistory and ethnology can be found in the accompanying archaeological and architectural technical reports (Jones & Stokes 2000b, 2000c). These reports are on file at the City and can be reviewed during normal business hours.

Prehistory

The following provides a very brief overview of the changing adaptive strategies used by the inhabitants of the Central Valley and the archaeological manifestations of these changes. A more comprehensive and in depth survey of the prehistory of this area is presented in a separate archaeological survey report (Jones & Stokes 2000b).

Although little archaeological evidence of human use of the area during the late Pleistocene and early Holocene eras (12,000 to 6000 B.C.) exists, this is likely because the archaeological record is limited, rather than because the area was not used. Most Pleistocene and Holocene era sites are deeply buried in accumulated gravels and silts or have eroded away.

The earliest archaeological evidence of human use of the Central Valley region dates from approximately 3000 B.C. The period from 6000 to 2000 B.C. is referred to as the Early Horizon. During this time period, a generalized subsistence strategy is thought to have been replaced by a more specialized strategy. This intensification can be seen in what Fredrickson (1973) has identified as the Windmiller Pattern. Artifact assemblages and faunal remains at Windmiller sites indicate that a diverse range of resources were exploited, including seeds, a variety of small game, and fish.

The Middle Horizon dates from approximately 2000 B.C. to A.D. 500. Sites from this period have also been found in the Central Valley. The adaptive pattern that is found most frequently during this period is called the Berkeley Pattern (Fredrickson 1973), though sites displaying the Windmiller Pattern assemblages have also been dated to the Middle Horizon. The Berkeley Pattern differs from the Windmiller Pattern primarily in the increase emphasis on the exploitation of the acorn as a staple. This is reflected in the more numerous and varied mortars and pestles. This complex is also noted for its especially well-developed bone industry and such technological innovations as ribbon flaking of chipped stone artifacts. During this period, flexed burials replace extended burials and the use of grave goods generally declined (Moratto 1984).

The period between A.D. 500 and the arrival of the Spanish in central California has been named the Late Horizon. The predominant pattern during this period is called the Augustine Pattern (Fredrickson 1973). This period is characterized by large village sites, increasing evidence of acorn and nut processing, the introduction and use of the bow and arrow, and the use of clam shell disc beads as the primary medium of exchange. During the last part of the period, cremation became a common mortuary practice.

Ethnology

The project area was historically inhabited by the Nisenan, or Southern Maidu. Nisenan territory was the drainages of the Yuba, Bear, and American Rivers, and the lower drainages of the Feather River. The Nisenan, together with the Maidu and Konkow, their northern neighbors, form the Maiduan language family of the Penutian linguistic stock (Shipley 1978).

History

During the 19th century, Roseville was a small village of about 250 residents. Commercial ventures included raising sheep, producing high-quality wool, farming, brick making, blacksmithing, saloon keeping, carpentry, and civic government offices (Jones & Stokes 2000c). The town retained its rural character even when the first two railroads arrived. The California Central Railroad established a line from Folsom to Lincoln in 1861. A few years later the Central Pacific Railroad established a line directly from Sacramento perpendicular to the California Central, and Roseville became known as the "Junction".

The agricultural small town character of Roseville changed abruptly in 1906 when the Southern Pacific Railroad Company (SPRR) decided to move its headquarters, roundhouse, and freight yards from Rocklin to Roseville. By 1908, the SPRR had invested $2,000,000 in construction of two roundhouses of 32 stalls each and 45 miles of side tracks (Lardner and Brock 1924, Jones & Stokes 2000c). As a result of the arrival of the SPRR and the related jobs, families, and commercial opportunities, Roseville's population jumped from 250 residents in 1906 to 6,000 by 1924 (Lardner and Brock 1924). Beyond the old town of Junction, Roseville developed housing for the growing population and roads to facilitate access to Sacramento. As neighborhoods expanded over the next several decades, commercial pockets were developed to support the growing population. By the 1950s, with the interstate highways system and the exodus of young professionals from inner cities, Roseville became a bedroom community for Sacramento with multiple commercial and residential centers.

Identification of Resources

A variety of sources were consulted to identify cultural resources within the area of potential effects (APE). These include a record search at the California Historical Resource Information System, written correspondence with the California Native American Heritage Commission (NAHC) and Native American representatives, correspondence with historical societies, and field investigations.

A search at the California Historical Resource Information System (CHRIS), North Central Information Center, was conducted on March 25, 1997, for the APE and the area immediately adjacent to the APE. This search reviewed the following sources:

- Official records and maps for archaeological sites and surveys in Placer County;
- National Register of Historic Places (NRHP) (National Park Service listed properties and eligibility determinations through 1996);
- California Register of Historical Resources, issued by the California Department of Parks and Recreation;
- California Inventory of Historic Resources (California Department of Parks and Recreation 1976;
- California Historical Landmarks (California Department of Parks and Recreation 1990 and updates);
- California Points of Historical Interest (California Department of Parks and Recreation 1992);
- Gold Districts of California (Clark 1979);
- California Gold Camps (Gudde 1975);
- California Place Names (Gudde 1969);
- Survey of Surveys (of historic and architectural resources), (California Department of Parks and Recreation through 1989);
- Directory of Properties in the Historical Resources Inventory (California Department of Parks and Recreation 1996);
- Caltrans Local Bridge Survey;
- Historic Spots in California (Hoover et al. 1990); and
- General Land Office Plats (1855, 1865, and 1866).

The CHRIS search indicated that the entire APE had been previously examined for cultural resources and that portions of the APE had been surveyed numerous times in conjunction with a variety of projects, both to comply with legal requirements and for basic scientific research. Surveys covering most or all of the APE have been conducted by Archeo-Tec (1988), Foster and Foster (1995), and Palumbo (1966). Surveys covering smaller portions of the project area have been

completed by Derr (1981), Maniery (1995), Noble (1979), Peak & Associates (1981), Weigel (1982), and Wiant (1982).

To meet the requirements of Advisory Council on Historic Preservation's (ACHP's) regulations (36 CFR 800.2[b][3]), the NAHC was contacted to obtain a list of Native Americans with whom to consult regarding this project and to obtain additional information about potential cultural resources within the APE. The NAHC provided a list of 12 individuals, and letters were sent to each individual requesting participation in the project (Jones & Stokes 2000c). No responses were received from any of these individuals.

The Roseville Historical Society was contacted to solicit additional information about cultural resources within the APE (Jones & Stokes 2000c). No response was received from the historical society.

Previous research has resulted in the identification of nine known cultural resources within the APE that were considered in this investigation: two prehistoric archaeological sites, two historical archaeological sites, three bridges that cross Dry Creek, and a single architectural complex composed of two structures.

Prehistoric archaeological sites:

- CA-Pla-142—prehistoric archaeological site (Evelyn Site)
- CA-Pla-205—prehistoric archaeological site

Historic archaeological sites:

- DC-Iso-1—late 19th or early 20th century fence post and artifacts
- Structural foundation for concrete building near Folsom Road

Bridges:

- 19C-0010—Lincoln Avenue Bridge over Dry Creek
- 19C-087—Folsom Road Bridge over Dry Creek
- 19C-0185—Harding Boulevard Bridge over Dry Creek

Architectural complex:

- House at 415 East Street
- Barn at 415 East Street

Field Studies and Resource Inspections. Existing information on the nature, condition, and location of five of these resources described below was insufficient for compliance purposes. Therefore, these resources were the subject of field visits and additional data collection.

Two archaeological sites, CA-Pla-142 and CA-Pla-205, were reported to be in the APE. Previous survey reports had concluded, however, that these sites had been either partially or completely destroyed or reported that the sites could not be located. All previous surveys have been limited to surface methods, leaving open the question of existing subsurface cultural deposits. Given the ambiguity in the location and condition of these sites, a program of limited subsurface augering was initiated at these two sites after consultation with the Caltrans archaeologist. The results of this augering determined that neither of the sites is in the project APE.

The structure foundation located by Foster and Foster (1995) may be associated with the California Central Railroad. The California Central Railroad, California's third railroad, began service between Sacramento and Roseville in 1861. This railroad would have crossed Dry Creek and would have likely done so within the APE. With the exception of the survey report by Foster and Foster (1995), no evidence of this railroad has been reported within the APE by previous surveys. This foundation was located again and determined to be outside of the project APE.

Maniery (1995) has reported an isolated feature (DC-Iso-1) on the north bank of Dry Creek approximately 250 meters upstream (east) of the Folsom Road crossing. This isolated feature consists of a wood post; a green, bottle-glass fragment; and an improved, white, earthenware fragment. Isolated features generally are assumed to offer no research value beyond recordation and, therefore, this resource is considered to be ineligible for listing in the NRHP.

Two architectural structures were inspected and the oral history of these building was recorded from interviews with the current resident. Both buildings were designed in 1957. The barn was built first and was completed in 1957; the house was completed in 1962. These structures both are located within the project APE.

Results

Known Resources. Three of the nine cultural resources of concern were found to be located outside of the project area. The augering program conducted at the Evelyn Site indicated that the site boundaries do not extend within the APE. Site visits revealed that CA-Pla-205 and the foundation possibly associated with the California Central Railroad were both outside of the APE.

Thus, after conducting background research and field studies, six cultural resource properties remain within the project's APE:

- DC-Iso-1—late 19th or early 20th century fence post and artifacts
- Bridge 19C-0010—Lincoln Avenue Bridge over Dry Creek
- Bridge 19C-087—Folsom Road Bridge over Dry Creek
- Bridge 19C-0185—Harding Boulevard Bridge over Dry Creek
- Barn—at 415 East Street
- House—at 415 East Street

Unknown Resources. While the background and field surveys for cultural resources have been conducted for the APE, with the exception of the subsurface augering at the Evelyn Site (CA-

Pla-142) all surveys have been limited to the inspection of the modern ground surface. Cultural resources in the project area may be buried under alluvial sediments and may not be locatable by surface inspection alone. Given these facts, additional cultural resources may be present within the project area.

Regulatory Setting

Both federal and state statutes concerning cultural resources apply to this project. Under federal law, FHWA must comply with NEPA and the National Historic Preservation Act (NHPA). At the state level, the City must comply with CEQA. All of these laws require processes through which the effects of the proposed project on cultural resources are considered.

Federal Law. As the lead federal agency, FHWA must comply with NEPA and the NHPA. Section 106 of the NHPA as amended requires that federal agencies, before undertaking an action, take into account the effects of their undertaking on historic properties and allow the ACHP the opportunity to comment on these actions (16 U.S.C. 470f).

The ACHP issued regulations, entitled Protection of Historic Properties, under its rule-making authority on how to comply with Section 106 of the NHPA (36 CFR Part 800). While the tasks necessary for compliance with Section 106 may be delegated to others, FHWA has the ultimate responsibility for ensuring that Section 106 of the NHPA is completed. Five basic steps must be completed to comply with Section 106 of the NHPA.

The Section 106 review process involves a five-step procedure:

- Identify and evaluate historic properties. For proposed projects where the FHWA determines there are no properties within the APE that are either listed or eligible for listing in the NRHP, the Section 106 review process is concluded by written concurrence with the finding by the State Historic Preservation Officer (SHPO).
- Assess the effects of the undertaking on properties eligible for inclusion in the NRHP,
- Consult with the SHPO and other agencies to develop an agreement that addresses the treatment of historic properties,
- Receive comments from the ACHP on the agreement or results of the consultation, and
- Proceed with the project according to the conditions of the agreement.

California Law. As the state lead agency, the City must comply with CEQA (Public Resources Code Sections 21000 et seq.). This requires that before approving most discretionary projects the lead agency must identify and examine the significant adverse environmental effects that may result from the project. Where a project may adversely affect a unique archaeological or historical resource, the City must treat that effect as a significant environmental effect and prepare

an EIR. In addition, CEQA specifies the procedure to be followed in the event of the unexpected discovery of human remains on nonfederal land (Public Resources Code Section 5097).

The steps that are taken in a cultural resources investigation for CEQA compliance are as follows:

- Identify cultural resources.
- Evaluate the significance of these resources.
- Evaluate the effects of a project on all cultural resources.
- Develop and implement measures to mitigate the effects of the project on significant resources.

Criteria for Determining Significance of Cultural Resources

Criteria under NHPA. Under the NHPA, the term "significance" refers to the quality of the resource. A significant historical resource is "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places" (36 CFR 800.2). To be listed in the NRHP, a property must be 50 years old or older and be evaluated as significant (or if less than 50 years old, be of exceptional historic significance). To qualify for listing in the NRHP, a property must represent a significant theme or pattern in history, architecture, archaeology, engineering, or culture at the local, state, or national level. It must meet one or more of the following four criteria and have sufficient integrity to convey its historic significance (National Park Service 1995).

A historic resource may be eligible for inclusion in the NRHP if it:

- is associated with events that have made a significant contribution to the broad patterns of our history; or
- is associated with the lives of persons important in our past; or
- embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of a master; possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction; or
- has yielded, or may be likely to yield, information important in prehistory or history; and
- retains historic integrity of those features necessary to convey its significance (36 CFR Part 60).

Criteria under CEQA. Important historic resources have been defined for CEQA purposes (Public Resources Code 5020.1). To be eligible for inclusion in the California Register of Historic Places, historic resources must be:

- associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- associated with the lives of persons important to our past;
- that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic value; or
- that have yielded or may be likely to yield information important in prehistory or history;

Significance Recommendations

None of the known cultural resources in the project APE meet the criteria of significance as defined in CEQA or NHPA.

The bridge crossing Dry Creek at Folsom Road (19C-0187), which was constructed in 1928, is listed as ineligible in the Caltrans local bridge survey. The bridges that cross Dry Creek at Harding Boulevard (19C-0185) and Lincoln Avenue (19C-0010) were constructed in 1985 and 1987 respectively, and therefore are ineligible because they are not at least 50 years old.

The barn and house were constructed in 1957 and 1962, respectively. These structures are less than 50 years old and do not meet the age criteria for historic properties, nor are they of exceptional historical significance. Therefore, the house and barn are recommended as not significant under either CEQA or NHPA.

Impact Assessment Approach and Methodology

Under federal regulations, a project has an effect on a historic property when the undertaking could alter the characteristics of the property that may qualify the property for inclusion in the National Register of Historic Places (NRHP) including alteration of its location, setting, or use. An undertaking may be considered to have an adverse effect on a historic property when the effect may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects on historic properties include, but are not limited to:

- physical destruction or alteration of all or part of the property;
- isolation of the property from or alteration of the property's setting when that character contributes to the property's qualification for listing in the NRHP;

- introduction of visual, audible, or atmospheric elements that are out of character with the property or that alter its setting;
- neglect of a property resulting in its deterioration or destruction; or
- transfer, lease, or sale of the property (36 CFR 800.9).

Significance Criteria

Under CEQA, an impact is considered significant if a project would have an effect that may change the significance of the resource (Pub. Res. Code, Section 5020.1). Demolition, replacement, substantial alteration, and relocation of historic properties are actions that will change the significance of a historical resource.

Impact Assessment

There would be no impacts to known cultural resources from this project. The FHWA determined there were no properties eligible for inclusion on the NRHP within the project APE and that the proposed project would have no effect on historic properties. The SHPO concurred with this determination in a comment letter to FHWA on October 10, 2000 (see Appendix G).

Impact 3.7-1:	Potential damage to currently unknown cultural resources
Baseline significance under CEQA:	Potentially significant
Adopted and/or required actions:	None
BMP EIR Mitigation Measure CR-2:	Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out.
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

The analysis conducted for the BMP update EIR found that damage to, or destruction of unidentified cultural resources was a potentially significant impact of city-wide implementation of the master plan. The preceding text documents the cultural resources investigation prescribed by BMP EIR Mitigation Measure CR-1. The investigation conducted for this project EIR also implemented BMP EIR Mitigation Measure CR-3 to address damage to, or destruction of recorded prehistoric or historic sites.

In conformance with FHWA and Caltrans procedures for compliance with Section 106, the background and field surveys for cultural resources were conducted for the APE. With the exception

of the subsurface augering at CA-Pla-142, all surveys were limited to the inspection of the modern ground surface. Cultural resources in the project area may be buried under alluvial sediments and may not be locatable by surface inspection alone. Given these facts and the information derived from analysis of the project site, additional cultural resources may be present in the project area and construction activities may uncover previously unknown cultural resources. Implementation of BMP EIR Mitigation Measure CR-2 will reduce potential impacts upon buried cultural resources to a less-than-significant level.

Design Variations

Each of the design variations would affect a relatively small portion of the proposed route. Each variation entails a different volume of excavation and extent of disturbed ground surface. The comparative potential to affect unknown cultural resources will differ in a direct relation to the excavation volume and disturbed area. Accordingly, Design Variation 3 would be expected to have the least potential for impacts upon buried cultural resources, with Design Variation 1 having the greatest potential for this kind of impact. Design Variation 2 would be expected to have a greater potential for impacts than Design Variation 3, but less potential for impacts than Design Variation 1.

Mitigation Measure

BMP EIR CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out.

If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are discovered during ground-disturbing activities, contractors shall stop work within 100 feet of the find until a qualified cultural resource specialist can assess the significance of the find. If necessary, the specialist shall develop appropriate treatment measures in consultation with the SHPO and appropriate agencies.

In the event that human remains of Native American origin are discovered during project construction, the City and contractors shall comply with state laws relating to the disposition of Native American burials. The disposition of such burials is in the jurisdiction of NAHC (Pub. Res. Code Section 5097). In the event that human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie the human remains until:

a) The coroner of the county has been informed and has determined that no investigation of the cause of death is required; and

b) If the remains are of Native American origin,

- The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human

remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

- NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (section 8100), and disturbance of Native American cemeteries is a felony (section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact NAHC. Resources found during construction activities shall be donated to the Maidu Park Cultural Center, if appropriate.

3.8 NOISE

Land Uses and Sensitive Receptors in the Project Vicinity

Residences, hotels, schools, and recreational areas are generally considered to be sensitive noise receptors because excessive noise can interfere with activities at these locations. Existing noise-sensitive land uses adjacent to the project area include residences located along the project boundary, a school, and Royer and William L. Taylor Parks. The closest residences are within about 50 feet of the nearest edge of the project area. Most residences are about 100 feet or more from the project boundary. The east corner of the dentist's office is approximately 20 feet from the proposed bike trail at Folsom Road.

Noise Sources in the Project Vicinity and Existing Noise Conditions

Atlantic Street and I-80 traffic and the Union Pacific Railroad (UPRR) are the major noise sources in the project vicinity. Other relatively minor noise sources include traffic on neighborhood roads, occasional aircraft, and lawn mowers and other residential sources. Traffic on I-80 generates noise levels up to 60 dBA, day-night average sound level (L_{dn}), at distances up to about 1,600 feet from the roadway, and traffic on Atlantic Street generates noise levels up to 60 dBA L_{dn} at distances up to about 100 feet from the roadway. The railroad generates noise levels up to 60 dBA L_{dn} at distances up to about 600 to 700 feet. The existing noise level at the project area ranges from about 55 dBA L_{dn} to 60 dBA L_{dn}. (Michael Brandman Associates 1992.)

Regulatory Setting

In California, cities and counties are required to adopt a noise element as part of their general plans. Cities and counties can also adopt noise control requirements within their zoning ordinances or as a separate noise ordinance. The City addresses noise in both the general plan noise element and the noise ordinance. Background information on environmental acoustics and state and federal noise regulation is provided in Appendix D.

The Noise Element of the Roseville 2010 General Plan sets compatibility guidelines that compare various land uses with a range of noise levels to determine what is "normally acceptable", "conditionally acceptable", "normally unacceptable", and "clearly unacceptable". According to the guidelines for transportation noise sources, the maximum conditionally acceptable noise level for noise-sensitive land uses is a day-night average sound level of 70 decibels (City of Roseville 1992).

Roseville Municipal Code Chapter 9.24 (noise ordinance) contains regulations prohibiting unnecessary, excessive, and annoying noise levels from all sources. The following element of the ordinance pertains to this project:

> Construction for which a building permit is required shall not be permitted at any time other than between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays and between the hours of 8:00 a.m. and 8:00 p.m. on Saturdays, Sundays, and state and federal holidays. Furthermore, no piece of equipment shall produce a noise level exceeding 83 dBA at a distance of 25 feet and the noise level at any point outside of the property plane shall not exceed 86 dBA.

Impact Assessment Approach and Methodology

Noise impacts are assessed by estimating noise levels associated with project-related activities and comparing these noise levels to city standards. Construction noise levels were estimated using construction noise reference data published by the Federal Transit Administration (FTA).

Significance Criteria

According to the State CEQA Guidelines, a project would normally have a significant effect on noise if it would:

- substantially increase the ambient noise levels for adjoining areas or
- expose people to severe noise levels.

In practice, more specific professional standards have been developed to implement the intent of the State CEQA Guidelines. Under these standards, a project would result in significant noise impacts if it would:

- expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies;

- expose persons to or generate excessive groundborne vibration or groundborne noise levels;

- result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or

- result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

For this project, the significance of anticipated noise effects is based primarily on a comparison between expected project-related noise and the noise criteria defined in the City's noise ordinance.

Impact Assessment

Impact 3.8-1:	Generation of temporary construction noise
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	• Compliance with the City's noise ordinance
Proposed Mitigation Measure 3.8-1:	Implement measures to minimize noise impacts
Significance under CEQA after implementation of adopted and/or required actions and BMP EIR measures:	Less than significant

Table 3.8-1 illustrates noise levels produced by various types of construction equipment (Federal Transit Administration 1995). The types of construction equipment used for this project will typically generate noise levels of 80-90 dBA at a distance of 50 feet while the equipment is operating. Construction equipment operations will vary from being intermittent to fairly continuous depending on the nature of the work being done. Construction noise is expected to exceed the level allowed by the City's noise ordinance (83 dBA at a distance of 25 feet). However, according to the noise ordinance (Section 9.24.030 G), construction activities conducted between 7 a.m. and 7 p.m. Monday through Friday and between 8 a.m. and 8 p.m. Saturday and Sunday are exempt, provided that all construction equipment is fitted with factory-installed muffling devices and that all equipment is maintained in good working order (Ord. 3638§1 [Part], 2001). In addition, noise ordinance Section 9.24.140 exempts City operations and activities from noise ordinance regulation. As such, short-term construction noise is considered less than significant for CEQA purposes.

In most cases, construction activities would be located more than 100 feet from sensitive receptors such as residences and businesses. Backyards of some residences would be within 25 feet of these activities, but the residences themselves would be outside the area of greatest noise levels. The east corner of the dentist's office on Folsom Road, however, would be within 25 feet of the construction corridor. Regardless, project construction would occur for only a few days at any one location and would be limited to daytime hours, consistent with the City's noise ordinance.

Table 3.8-1. Construction Equipment Noise Emission Levels

Equipment	Typical Noise Level (dBA)50 ft from Source
Air Compressor	81
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Derrick	88
Crane, Mobile	83
Dozer	85
Generator	81
Grader	85
Jack Hammer	88
Loader	85
Paver	89
Pile Driver (Impact)	101
Pneumatic Tool	85
Pump	76
Roller/Sheep's Foot	74
Saw	76
Scraper	89
Shovel	82
Spike Driver	77
Truck	88

Source: Federal Transit Administration 1995.

The analysis conducted for the BMP update EIR indicated that the generation of temporary construction noise on a city-wide basis would cause potentially significant impacts in noise-sensitive areas. To address this, the BMP EIR included Mitigation Measure N-1, which requires development of a construction noise abatement program to mitigate construction noise impacts when construction activities are proposed near noise-sensitive land uses. Project Mitigation Measure 3.8-1 refines BMP EIR Mitigation Measure N-1 by providing project-specific construction noise mitigation. Implementation of the recommended Mitigation Measure 3.8-1 would ensure that construction noise impacts are minimized to the extent feasible, consistent with the intent of the BMP update EIR.

Impact 3.8-2:	Generation of operation-related noise
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	• Compliance with the City's noise ordinance
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Operation of the proposed project would be limited to bicyclists and pedestrians. The proposed project is not expected to result in operation-related noise impacts because these users would not produce noise levels that would exceed those identified in the City's noise ordinance. Individual violations of the noise ordinance would be addressed through the City's police department.

Design Variations

Because of the extra amount of construction work that would be required to construct the bank stabilization variations, noise levels would be slightly higher along this part of the route, and over a longer period, compared to other portions of the route. However, compliance with the City's noise ordinance should limit any noise impacts along this area.

Mitigation Measure

3.8-1: Implement measures to minimize noise impacts.

The following measures shall be implemented to ensure that noise levels during bikeway construction are minimized:

- Impact tools and equipment shall be equipped with intake and exhaust mufflers that are recommended by the equipment manufacturer.

- Construction specifications shall conform with construction practices identified in Caltrans Standard Specifications, Section 7, "Sound Control Requirements". These specifications require the contractor to comply with local regulations and ordinances relating to construction noise and to equip all internal combustion engines with a manufacturer-recommended muffler.

- Where feasible, stationary noise sources (e.g., generators and compressors) shall be located at least 300 feet from occupied residences, or contractors shall be required to provide appropriate noise-reducing engine housings.

- Equipment warmup areas, water tanks, and equipment storage and staging areas shall be located as far away from existing residences as is feasible.

- A noise complaint hotline shall be established for the project. The City shall be informed of any construction noise complaints and shall work with the contractor to identify and implement ways to minimize constrution noise to address the complaint.

3.9 HAZARDOUS MATERIALS

An initial site assessment of the project area was conducted by España Geotechnical Consulting in July 1997 to determine whether hazardous materials or contamination are present in the project vicinity. As part of this assessment, the following actions were performed:

- a database search of existing environmental records to identify agency listings of sources of hazardous materials,
- a review of aerial photographs of the project area to identify previous land uses that may serve as indicators of hazardous materials use, and
- a site reconnaissance to identify existing land uses and evidence of possible sources of hazardous materials.

The database search included numerous records maintained by federal, state, and local agencies. Among the data sources were the following:

- National Priorities List of Superfund Sites;
- Comprehensive Environmental Response, Compensation, and Liability Information System;
- Resource Conservation and Recovery Information System;
- Facility Index System;
- Annual Workplan database;
- CAL-SITES database;
- California Hazardous Material Incident Report System;
- Toxic Pit List;
- Leaking Underground Storage Tank database;
- Solid Waste Facilities/Landfill Sites;
- Underground Storage Tanks database;

- Facility Inventory database;
- Above Ground Storage Tank database;
- Hazard Waste Manifests; and
- Hazardous Materials Incident Report System.

After completing a comprehensive review of data sources, reviewing historical aerial photographs of the project area, and conducting a field visit, it was concluded in the initial site assessment report that there are no direct indications of the presence of hazardous materials or areas of contamination in the project area. Database listings include sites that are located in the general vicinity of the proposed bikeway routes; however, none of these sites would be disturbed by this project or would have an effect on the proposed routes. (España Geotechnical Consulting 1997b.)

Regulatory Setting

No permits, entitlements, or other requirements related to hazardous materials are relevant to this project.

Impact Assessment Approach and Methodology

This section is based on the initial site assessment (ISA) of the project area conducted by España Geotechnical Consulting in July 1997 to determine whether any hazardous materials or contamination are present in the project vicinity. The ISA identifies the results of:

- a database search of existing environmental records to identify agency listings of possible sources of hazardous materials that might affect the study alignments,
- a historical aerial photo review of the study area to identify past land uses that may indicate potential sources of hazardous materials, and
- a visual site reconnaissance of the study area to identify present land uses and visual evidence of possible sources of hazardous materials.

Significance Criteria

The State CEQA Guidelines and professional practice provide criteria for determining significance. A project would have a significant hazardous materials effect if it would:

- create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

- create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

- emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or

- be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

Impact Assessment

Impact 3.9-1:	Risk of potential exposure to hazardous substances or conditions
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Analysis conducted for the BMP update EIR led to the determination that city-wide implementation of the anticipated capital improvement program would result in significant impacts due to the presence of existing or unknown hazards related to past uses in or near proposed bikeways. To reduce this impact to a less-than-significant level, the city adopted BMP update EIR Mitigation Measure HA-3 to require preliminary site assessments for any area identified on hazardous material lists and complete required cleanup before construction. The ISA of the proposed project area implemented this programmatic mitigation measure. The ISA concluded that no direct indications of the presence of hazardous wastes were found during the site reconnaissance, review of aerial photography, and review of appropriate databases. No other hazards are known to be present in the project area (España Geotechnical Consulting 1997b). Consequently, the risk to human health and safety from potential exposure to hazardous substances during construction of the proposed project or the alternatives is considered to be low. No mitigation is required

The BMP update EIR showed that increased potential for fire hazards caused by citywide bikeway facility construction would lead to significant impacts. However, analysis of direct, project-related fire hazards indicates a less-than-significant risk of construction-related fire. No mitigation is required.

Design Variations

Impacts associated with the design variations are the same as those described for the proposed project.

Mitigation Measures

No mitigation is required.

3.10 PUBLIC SERVICES AND SAFETY

The key public services and safety issues for this project are fire protection, parks and recreation, and safety of users and adjacent landowners. With the exception of maintenance access coordination, the provision of other public services, such as water supply, wastewater disposal, electrical service, and schools are not relevant to this project because the proposed project would not have an effect on or a need for these services. For this reason, this section is limited to discussions of relevant public services only.

Fire Protection

Fire protection is provided by the Roseville Fire Department (RFD) from six existing fire stations. Station 1, at 401 Oak Street, is located near the downstream terminus of the bikeway routes and is the station located nearest to the site. The existing RFD service standard is a 4 minute response time to emergency calls. The standard for advanced life support response is 8-10 minutes. (Michael Brandman Associates 1992.)

Parks and Recreation

Numerous parks, public golf courses, and open space areas are managed and maintained by the Roseville Parks and Recreation Department. The Roseville Police Department serves as the primary security force for parks, open space, and floodway areas, including bikeways. The department assigns officers to park patrol on an as-needed basis. Class I bike trails are regularly patrolled, both on bicycle and on an off-road motorcycle that the Police Department recently acquired for that purpose. The Police Department estimates that its officers patrol the paths for a total of 6 to 7 hours each week. The Public Works Department is responsible for the maintenance of bikeway facilities outside of designated parks.

Three developed park sites are located in the project area. Royer Park is located along Dry Creek at the downstream terminus of the proposed bikeway. Lincoln Estates Park, which is smaller, is located at the project's midpoint along the south side of Dry Creek. William L. Taylor Park is located along the north side of the upstream half of the proposed route.

Safety

The proposed bikeway route and alternative routes are located within city limits and would be served by local emergency service providers along the trail's entire length. The bike trail would be accessible to emergency vehicles such as ambulances, fire trucks, and police vehicles.

Regulatory Setting

No permits, entitlements, or other requirements related to public services or safety are relevant to this project.

Impact Assessment Approach and Methodology

Potential effects on police, fire, and public works agencies were analyzed by reviewing expected service requirements that would be generated by operation of the bike trail and determining whether any additional service needs could be provided by existing staffing. Coordination of maintenance access for public services was evaluated in the BMP update EIR (Jones & Stokes. 2001. Section 3.10).

Significance Criteria

According to the State CEQA Guidelines and professional standards, a project will normally have a significant effect on public services and safety if it would:

- result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, or other public facilities;

- impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

- expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Impact Assessment

Impact 3.10-1:	Potential increase in the demand for police and fire protection services in the project area
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Implementation of the proposed bikeway would incrementally increase the demand for both fire protection and law enforcement services because new public facilities would be constructed. Issues of concern to adjacent landowners and users would be safety of users and provision of emergency access to the area, liability of adjacent landowners for accidents or injuries, and increased potential for vandalism and illegal or illicit activities in a previously inaccessible area. The new demand for fire protection and police services can be served with existing staffing levels and is not considered an adverse effect because of the relatively small magnitude of the project and its location in an existing service area. The Police Department has indicated that the new trail segment will be included as part of existing regular patrols of park and open space facilities.

The addition of paved off-street bikeways would substantially improve the ability of fire protection and police personnel to reach remote locations along Dry Creek in the project area. The proposed project would not substantially increase emergency response times and may result in reduced response times, depending on location.

Impact 3.10-2:	Potential increase in maintenance costs and access coordination associated with the bikeway
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Operation of the proposed bikeway would require regular maintenance to keep the trail clear of trash and brush and to perform required repairs to the pavement section and bikeway facilities. As described in the City of Roseville BMP, the estimated maintenance costs for the proposed bikeway would be approximately $8,500 per year. This added cost for trail maintenance is considered to be relatively minor. No mitigation is required.

Analysis of the potential for interference with access to underground sewer and electrical transmission facilities indicates that direct, project-related impacts would be less than significant. No mitigation is required.

Design Variations

Impacts associated with the design variations are the same as those described for the proposed project.

Mitigation Measure

No mitigation is required.

3.11 AESTHETICS

The visual quality of an area is a measure of the quality and sensitivity of the visual resource. Visual quality can be described as the overall impression that is retained after driving through, walking through, or flying over an area (U.S. Bureau of Land Management 1980). Visual resources sensitivity is determined by the extent of the public's concern for a particular viewscape, the volume of people that see the viewscape, and the viewing duration.

This analysis uses a qualitative, descriptive approach for describing and evaluating the project site's visual resources. Visual quality is evaluated based on the relative degree of vividness, intactness, and unity apparent in a viewscape as modified by its visual sensitivity. The terms vividness, intactness, and unity are defined as follows:

- Vividness is the visual power or memorability of landscape components as they combine in striking or distinctive visual patterns.

- Intactness is the visual integrity of the natural and human-built landscape and its freedom from encroaching elements; this factor can be present in well-kept urban and rural landscapes, as well as natural settings.

- Unity is the visual coherence and compositional harmony of the landscape considered as a whole; it frequently attests to the careful design of individual components in the landscape (Federal Highway Administration 1983).

High-quality views are highly vivid and relatively intact and possess a high degree of visual unity. Low-quality views lack vividness, are generally not visually intact, and possess a low degree of visual unity. Viewer sensitivity heightens the overall importance of a view.

The appearance of the landscape is described below using these criteria and descriptions of the dominance of elements of form, line, color, and texture. These elements are the basic components used to describe visual character and quality for most visual assessments (U.S. Forest Service 1974, Federal Highway Administration 1983).

Visibility and visual dominance of landscape elements are described with respect to their placement within the field of view. Foreground elements are those features nearest to the viewer, and background elements are features at a great distance from the viewer. The middle ground of a view is intermediate between the foreground and background. A viewshed is defined as all of the surface area visible from a particular location or sequence of locations (e.g., roadway or trail) (Federal Highway Administration 1983).

Regional Visual Character

Roseville lies in the transitional zone between the Sacramento Valley and the Sierra Nevada foothills. Terrain ranges from gently sloping hills to wooded ravines containing perennial and

intermittent streams. Open space areas include grasslands, oak woodlands, and riparian floodplains (City of Roseville 1992).

The proposed Harding Boulevard to Royer Park bikeway would be located in the Dry Creek corridor of the downtown area of Roseville. This region is characterized by a mix of older and newer development. The Dry Creek corridor extends from the confluence of Antelope Creek and Miners Ravine, west of I-80 through the center of urbanized Roseville (City of Roseville 1992). Ruderal grasslands, mixed oak woodland, and riparian forest and scrub occur throughout the area including man-made open space areas such as the Lincoln Estates Park and Royer Park.

Established residential development along the Dry Creek corridor also shapes the visual character of this region, providing an aesthetically pleasing and small town quality to the viewscape.

Relevant Plans and Policies

Roseville 2010 General Plan. Community design goals and policies developed by the City in the general plan seek to emphasize the development of a design framework that reflects Roseville's goal of high quality, community-wide design through policies that address aesthetics and function, integration of the built and natural environments, art in public places, and community character.

One of the goals of the plan's land use element is to achieve a consistent level of high quality aesthetic and functional design through development of superior design concepts and principles defined in the Community-wide Design Guidelines. The City has developed policies that encourage project designs that place a high priority and value on open space, the preservation, enhancement, and incorporation of natural resources, and the development and application of design standards that allow for projects that encourage alternative modes of transportation and establish adjacent development functional linkages.

Additionally, the City developed open space and conservation goals and policies to ensure the current and future preservation, enhancement, and management of the natural resources in the city. One of the goals of the open space and conservation element is to provide access to public open space areas by establishing a series of public linkages to the open space that will be adequately managed and protected. Although not specifically stated, maintaining visual quality is a goal that is implied through the City's policy to take into account consideration of natural habitat areas in developing linkages and in preserving open space areas and identifying alternative sites for linkages where sensitive habitat areas have the potential to be adversely affected.

Bicycle Master Plan. The BMP was developed to meet the goals and policies outlined in the Circulation Element and Open Space and Conservation Element of the Roseville 2010 General Plan. Design standards and goals and policies relevant to this project are discussed in Section 1.1, "Project Objectives", and Section 2.0, "Project Description", of this EIR. The BMP was updated in 2002 to incorporate new specific plan areas and new routes.

Visual Resources Associated with the Project Site

Dry Creek is a perennial creek, which courses through the downtown area of Roseville. This riparian corridor is characterized by mixed oak woodland, ruderal grasses, and riparian forest and scrub habitats, and is a prominent natural landscape feature that contributes to the visual diversity of the area. Views from within the project area and views of the project area are described below.

Views from Parks in the Project Area. Visitors to Royer Park have views generally oriented toward the north side of Dry Creek. Existing views from the park include riparian forest and scrub and ruderal grasslands along the margins and banks of Dry Creek, the Royer Park area including the historic Veterans Memorial Hall building, the Royer Park footbridge, and the City's parking lot on the north side of the creek. Views in this area of the project site are intact and moderately vivid.

Visitors to Lincoln Estates Park have views oriented to the north side of Dry Creek. Viewers also have partially screened views of residences along the north and south sides of the creek. These views extend across the creek's dense riparian forest and scrub, mixed oak woodland, and grassland habitats in the project area. Dominant trees along Dry Creek include an overstory of black willow, red willow, Fremont cottonwood, white alder and Oregon ash. Understory vegetation consists of ruderal grasses and various shrubs, such as narrow-leaved willow and arroyo willow. Views are highly vivid, intact, and of good quality.

Visitors to William L. Taylor Park have views oriented southward toward the creek and Lincoln Estates Park. Views would be somewhat similar to those described for Lincoln Estates Park, although views of improved properties would be much more limited.

Views from Major Roadways in the Project Area. The project site can be viewed from several streets in Roseville, including Lincoln Street, Folsom Road, James Drive, Center Street, and Harding Boulevard. These streets are used primarily by local traffic. Commuters and pedestrians crossing the Lincoln Street Bridge have good quality views of the project area from both the east and west sides of the bridge. Views from this bridge include:

- the City's parking lot;
- Royer Park's lawn area;
- riparian forest and scrub habitat lined with mature Fremont cottonwoods, white alders, small shrubs, and annual grasslands;
- streambanks with signs of vegetation deterioration and soil erosion;
- single-family homes along Park Drive and partially screened residences on Lincoln Street.

Views in an easterly direction consist of flowing water in Dry Creek, which enhances the vividness and visual quality of the viewscape.

Folsom Road views also consist of tall, mature riparian and upland trees and shrubs, partially screened residences, and eroded streambanks. Views in an easterly direction from this road include the Royer Park footbridge and the city facilities mentioned above.

Views from James Drive primarily include single-family and multifamily homes to the east and west, and Lincoln Estates Park to the north. Background views from James Drive also include a highly vivid and intact view of Dry Creek. Center Drive has expansive views of dense, mature, riparian trees, shrubs, and residences facing the south side of the creek. Harding Boulevard has views similar to those from Center Street. However, these views of the north and south sides of the creek and are considered highly vivid and intact.

Views of the Project Site from Adjacent Residences. Residences along the north side of Dry Creek have views of the south side of the creek. These views expand across undeveloped land with riparian vegetation and annual grasslands and are considered highly vivid and intact. Residences along the streets mentioned above have intact views of a small, residential area, which provides a suburban character to the viewshed. Residences along the south side of the creek have views that are oriented toward the north side of Dry Creek and consist primarily of riparian trees and shrubs, mixed oak woodland, ruderal grassland, and flowing water in Dry Creek. Views from this area are highly vivid and of good quality.

Views from residences include partially screened homes, commercial development, and city facilities (e.g., parking lots, Veterans Memorial Hall Building, and the Civic Theater). These views are considered intact and of moderate visual quality.

Regulatory Setting

No permits, entitlements, or other requirements related to visual resources are relevant to this project.

Impact Assessment Approach and Methodology

The evaluation of existing conditions of aesthetic resources in the landscape requires the application of a process that objectively identifies the visual features, or resources, of the landscape; assesses the character and quality of those resources relative to overall regional visual character; and identifies the importance to people, or sensitivity, of views of visual resources in the landscape. With this preliminary establishment of the baseline (existing) condition, a proposed project or another change to the landscape can be systematically evaluated for its degree of impact. The degree of impact depends on both the magnitude of change in the visual resource (i.e., visual character and quality) and viewers' responses to and concern for those changes. This general process is similar for all established federal procedures for visual assessment (Smardon et al. 1986) and represents a suitable methodology for visual assessment for other projects and areas.

The approach used for this visual assessment is adapted from FHWA's visual impact assessment system (Federal Highway Administration 1983) in combination with other established visual assessment systems. The visual impact assessment process involves identification of the following:

- relevant local policies and concerns for protection of visual resources;
- visual resources (i.e., visual character and quality) of the region, the immediate project area, and site using descriptions and/or photographs;
- important viewing locations (e.g. trails and roads) and the general visibility of the project area and site using descriptions and photographs;
- viewer groups and their sensitivity;
- thresholds of significance for visual impacts;
- effects and the levels of significance of visual impacts of the proposed project; and
- mitigation measures that would reduce effects to a less-than-significant level.

Significance Criteria

Criteria for determining the significance of impacts are based on Appendix G of the State CEQA Guidelines. Guidelines applicable to visual impacts state that a project would normally have a significant effect on aesthetics if it would:

- have a substantial adverse effect on a scenic vista;
- substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway;
- substantially degrade the existing visual character or quality of the site and its surroundings; or
- create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Visual impacts of this project are considered significant if the project:

- substantially reduces the visual quality of existing views from major roads, parks, or residences in the project area or
- conflicts with the City's visual resources policies or plans.

Visual quality would be reduced if elements were introduced into the landscape that were visually incongruous in terms of form, line, color, or texture and that substantially negatively affected vividness, intactness, or unity of important and sensitive views. Visual quality could be reduced by substantial alteration of existing natural landforms or vegetative patterns or substantial alteration of the visual character of the area.

Impact Assessment

The opportunity for high-quality views of open space, native vegetation, and wildlife habitats would be increased for the general public as a result of project implementation. The proposed project would increase public access to important visual opportunities in the Dry Creek corridor and Royer Park. Providing visual opportunities to the general public by constructing pedestrian and bicycle paths that connect open space corridors is consistent with the open space and conservation and land use elements of the City's general plan goals and policies.

Program-level analysis of the impacts of Class I bike trails upon aesthetic resources in open space areas was documented in the BMP update EIR. The city determined that bikeway construction and operation could cause potentially significant damage to scenic resources. To reduce these impacts to a less-than-significant level on a city-wide basis, Mitigation Measure AE-1 was adopted to "review proposed routes for individual Class I bikeways for possible damage to scenic resources and avoid these resources where possible" (Jones & Stokes. 2001. Section 3.1). The design of the proposed project and project alternatives, and the analysis of aesthetic impacts presented in this EIR implement the requirements of this programmatic mitigation measure.

Impact 3.11-1:	Changes in views of the project site from parks and roadways
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Visitors to Royer Park, Lincoln Estates Park, and William L. Taylor Park have moderate to highly vivid and intact views of the project site along the Dry Creek corridor, James Drive, Evelyn Avenue, and Folsom Road. Construction of the proposed bikeway for the off-street alternatives would result in relatively minor changes in the visual character of the views from Royer Park, Lincoln Estates Park, Lincoln Street, Harding Boulevard, and Center Street. Views from William L. Taylor Park and along James Drive and Evelyn Avenue would not be substantially changed as a result of construction of the proposed bikeway. As discussed in subsection 3.5, "Biological Resources", loss or disturbance of approximately 0.05 acre of riparian forest and scrub would occur as result of project implementation. This includes the loss of two 40-inch dbh redwood trees on the upland portion of the north bank of Dry Creek immediately upstream of Folsom Road (due to construction of a retaining wall for the underpass of the bridge). Loss of these mature trees will reduce the overall height and bulk of dense existing vegetation, but would not substantially degrade

the present visual character or quality of the site. Removal of mature riparian trees, such as heritage oaks, Fremont cottonwoods, or white alders, in concentrated areas such as groves or large plots would open existing views of neighboring residential areas on the northern side of Dry Creek and alter vegetative density patterns, thereby reducing intactness and vividness. However, these direct, project-related effects would not result in significant impacts on views of the project site, since vegetation removal will not alter visual aspects to the extent that overall aesthetic values are lost. No mitigation is required.

Impact 3.11-2:	Changes in views of the project site from adjacent residences
Baseline significance under CEQA:	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

Project implementation would open views of the Dry Creek corridor and neighboring homes from adjacent residences on either side of the creek. The intactness of adjacent residential viewsheds would change in some areas from dense vegetative screening or partial screening to direct views of neighboring single-family or multifamily homes, roads, or park areas of the proposed project. Thinning or removal of screening vegetation will also increase the visibility of bank areas, including locations where retaining walls (up to 8.5 feet tall) or other slope stabilization is installed. However, the change would not be substantial and the natural character of the creek corridor would be retained by the presence of trees and shrubs on both banks of the creek. No mitigation is required.

Design Variations

Impact 3.11-3:	Changes in views from residences along the middle portion of the route
Baseline significance under CEQA	Less than significant
Adopted and/or required actions:	None
Significance under CEQA after implementation of adopted and/or required actions:	Less than significant

The design variations involve constructing bank stabilization structures along approximately 200 feet of the streambank. These structures are necessary to construct the bike trail through this narrow terrace area because they would minimize bank erosion that could adversely affect the pavement section. Residents on the opposite side of the creek would have a direct view of these structures and may find them visually unappealing. However, this area consists of a steep-cut bank that is actively eroding and that contains little vegetation on the near vertical slope because of regular sloughing of soil. This lack of vegetation reduces the unity of the existing aesthetic setting. In

addition, this portion of the creek is not the only section along this reach that has been armored with gabion baskets, rock slope protection, or other similar bank protection measures. The proposed measures for the bike trail would be consistent with treatments used for other sections of the streambank in the project area.

Mitigation Measures

No mitigation is required.

4.0 DESCRIPTION AND ANALYSIS OF ALTERNATIVES TO THE PROPOSED PROJECT

According to the State CEQA Guidelines, an EIR must describe a reasonable range of alternatives to a project, or to the location of a project, that could feasibly attain the basic project objectives. The feasible alternatives to be considered must focus on alternatives that are capable of eliminating or substantially reducing significant adverse impacts caused by the proposed project. The comparative merits of these alternatives must be described and evaluated. The State CEQA Guidelines specify that the range of alternatives is governed by the "rule of reason," requiring evaluation of only those alternatives "necessary to permit a reasoned choice." Further, an EIR "need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." The State CEQA Guidelines require that a "no-project" alternative be evaluated, and that an environmentally superior alternative be designated. If the alternative with the fewest or least environmental impacts is the no-project alternative, one of the other alternatives should be designated environmentally superior.

This section describes alternatives considered but eliminated from further consideration, as well as alternatives to the proposed project (Route A) and their environmental effects. Each resource subsection in this section contains a discussion of the impacts of each alternative. The overall setting, approach and methodology, and significance criteria described in Section 3.0 remain true for each alternative and are not repeated in this section. Figure 4.0-1 diagrams each of the alternatives.

4.1 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER CONSIDERATION

Additional on-/off-street alignments and design variations were considered by the City as alternatives to Route A and Route B, the on-street segment alternative (Figure 4.0-1). These are described below, and the reasons for their removal from further consideration are explained.

Harding Boulevard-Folsom Road On-Street South Alternative—Alternative 1

At Harding Boulevard, the bikeway alignment would continue southward to the intersection of Harding Boulevard and Estates Drive. The alignment would continue westward to Folsom Road, then northward on Folsom Road to Dry Creek. From this point, the alignment would become an off-street bikeway following the same route as Route A-1 to Royer Park. This alternative was rejected because it would not satisfy several of the project objectives (see Section 1.1 for discussion of project objectives). Because of the numerous roadway intersections along this route, this alignment would create traffic hazards for bicyclists by repeatedly requiring them to cross streets and commercial driveways with high traffic volumes. In addition, this route is less direct and would not facilitate the commuting or recreational objectives of the project.

Harding Boulevard-Folsom Road On-Street North Alternative—Alternative 2

Other on-street alignments were considered for travel through the residential neighborhood that is bounded by Dry Creek on the north, Lincoln Estates Park on the east, Harding Boulevard on the south, and Folsom Road on the west. Streets that would be affected under this alternative include Macario Court, Zola Avenue, Sharon Way, Evelyn Avenue, Marilyn Street, and Maciel Avenue. This alternative was rejected because it would not satisfy several of the project objectives. Because of the numerous roadway intersections along this route, this alignment would create traffic hazards for bicyclists. Many of the intersections along this route have stop sign-controls or no traffic controls at all. In addition, this route is less direct and would not facilitate the commuting or recreational objectives of the project.

Adelante High School-Doyle Street Connector Alternative—Alternative 3

This minor variation to Route A was suggested during public scoping. Under Alternative 3, a connecting bikeway would be constructed along Doyle Street between Atlantic Street and the off-street bikeway along Dry Creek. This alternative was eliminated from further consideration because not only would the connector add substantial costs to the project as a result of restrictive terrain on the south side of the high school, where the bikeway would be constructed, but it would contribute very little toward accomplishing the City's goals for this project.

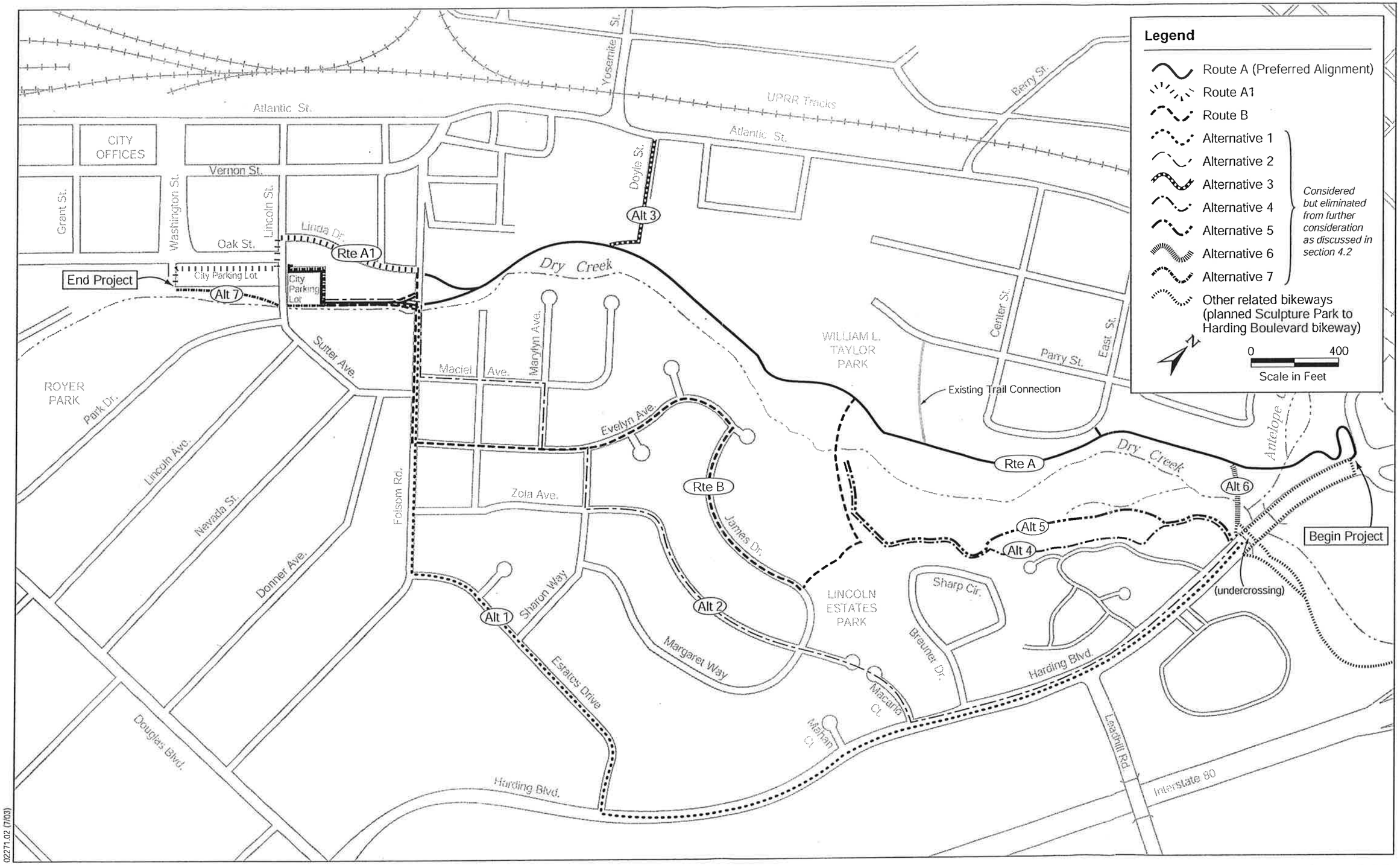
In addition, although the connector would increase access to the Dry Creek corridor to some extent, the cost of constructing the corridor and mitigating probable environmental effects would be prohibitive compared to the limited benefits that would be gained by constructing this connector. Finally, Adelante High School has recently constructed a "natural footpath" to provide a connection between the high school and the Dry Creek floodplain. Thus, a connection at this location has already been provided by the school district.

South-Side Alternative (along Condominium Properties)—Alternative 4

This route was considered a variation to the eastern portion of the preferred alignment. At Harding Boulevard, this route would follow the property lines for a condominium complex and other private residential properties on the south side of Dry Creek. At Lincoln Estates Park, the route would connect to Route A via a new bridge. This alternative was not considered feasible because of the low elevations along this portion of the creek, unstable soil, and the susceptibility of this area to flooding and sediment deposition. From a design standpoint, significant maintenance and repair costs would be associated with building a bikeway in this area. The bikeway would also be constructed very close to residential properties because of the limited clearance along the top of the streambank.

South-Side Alternative (along Dry Creek)—Alternative 5

A second south-side alternative was considered in the same area as Alternative 4; however, Alternative 5 would be constructed closer to the stream channel. This alternative was not considered feasible because of the low elevations along this portion of the creek, unstable soil, and the



Jones & Stokes

Figure 4.0-1
Alternatives to the Proposed Project and Alternatives Considered but Eliminated from Further Consideration

susceptibility of this area to flooding and sediment deposition. As described previously, significant maintenance and repair costs would be associated with building a bikeway in this area. In addition, riparian habitat would be adversely affected along most of this route.

Harding Boulevard Bike Bridge Alternative—Alternative 6

Under Alternative 6, a bike bridge would be constructed downstream from Harding Boulevard to allow bicyclists to cross from the south side of Dry Creek to the north side. The north side has more suitable terrain for construction of a bikeway than the south side does. This alternative was not considered feasible because of the high costs associated with constructing a bridge at this location. A relatively long structure (compared to the Antelope Creek crossing under Route A) would be required to span the creek without adversely affecting floodflows. An adequate bridge structure at this location would be very costly, especially considering that the existing Harding Boulevard Bridge can provide this crossing.

Lincoln Street to Royer Park Off-Street Alternative—Alternative 7

Under Alternative 7, the route would remain an off-street route through the entire downstream segment. At the parking lot on the east side of Lincoln Street, the route would continue as a Class I bikeway along the edge of the parking lot (resulting in the removal of several existing parking spaces) to the Lincoln Street Bridge. At that point, it would continue under the bridge and along the top of the streambank to the end of the project. Stairs would be constructed at the bridge to assist bicyclists with traveling down the bank and under the bridge. Lighting would be installed below the bridge. This alternative was rejected because of the high costs associated with construction so close to the streambank and under the bridge; the environmental effects associated with disturbing the streambank, including recently installed restoration plantings; bicycle safety issues associated with use of the stairs to cross under the Lincoln Street Bridge; and the loss of approximately 31 parking spaces in an already underserved part of the city. In addition, other feasible but less damaging alternatives are available.

Design Variations

At one location at the approximate midpoint of the proposed project route (identified in Figure 2.1-2), the streambank has eroded substantially. The remaining bank width presents a physical constraint to constructing a durable bike trail on City property through this portion of the project area. Four design variations for protecting the streambank were considered originally for the proposed project (see Appendix I):

- Design Variation 1 would consist of installing a gabion wall along a 190-foot segment of the streambank. A portion of the streambank would be excavated to accommodate a 24-foot-high gabion wall.

- Design Variation 2 would treat the same segment, but would consist of constructing a retaining wall built on a pile foundation. The degree of excavation would be similar to that proposed for Variation 1. The retaining wall would have a total height of 24 feet,

which would include 1 foot above finished grade.

- Design Variation 3 also treats the same segment, but would consist of installing rock slope protection along the streambank. This variation would require substantially less excavation and would slope downward to the stream instead of creating a vertical drop-off along the constructed edge of the streambank.

- Design Variation 4 proposed moving the trail alignment away from the creek to provide additional setback from the eroding streambank. This variation would require acquisition of private property to increase buffer distance from the bank.

Design Variations 1–3 are considered for each issue area analysis in Chapter 3.0. Design Variation 4 was considered and rejected because of the lengthy process and potential costs associated with acquiring land from a potentially unwilling seller. A discussion of the comparative performance of the other three design alternatives can be found in subsection 2.3 of this EIR.

4.2 DESCRIPTION OF ALTERNATIVES TO THE PROPOSED PROJECT

Route A Linda Drive Bypass—Route A1

Route A1 is a variation of the portion of Route A between Lincoln Street and Folsom Road. Instead of continuing along the stream channel under the Folsom Road Bridge, Route A1 would bypass this area on Linda Drive. The upstream portion of the route would connect to Linda Drive at Folsom Road. A crosswalk would be constructed at this location to allow passage across Folsom Road. The route would become a Class III bike route on Linda Drive. At Lincoln Street, the route would cross at an existing crosswalk and continue as a Class III bike route to the city parking lot on the west side of Lincoln Street, where it would follow the same alignment as Route A.

On-Street Segment Alternative—Route B

During the public scoping process, the Route B alternative was suggested for consideration to address privacy concerns of adjacent landowners on the north side of Dry Creek, downstream of Lincoln Estates Park. This alternative is consistent with BMP goals encouraging a bikeway system that enhances connections between parks and residential areas. Route B differs from Route A only along the western portion of the route, which would be located on existing public streets. The eastern portion would be constructed along Dry Creek in the same off-street alignment as Route A.

Between Harding Boulevard and William L. Taylor Park, Route B would include the Route A off-street alignment on the north side of Dry Creek, as described in subsection 2.3 (see Figure 4.0-1). The bikeway would proceed from William L. Taylor Park through City-owned land to a bridge over Dry Creek. The bridge would be either a prefabricated steel bridge on concrete abutments or a precast reinforced concrete bridge on steel I-beam girders. Concrete abutments would be reinforced and anchored firmly to the ground to withstand large stormflows. Gabions or rock slope protection would be placed around each abutment to provide protection from erosion and scouring. After crossing to the south side of the bank, the Route B segment alternative would follow

an existing Class I bike path through Lincoln Estates Park, then connect with James Drive. Route B then would leave the Dry Creek corridor and continue west and north on James Drive as an on-street Class III bike route to Evelyn Avenue. The alignment would continue west on Evelyn Avenue to Folsom Road. A new crosswalk would be required across Folsom Road at Evelyn Avenue to allow bicyclists traveling south on Folsom Road to cross the roadways safely and continue on Evelyn Avenue. At Folsom Road, the alignment would continue northwest to the Dry Creek Bridge. At this bridge, the alignment would join Route A again, continuing along the north side of Dry Creek to Royer Park, as described for Route A in subsection 2.3.

Route B would be combined with the portion of Route A extending upstream from Lincoln Estates Park to form a complete bikeway route. Where Route B would cross Dry Creek at Folsom Road, the alignment also could be combined with Route A1 as a variation between Folsom Road and Royer Park.

No-Project Alternative

The No-Project Alternative provides the environmental baseline against which the proposed project and alternatives can be compared. Under the No-Project Alternative, the bikeway from Harding Boulevard to Royer Park would not be constructed. The benefits that would be gained by constructing the bikeway facilities (i.e., alternative transportation and passive recreational opportunities) would not occur, and this component of the 1994 BMP would not be implemented. As a consequence, bicyclists and pedestrians would be required to use the existing street network to connect between the Miners Ravine and Darling-to-Douglas bike trails. This on-street connection likely would involve the use of Wills Road, Atlantic Street, Vernon Street, and Lincoln Street. Under the No-Project Alternative, none of the environmental effects resulting from construction of the bikeway would occur.

4.3 IMPACT ASSESSMENT

Land Use

Route A1. Under Route A1, effects associated with project implementation would be similar to those described above for the proposed project. Route A1 involves shifting a portion of the alignment from an off-street to an on-street location. This has the benefit of avoiding the need to acquire trail right-of-way from four private properties located between Lincoln and Folsom Roads (Figure 3.1-2). There would be no other land use implications resulting from this alternative.

On-Street Segment Alternative—Route B. Effects associated with implementation of Route B would be similar to those described above for the proposed project over approximately half the bikeway route. From Lincoln Estates Park downstream to the Dry Creek Bridge on Folsom Road, the bikeway would become an on-street facility, so little disruption is required for both construction and use of this portion of the route. This alternative would avoid privacy concerns for private properties located along proposed Route A downstream of William L. Taylor Park. However, it would also not achieve all project objectives contained in the City's General Plan and Bicycle Master Plan relating to access to and from Class I bikeway connections within open space.

No-Project Alternative. Under the No-Project Alternative, the proposed bikeway would not be constructed. Existing land uses would continue with no change in land use policies or designations. Although none of the potential land use impacts would result under the No-Project Alternative, none of the project objectives or recreational aspects of this bike trail would be realized.

Geology

Route A1. Route A1 would have similar impacts to those described for the Route A alignment. Route A1 is a minor variation in the alignment that is located within an area where each of the impacts described in Section 3.2 may occur. However, Route A1 would avoid the need to use rock slope protection downstream of Folsom Road.

On-Street Segment Alternative—Route B. Under Route B, the western portion of the bikeway would be located on existing public streets, whereas the eastern portion would be constructed along Dry Creek, along an alignment identical to Route A. Unlike the western segment of Route A, the on-street segment of Route B would not require bank or slope stabilization. Portions of the pathway and the bridge over Dry Creek are located within the 100-year floodplain, so construction activities may cause siltation in Dry Creek, as described for the proposed project.

No-Project Alternative. Under this alternative, the bikeway would not be constructed. Streambanks and adjacent steep slopes that are currently eroding would continue to erode at existing rates. Although construction activities that could cause increased erosion would not take place, the bank stabilization structures that would be constructed as part of this project to improve the stability of the streambanks would not be installed. Potential siltation impacts that could result from construction activities near the stream channel would not occur.

Water Resources

Route A1. For Route A1, water resource impacts would be similar to those of Route A: potential water quality impacts would be the same as those for Route A where these alternative routes coincide, and the same requirements and mitigation would be applicable. Because Route A1 requires less streamside construction, the potential for water resource impacts would be correspondingly reduced. Hydraulic modeling demonstrates that Route A1 would cause changes in water surface elevations comparable to those of the proposed project.

On-Street Segment Alternative—Route B. Route B would have about the same potential for water quality impacts as the proposed project because construction work would still occur within the floodplain areas upstream of Lincoln Estates Park. The same requirements and mitigation described for the proposed project would apply. However, because Route B would require less streamside construction, the potential for water resource impacts would be correspondingly reduced. The two project components with the greatest potential effect on water surface elevations are the bridges over Dry Creek and Antelope Creek. Unlike Route A, both of these bridges would be constructed as part of Route B. The effects of Route B on 100-year water surface elevations would be similar to those of the proposed project. Modeling conducted for the project found that the Dry Creek Bridge would have less hydraulic impact than the Antelope Creek Bridge. Both bridges were

found to have less than significant impacts on the 100-year water surface elevation.

No-Project Alternative. No change in water surface elevations would occur under the No-Project Alternative. Further, water quality impacts associated with construction of the bikeway would not occur.

Air Quality

Route A1. The Route A1 segment alternative would result in construction requirements and emissions similar to those of the proposed project because the minor adjustment in the route alignment would not significantly change the extent of the area to be affected during construction. The same mitigation would be required.

On-Street Segment Alternative—Route B. Route B would result in substantially less construction at the western end of the project area than the proposed project. Maximum daily construction-related emissions are expected to be about the same under this alternative as under the proposed project at locations where the off-street bikeway would be constructed. Constructing the on-street bikeway portion, however, would eliminate the need for construction on about 50% of the length of the project. Therefore, total construction emissions would be about half of those resulting from the proposed project.

No-Project Alternative. Under the No-Project Alternative, the bikeway would not be constructed. As a result, some people who might have used the proposed route to walk or bicycle to other areas of the city would instead drive to these locations. Therefore, the No-Project Alternative would not contribute to an improvement of air quality in the area that could be obtained by implementing the proposed project.

Biological Resources

Route A1. Route A1 would have slightly fewer impacts on riparian habitat because a portion of the route would be located on existing streets (Table 4.2-1). However, because most of the route would still affect sensitive resources upstream, each of the impacts and proposed mitigation measures described above for the proposed project would also apply to Route A1.

On-Street Segment Alternative—Route B. The downstream portion of this route is located on existing streets for most of the route between Lincoln Estates Park and Royer Park. Although Route B includes a substantially shorter distance of off-street pathway compared to the proposed project, this alternative would require one more creek crossing. On the whole, the segment of Route B south of William L. Taylor Park could cause somewhat less biological impact than the other route alternatives evaluated in this report. The upstream segment, from William L. Taylor Park to Harding Boulevard, would have the same impacts as described for the proposed project. Each of the impacts and mitigation measures described for the proposed project would be applicable to Route B.

No-Project Alternative. Under the No-Project Alternative, biological resources would be unchanged from existing conditions.

Traffic and Circulation

Route A1. Route A1 would have the same pedestrian traffic and circulation impacts as the proposed project because the difference between the alternatives does not involve interaction between pedestrians or motorists. This route, however, would have impacts in addition to those described for the proposed project due to potential bicycle-motorist conflicts at Folsom Road and Linda Drive. Route A1 would require bicyclists to cross Folsom Road on the on-street portion of this route alternative. A crosswalk and associated signs would be constructed if this alignment is used. This crosswalk would minimize potential bicyclist-motorist conflicts to the extent possible.

Route A1 would also have potential bicycle-motorist conflicts where bicyclists would have to cross Lincoln Street on the on-street portion of this route alternative. An existing crosswalk can be used to provide a safe means for crossing this roadway. This crosswalk would minimize potential bicyclist-motorist conflicts to the extent possible.

On-Street Segment Alternative—Route B. All the impacts, mitigation measures, and findings associated with the proposed project also apply to the Route B alternative. In addition, the Route B alternative would lead to potential bicycle-motorist conflicts at Folsom Road and Evelyn Avenue, where bicyclists traveling southbound on Folsom Road would have to cross the street at the unsignalized intersection with Evelyn Avenue. A crosswalk would be constructed as part of this project to provide a designated point for crossing this part of Folsom Road. This crosswalk would minimize potential bicyclist-motorist conflicts to the extent possible.

No-Project Alternative. Under the No-Project Alternative, the proposed bikeway would not be available for pedestrians and bicyclists to use in traveling through Roseville. Some of these trips could instead be converted to motor vehicle trips on area roadways, and others could involve bicycles and pedestrians on roads not intended or marked for those forms of transportation.

Cultural Resources

Route A1. Potential impacts associated with Route A1 would be slightly reduced compared to those of the proposed project because less streamside construction would be required (downstream of Folsom Road).

On-Street Segment Alternative—Route B. Potential impacts associated with the Route B alternative would be reduced by about 50% compared to the proposed project because approximately half of the ground-disturbing Class I trail construction activities would be eliminated under this alternative.

No-Project Alternative. There would be no new impacts on known or currently unknown cultural resources under this alternative.

Noise

Route A1. Under Route A1, construction requirements and operation-related noise levels would be similar to those of the proposed project. However, there would be less construction noise at the dentist office and residential receptors located near Dry Creek between Folsom Road and the City's parking lot east of Lincoln Street.

On-Street Segment Alternative—Route B. Under this alternative, less construction would occur at the western end of the project area than under the proposed project. The Route B alternative would be combined with the eastern half of the proposed project or Route A1. Construction-related noise generation would remain the same as under the proposed project at locations where the off-street bikeway would be constructed. However, the on-street bikeway portion would eliminate the need for construction on approximately 50% of the length of the project.

No-Project Alternative. The No-Project Alternative would not generate temporary construction noise or operational noise from pedestrians or bicyclists. Noise would be unchanged from the existing condition.

Hazardous Materials

Route A1. Impacts associated with Route A1 are the same as those associated with the proposed project.

On-Street Segment Alternative—Route B. The risk of exposure to hazardous waste associated with the Route B alternative segment would be even lower than under the proposed project because the alternative would involve less excavation of material.

No-Project Alternative. No new hazardous materials impacts would result under the No-Project Alternative.

Public Services and Safety

Route A1. For Route A1, effects associated with project implementation are similar to those described in the above discussion for the proposed project alternative. Because the trail would be slightly shorter in total length compared to the proposed project, there would be slightly less demand on police patrols. The same mitigation prescribed for the proposed project would apply.

On-Street Segment Alternative—Route B. Potential impacts associated with the Route B alternative would be reduced by about 50% compared to the proposed project because the trail would be approximately half the length of that proposed under Route A.

No-Project Alternative. Under the No-Project Alternative, the proposed bikeway would not be constructed. No public service impacts would occur under the No-Project Alternative. No additional maintenance costs would be incurred.

Aesthetics

Route A1. Under Route A1, effects associated with project implementation would be similar to those described above for the proposed project. Route A1 involves shifting a portion of the alignment from an off-street to an on-street location, which would slightly reduce visual effects on the downstream portion of the route. Depending on final design, Route A1 could allow preservation of two 40-inch-dbh redwood trees located next to the Folsom Road Bridge. However, to accomplish this, there could not be an undercrossing of Folsom Road to allow grade-separated access to the bikeway from the south-bound lane of Folsom Road.

On-Street Segment Alternative—Route B. Effects associated with implementation of Route B would be similar to those described above for the proposed project over approximately half the bikeway route. From Lincoln Estates Park downstream to the Dry Creek Bridge on Folsom Road, the bikeway becomes an on-street facility requiring very little disruption for both construction and use of this portion of the route.

No-Project Alternative. Under the No-Project Alternative, the proposed bikeway would not be constructed. The Views in the project area would not be changed other than the gradual natural changes that are associated with the Dry Creek corridor. Although none of the impacts described for the proposed project would occur, none of the alternative transportation and recreational aspects of this bike trail would be realized.

4.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Each of the route alternatives described in this EIR would have the same environmental effects for the section of the route extending upstream from Lincoln Estates Park. For the portions of the route alternatives downstream from the park, the effects vary somewhat. Route A1 is very similar to the proposed project downstream to Folsom Road. At this point, it becomes a circuitous on-street route to avoid design constraints associated with the Folsom Road and Lincoln Street Bridges. The environmental effects associated with Route A1 are comparable to those of the proposed project with the exception of bicycle-motorist conflicts at two places along the route.

Route B avoids impacts on riparian habitat downstream from the proposed stream crossing to Folsom Road. Route B would also avoid privacy concerns for property owners downstream of William L. Taylor Park. However, Route B also causes a bicyclist-motorist conflict point on Folsom Road at Evelyn Avenue and is much less direct.

Although Route B minimizes some impacts on riparian areas, the proposed project has the following benefits over Route B:

- it provides the most direct route between Harding Boulevard and Royer Park,
- it has environmental impacts comparable to Route B along most of the route,
- it minimizes potential safety issues involving bicyclists and motorists or pedestrians,

- it meets more of the project objectives than any of the alternative routes, and
- mitigation is available to reduce all environmental resource impacts to less-than-significant levels.

For these reasons, the proposed project (Route A) would be considered the environmentally superior alternative.

5.0 OTHER CEQA CONSIDERATIONS

The State CEQA Guidelines (Sections 15126 and 15130) require that an EIR evaluate several types of project impacts in addition to the direct and indirect impacts of the project that are evaluated in preceding sections.

5.1 GROWTH-INDUCING EFFECTS

The proposed bikeway project would not induce growth. It would not foster economic or population growth or the need for additional housing. It would not remove obstacles to planned or unplanned growth, tax community services or facilities, or facilitate other activities that cause significant environmental effects. Although the bikeway would be seen by many residents and potential residents as a desirable neighbor amenity, the project area is an infill area that is not subject to significant new growth.

5.2 SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

The potential environmental impacts that would result from implementation of the proposed project are summarized in Table ES-1. As described in detail in Section 3.0, all direct and indirect impacts of this bikeway project would be less than significant after implementation of all proposed mitigation measures.

Complete implementation of the City's BMP will result in significant loss of native oak woodland and riparian woodland habitat. The program EIR for the BMP identified measures to mitigate this impact; these measures have been incorporated into this project EIR. Additional measures identified in this project EIR can improve the efficacy of BMP EIR measures, enabling feasible mitigation of project-related impacts on native oaks and riparian woodland habitat to less-than-significant levels.

However, the project would contribute incrementally to effects which, when considered along with impacts resulting from implementation of the BMP and other development anticipated to occur in and around the city, will lead to significant cumulative impacts.

5.3 CUMULATIVE IMPACTS

Cumulative impacts are two or more individual impacts that, when considered together, are considerable or that compound or increase other environmental impacts of the project in conjunction with reasonably foreseeable future projects. For the proposed bikeway, cumulative impacts were evaluated from the perspective of buildout of the City's BMP, since the proposed project is an action element of the comprehensive bicycle facility program. The following significant cumulative impacts were documented by the BMP EIR (City of Roseville 2002):

- Cumulative loss of biological resources, including annual grassland and riparian woodland

- Cumulative degradation of water quality

- Cumulative increase in flooding

The proposed bikeway project would contribute incrementally to each of the significant cumulative impacts identified in the BMP EIR, as discussed below.

Biological Resources

Buildout of the BMP would result in cumulative impacts on annual grassland, riparian, and oak communities in the Roseville area. As the city continues to grow, impacts (including habitat loss and human disturbance) on these important and generally high-quality habitats will increase. Implementation of mitigation measures outlined in subsection 3.5 would compensate for project-specific local losses of these resources and reduce the magnitude of impacts, but would not eliminate cumulative impacts on riparian and oak communities (particularly those related to the human disturbance associated with improving access to the riparian corridor for public use).

In addition to the mitigation measures incorporated in this project EIR, the BMP EIR describes other steps that the City proposes or is taking to address cumulative impacts on biological resources in the project vicinity:

- The City has secured CALFED funding and is currently preparing a Creek and Riparian Management and Restoration Plan that addresses creek and riparian management concerns throughout Roseville, including those related to implementation of Class I bikeways in open space and park areas.

- The City has entered into a Monitoring Agreement with NOAA Fisheries to address water quality issues related to Central Valley steelhead, including riparian management strategies.

In conclusion, implementation of mitigation measures and other actions would reduce this significant cumulative impact, but not to a less-than-significant level.

Flooding

Potential flooding impacts are attributed to development not only within the city limits, but in the watershed area outside the city limits. Therefore, the context for evaluating potential cumulative impacts on flood conditions and water quality is buildout of the BMP in conjunction with other cumulative development located within the Dry Creek and Pleasant Grove Creek watersheds. The Pleasant Grove Creek watershed is tributary to the Cross Canal, which drains to the Sacramento River, and the Dry Creek watershed is tributary to the Natomas East Main Drainage Canal, which drains to the American River.

Peak Storm Water Flows in the Project Area. Cumulative impacts from various improvement projects that have occurred in past decades in Dry Creek have been accounted for in the City's hydraulic modeling. All projects that occurred before 1984 were taken into account by the Nolte hydraulic model that was adopted by the City as representing the official floodplain. That model, which used 1984 topography, established the "baseline" condition. All improvement projects in Dry Creek that have occurred since that time have been compared to the Nolte model to identify impacts on the 100-year stormwater surface elevation. In all cases, subsequent projects have not increased the 100-year stormwater surface elevation above the Nolte model, because those projects involved replacing material that eroded away with more resistive material. In other words, the postproject cross-sectional area remained greater than the cross-sectional area in the Nolte model, indicating that the project had no project-specific or cumulative adverse impacts. If a project were to cause an increase in the Nolte 100-year stormwater surface elevation, then the model would be updated to reflect that change, and that would become the City's new baseline condition.

In that respect, cumulative impacts on the 100-year peak stormwater surface elevation in the project area resulting from the proposed bike trail improvements were addressed as part of project-level hydraulic modeling (see Impact 3.3-2). Model results for the project reaches on Antelope and Dry Creeks indicate that small increases and decreases in water surface elevation would occur as a result of the project. The maximum increase in the 100-year floodwater elevation of Antelope Creek would be 0.05 feet, just upstream of the proposed bicycle bridge. This slight increase in water surface elevation, which is less than the accuracy limits of the HEC-RAS model, is completely attenuated upstream within about 1,500 feet. Therefore, within the project area, the proposed bikeway improvements would result in less-than-significant cumulative peak flooding impacts.

Downstream Flooding. Although not an issue within the project area, as demonstrated by hydraulic modeling, water draining from the increase in impervious surfaces due to cumulative development would contribute to increased volumes in the watersheds and downstream. To the extent that increased runoff volume exceeds the capacity of downstream drainage facilities, flooding impacts could result as discussed below.

The BMP Final EIR was certified in July 2002. The BMP EIR found that, although minor, buildout of the BMP, in combination with other cumulative development, would contribute to an increase in impervious surfaces and runoff volumes. This was considered to be a cumulatively significant flooding impact in the BMP EIR. "Development" refers to all planned development within the affected watersheds, including subdivisions, commercial sites, and industrial land uses. A small portion of that development is the construction of Class I bikeways through open space areas and along creeks. To put the impact of the proposed bikeway project in perspective, the acreage of the proposed bikeway project represents 1.26 acres compared to a total of 64,640 acres within the entire Dry Creek watershed. That translates to 0.002% of the total area within the Dry Creek watershed. As stated in the BMP EIR, implementation of the entire BMP (including all planned Class I bikeways in Roseville) would convert 31.2 acres to impervious surface, which would represent 0.03% of the total area in the Dry Creek and Pleasant Grove Creek watersheds combined.

Within the Placer County portion of the Dry Creek watershed, flood control activities are guided by PCFCWCD. Local agencies affected by flooding in the Dry Creek watershed have been

working with PCFCWCD to find long-term flooding solutions. Solutions include creating regional and local detention facilities; constructing improvements to channels, levees, and floodwalls; replacing bridges and culverts; managing floodplain development; and other actions. These solutions are outlined in PCFCWCD's Dry Creek Watershed Flood Control Plan. In addition to these actions, the Dry Creek Watershed Flood Control Plan has shown it to be beneficial to facilitate, rather than delay, runoff from development projects located west of (i.e., downstream of) Sierra College Boulevard. This is because, from a peak discharge standpoint, it is better for the lower reaches of a watershed to drain out before runoff from upper portions of the watershed flows into the lower watershed area. If runoff from the lower watershed area were delayed, via detention for example, the height of the water in the lower watershed area could increase because flows from the upper and lower watershed areas would combine. The Dry Creek watershed is sensitive to height increases (i.e., peak flow increases) but not to volume increases (i.e., increased runoff). The proposed bike trail project is located downstream of Sierra College Boulevard. Consequently, related downstream cumulative flooding impacts within the Dry Creek watershed are considered less than significant.

In contrast, in the Pleasant Grove Creek watershed, increased runoff volumes due to cumulative development do, during certain conditions, contribute to flooding problems in the lower portion of the watershed where Pleasant Grove Creek drains to the Cross Canal and the Sacramento River. As such, increased runoff volumes in the Pleasant Grove watershed need to be managed to minimize the risk of downstream flooding. To address this volume issue, the City of Roseville has conceptually approved the Pleasant Grove Retention Basin project. This project would provide approximately 2,350 acre-feet of storage volume on Pleasant Grove Creek to mitigate the increase in the volume of stormwater runoff from existing and entitled projects in Roseville, including buildout of the BMP. A site for the Pleasant Grove Retention Basin has been identified, and several million dollars have been collected (and continue to be collected) through development fees to acquire the site and construct the project. The project's EIR was certified in January 2003. Because the BMP EIR was certified before Pleasant Grove Retention Basin approvals, cumulative flood volume impacts were considered significant in the BMP EIR. Although not yet constructed, the Pleasant Grove Retention Basin project has been approved and will include capacity for the increased volume in stormwater flows generated by cumulative city development within the Pleasant Grove drainage shed, including runoff volumes generated by buildout of the BMP. As such, the BMP contribution to cumulative downstream flood volumes within the Pleasant Grove watershed is considered less than significant. This finding is different from that contained in the BMP EIR because certification of the retention basin EIR and project approval occurred after adoption of the BMP EIR.

In conclusion, peak flow impacts resulting from construction of the proposed bikeway improvements in the project area are considered less than significant based on hydraulic modeling that assumed peak flows based on cumulative watershed buildout/runoff conditions. Buildout of the BMP would not contribute to cumulative downstream flooding impacts because there are no flood volume/storage issues in the lower Dry Creek watershed and because the approved Pleasant Grove Retention Basin will mitigate the City's contribution to cumulative flood volumes in the lower Pleasant Grove Creek watershed.

Water Quality

The proposed bikeway project would involve soil-disturbing construction activities, including vegetation removal, grading, excavation, and filling. The bikeway would also result in runoff from impervious surfaces, which is often contaminated by hydrocarbons, heavy metals, nutrients or organic pollutants, or spilled materials. Project effects, although representing less-than-significant direct or indirect impacts, would contribute to erosion, accelerated runoff rates, and contaminated stormwater caused by cumulative development in the Roseville area. The City has adopted standards that require erosion control plans and control measures, including best management practices that reduce impacts on water quality during construction. Implementation of general plan policies, compliance with applicable state permit requirements for stormwater runoff, and mitigation proposed in this project EIR would reduce potential degradation of water quality. However, nominal erosion and sedimentation during construction may still occur, and urban pollutants would continue to enter local waters.

In conclusion, implementation of mitigation measures and other actions would reduce this significant cumulative impact, but not to a less-than-significant level.

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7.0 AGENCIES AND PERSONS CONSULTED

California Department of Fish and Game
California Department of Transportation, District 3
City of Roseville Department of Parks and Recreation
City of Roseville Public Works Department
California Native American Heritage Commission
California Historical Resources Information System
U.S. Department of Transportation
U.S. Fish and Wildlife Service
Federal Highway Administration
Placer County Assessors Office
Ms. Taylor—Property Owner
National Marine Fisheries Service

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APPENDIX A. NOTICE OF PREPARATION AND COMMENTS

Notice of Preparation
for the
City of Roseville: Harding Boulevard to Royer Park Bikeway Project

Prepared by:

City of Roseville

December, 2000

NOTICE OF PREPARATION FOR THE
CITY OF ROSEVILLE: HARDING BOULEVARD TO ROYER PARK
BIKEWAY PROJECT EIR

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NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF ROSEVILLE HARDING BOULEVARD TO ROYER PARK BIKEWAY PROJECT

Project Name: City of Roseville Harding Boulevard to Royer Park Bikeway Project

Lead Agency and Contact: City of Roseville Community Development Department
Mark Morse, Environmental Coordinator
316 Vernon Street, #102
Roseville, CA 95678
Phone: 916/774-5334
Fax: 916/774-5195

Date NOP Completed: December 19, 2000

The City of Roseville is the lead agency for the preparation of an Environmental Impact Report (EIR) for the proposed Harding Boulevard to Royer Park Bikeway project.

The project description, location, and the potential environmental effects are contained in the attached materials.

To ensure that a full range of issues related to the proposed project are addressed and all potentially significant issues are identified, written comments are invited from all interested parties. **Written comments** concerning the proposed EIR for the City of Roseville Harding Boulevard to Royer Park Bikeway project should be directed to the City of Roseville, address listed above. Written comments on the scope of the EIR will be accepted by the City of Roseville **through Friday, January 19, 2001 at 5:00 p.m.**

Terri Shuball for Mark Morse
Mark Morse, Environmental Coordinator

1.0 PURPOSE AND NEED

1.1 INTRODUCTION

The City of Roseville (City) proposes to construct a bikeway from Harding Boulevard to Royer Park, providing an important link between the existing Royer Park and Miners Ravine Bikeways. Under the proposed action, the City Public Works Department would construct a bikeway for bicycle and pedestrian use to enhance bicycle recreation opportunities and provide a safe and viable alternative for commuting consistent with the City of Roseville Bikeway Master Plan (BMP).

1.2 COMPLIANCE WITH CEQA AND NEPA

This environmental impact report/environmental assessment (EIR/EA) discloses the environmental effects associated with construction and operation of the proposed bikeway. This document satisfies the requirements of both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) (it is a joint CEQA/NEPA document). Compliance with NEPA is required because the project would be constructed using federal funds provided under the federal Intermodal Surface Transportation Efficiency Act (ISTEA). The City, as the state lead agency undertaking the project, is also required to prepare an appropriate environmental document, in this case an EIR, under CEQA. This joint federal/state compliance document will be used by the City, the Federal Highway Administration (FHWA), and other responsible under CEQA to make informed decisions concerning the issuance of required permits and project approvals.

1.3 PURPOSE OF AND NEED FOR THE PROJECT

Background

In September 1994, the City adopted the BMP, which was developed to meet the goals and policies outlined in the Circulation Element and Open Space and Conservation Element of the Roseville General Plan. The purpose of the BMP is to provide a systematic approach for expanding the city=s bikeway system to make bicycling more convenient, enjoyable, and safe. Because the ultimate bikeway system would require at least 20 years to complete, a 10-year plan involving 57 miles of new bikeways (including 5 miles of Class I bikeways, 15 miles of Class II bike lanes, and 37 miles of Class III bike routes) was developed to allow implementation of the most needed and most cost-effective elements of the ultimate system (Figure 1.3-1). The proposed action, a connection between Miners Ravine and Royer Park, is identified in the BMP. Currently, the BMP is being updated to incorporate approved specific plans and other bikeways. A separate CEQA document (EIR) is being prepared for the BMP update. The draft BMP update is scheduled for completion in January 2001.

In 1994, a study was prepared to review various bikeway alignments capable of providing the desired connection between Miners Ravine and Royer Park (Fugro West 1994).

Scoping and Public Workshops

On January 30, 1997, a public workshop was conducted by the City to discuss the proposed bikeway project (between Sculpture Park and Royer Park) and provide an opportunity for public input into the environmental process. During this meeting, a bikeway route alternative was suggested that consisted of an on-street segment alternative. This alternative has been evaluated in this EIR/EA.

On March 22, 2000, a subsequent public workshop was conducted focusing on the Harding Boulevard to Royer Park connection, the proposed project addressed in this EIR/EA. Alternatives suggested at the March 2000 workshop are also evaluated in this EIR/EA.

Project Objectives

By implementing the proposed action, the City intends to fulfill two main purposes or objectives:

Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation and Open Space Element and Conservation Element and the City of Roseville Bikeway Master Plan.

The objectives of the proposed action are based on the goals and policies described in the Circulation Element and the Open Space and Conservation Element of the Roseville General Plan. The goals of the Circulation Element and the Open Space and Conservation Element include the following:

- Open Space Element Goal 3CProvide access to public open space areas through the establishment of a series of public linkages, that will be adequately managed and protected.

- Circulation Element Goal 1CProvide a safe, comprehensive and integrated bikeway and trail system that encourages the use of bikes and walking for commuting, recreational and other trips.

The policies include the following:

- Open Space Policy 1CProvide an interconnecting system of open space corridors which, where feasible, incorporate bikeways and pedestrian paths.

- Circulation Policy 1CDevelop a comprehensive and safe system of recreational and commuter bicycle routes and trails that provides connections between the City=s major employment and housing areas and between its existing and planned bikeways.

- Circulation Policy 2CCoordinate Roseville=s bikeway and trail system with those of neighboring jurisdictions.

In addition to these adopted goals and policies, the BMP provides goals that specifically address development of bicycle trails through Roseville. These goals include the following:

- Recreation: Increase the range of recreational amenities and opportunities for Roseville residents.

- Commuting: Reduce traffic congestion by providing a viable alternative to the automobile.

- Interconnectivity: Provide a bikeway system that will offer convenient routes between employment centers, residential areas, recreation centers, parks, schools, shopping centers, transit stops, train stations, and will close gaps in the existing system.

- Connectivity: Provide a bikeway system that offers connections to adjacent and regional bikeways.

- Safety: Improve safety for bicycle riders through public awareness campaigns, bicycle safety education, and other amenities, where needed, such as call boxes, lighting, signs, etc.

- Environment: Reduce traffic, noise and improve air quality by providing a viable alternative to the automobile.

Other goals from the BMP are the development of an implementation plan to ensure that construction and maintenance of the bikeway system are adequately funded, and the development of a list of bikeway project priorities for use in securing funding.

Objective 2: Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

The Dry Creek riparian corridor is a valuable natural resource for Roseville. The corridor includes riparian communities containing native vegetation and high-quality wildlife habitat. This type of open space is rare in an urbanized setting. Currently, the general public can reach this corridor on foot from Royer Park, Lincoln Estates Park, Saugstad Park, and from the Miners Ravine and Darling-to-Douglas bikeways. Additional access will be provided from Enwood Park once it is constructed. Because contiguous private property exists along most of the Dry Creek corridor, public access for compatible passive recreation is limited. Constructing a bikeway through this corridor would greatly improve access to this corridor and increase the value of this unique land for passive recreational use. This objective is consistent with goals and policies in the Roseville General Plan Circulation Element and Open Space and Conservation Element that describe providing access to public open space areas with linkages such as bikeways.

2.0 PROPOSED ACTION AND ALTERNATIVES

2.1 PROJECT LOCATION

The project site is located in the City of Roseville in southwestern Placer County (Figure 2.1-1). The proposed action route would be a combination on-/off-street route. Generally, the route would follow the Dry Creek corridor from Harding Boulevard downstream to Royer Park (Figure 2.1-2).

As shown in Figure 2.1-2, the project area encompasses the riparian corridor along Dry Creek and various existing surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

2.2 PROJECT DESIGN CHARACTERISTICS

General Characteristics Common to All Alternatives

The proposed bikeway has been designed to be consistent with City construction standards and guidelines provided in Chapter 1000, "Bikeway Planning and Design," of the California Department of Transportation (Caltrans) Highway Design Manual (California Department of Transportation 1995). Off-street facilities would conform to the criteria set for a Class I bikeway. On-street facilities would also conform to Caltrans and City standards and guidelines for Class II and III bike routes. By definition, a Class I bikeway (bike path) provides a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross-flow minimized; a Class II bikeway (bike lane) provides a striped lane for one-way bicycle travel on a street or highway; and a Class III bikeway (bike route) provides for shared use with pedestrian or motor vehicle traffic.

A design speed of 25 mph was assumed in the preliminary routing layout. For this speed, the minimum horizontal curve for Class I bikeways is 155 feet. The alternative routes developed for this study typically use 155 feet as a minimum; however, at certain locations the radius is reduced to less than 155 feet.

Class I bikeways and ADA compliance allow for a recommended maximum 5.0% grade. For shorter segments (no more than 500 feet), steeper grades with landing areas could be used. The project is expected to be constructed with ramp grades no steeper than 20:1, or 5.0% maximum.

The minimum paved width allowed by Caltrans for a two-way bike path is 8 feet. The proposed Class I bikeway would be constructed in accordance with City standards, which call for a 10-foot-wide paved trail with 1-foot-wide shoulders. This standard is flexible and allows for reduced width, if necessary, to accommodate environmental or other constraints. This paved width would be consistent with the existing Miners Ravine and Darling-to-Douglas bikeways.

The current design maintains the City's 10-foot-wide design standard throughout the entire alignment.

Grading

Grading would be allowed only as necessary to construct the bikeway. In flat areas adjacent to creeks, grading would be required only for the pavement section and to conform to the adjacent ground contours. In areas where ramps and hillside trails must be constructed, a 2:1 maximum cut-and-fill slope is anticipated. In the final design, a geotechnical engineering report would provide the necessary information to adequately design cut-and-fill slopes.

Paving and Slope Protection

The proposed Class I bikeways would have a minimum structural section of 2-inch-thick asphalt concrete (AC) on a 6-inch-thick aggregate base. Similar to the Miners Ravine bikeway, a structural section of Portland cement concrete (PCC) under roads and freeway bridges is proposed. In these areas, the trail would be constructed of a 6-inch-thick layer of PCC on a 6-inch-thick aggregate base. The structural sections for the bikeways would be provided in a geotechnical engineering report during the final design stage.

The PCC pavement section under bridges would provide protection from high-velocity flows and their scouring effects, which frequently occur under and around bridges in the project area. In addition, gabions (wire baskets filled with rock) would be constructed under bridges as necessary for added protection from erosion and scour. As noted below under the alternatives description, rock slope protection likely would be used at some locations to prevent bank erosion at points where the trail would be constructed.

Bikeway Bridge Crossing

Depending on which alignment is ultimately selected, bridges could be located north of Lincoln Estates Park over Dry Creek and near Harding Boulevard over Antelope Creek (Figure 2.1-2). The bridges would be either prefabricated steel bridges on concrete abutments or precast reinforced concrete bridges on steel I-beam girders. On each end would be a reinforced concrete abutment anchored firmly to the ground to withstand large stormflows. Gabions or rock slope protection would be placed around each abutment to provide protection from erosion and scouring.

Railings

A 54-inch-high railing would be installed along bike trail bridge crossings, in areas where steep slopes are adjacent to the bikeway, and underneath road bridges to protect bicyclists and pedestrians. To minimize potential impacts on the 100-year floodplain associated with Dry Creek, the railings would be constructed parallel to the stream channel. At bridge crossings, the railing design would be similar to replacement bridge railings designed for the Miners Ravine bikeway.

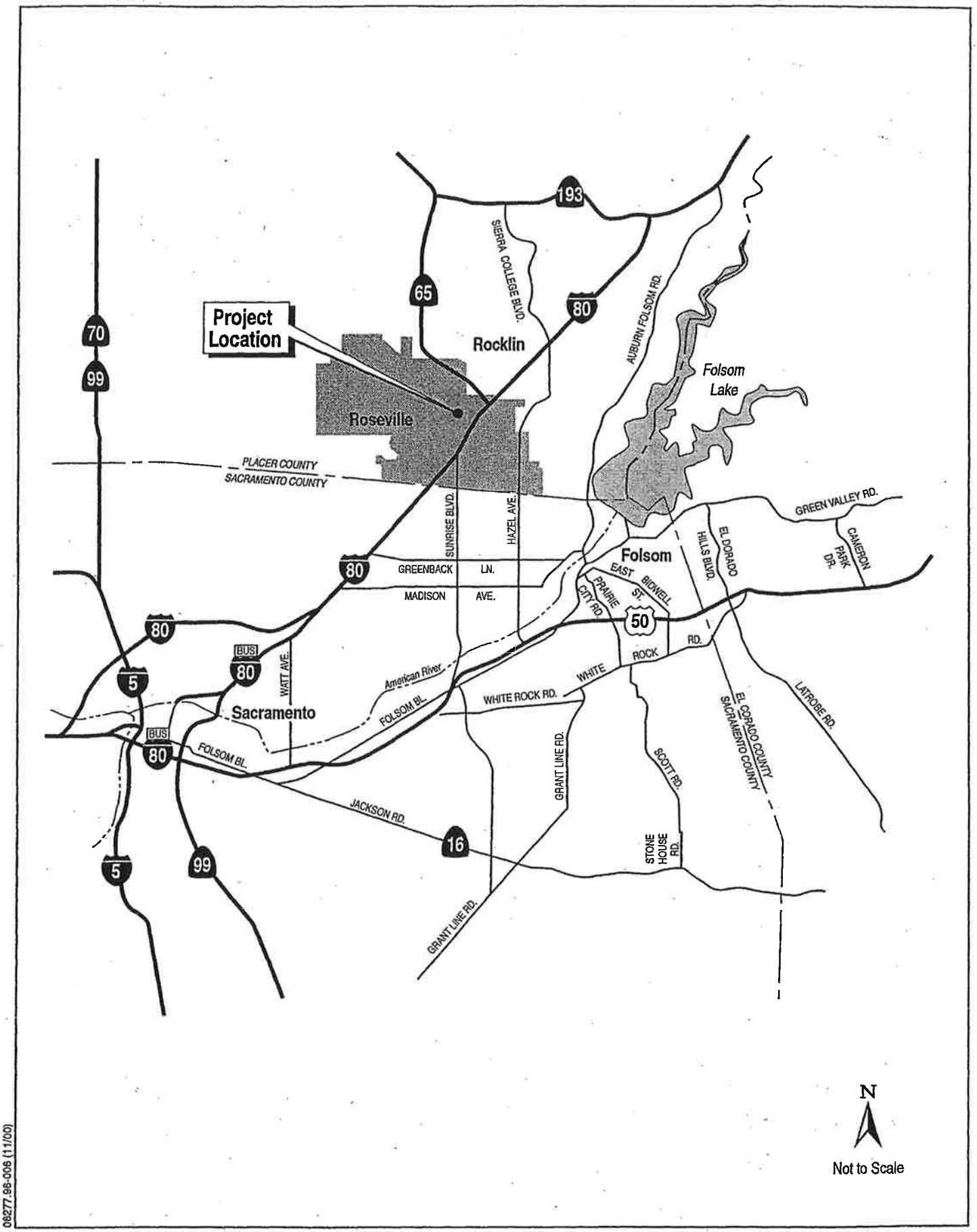

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Figure 2.1-1
Regional Location of the Project

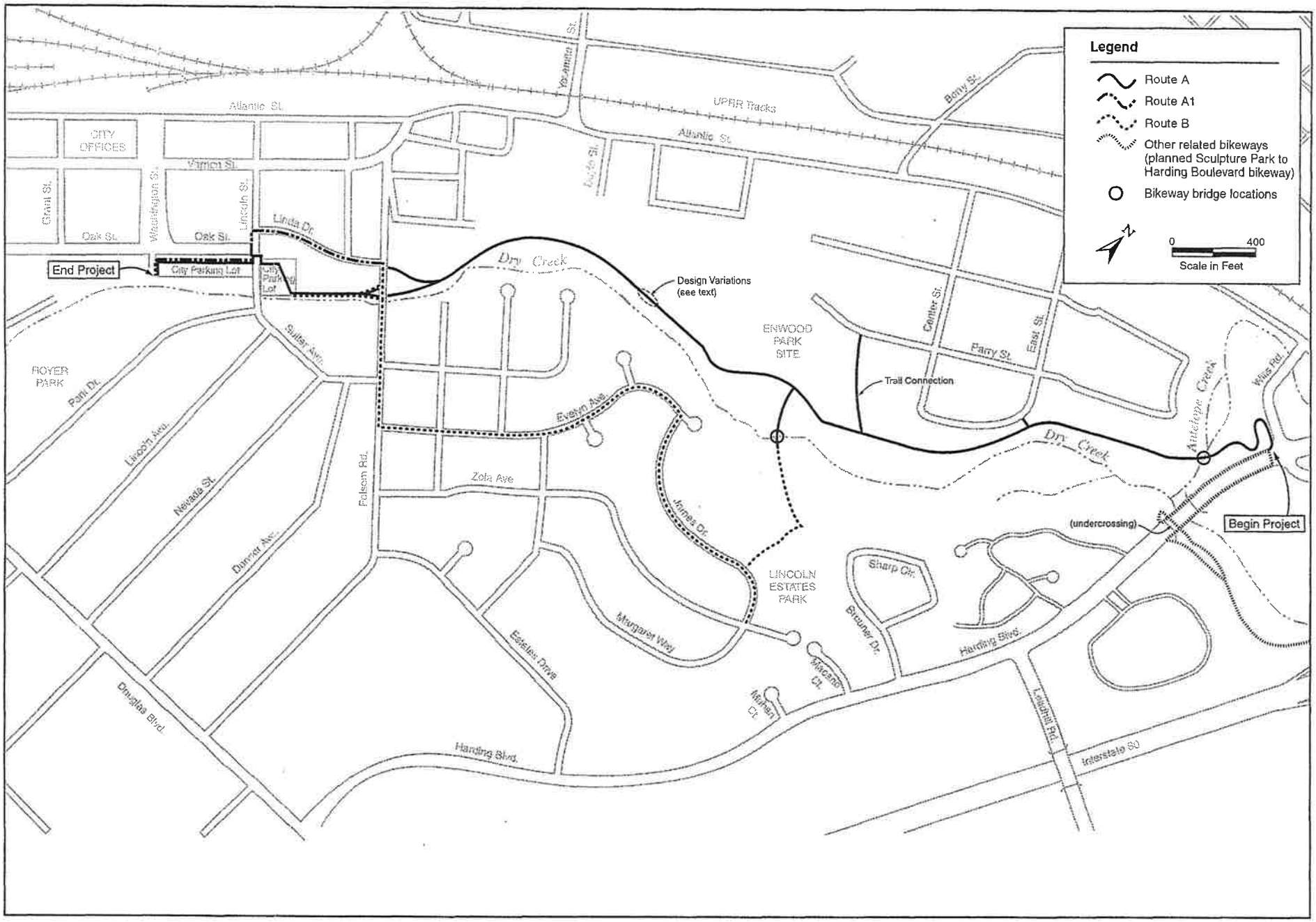

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Figure 2.1-2
Proposed Harding Boulevard to Royer Park Bikeway Route

The railings would be designed to minimize the potential for obstruction during flood events. These railings are able to rotate parallel to streamflows during high-water events to prevent debris from collecting and blocking the flow of water through the area.

Lighting

Lighting is not proposed for most of the trail. However, lighting would be installed at the Folsom Road Bridge undercrossing.

Easement Acquisition

The bikeway would cross various privately owned properties. The amount of right-of-way acquisition required depends on which route is selected. A detailed discussion of property ownership, land acquisition, and related land use impacts is provided in the land use section of this document.

Access

The existing Miners Ravine Bikeway is equipped with gated access points so that the trail can be closed in the event of unsafe conditions. Because of the physical constraints of the Harding Boulevard to Royer Park trail and the trail location in the floodplain, similar access controls would be implemented during periods of heavy rain. Although bicyclists and pedestrians would not be expected to use the bikeway during such periods, this would be an extra precaution to enhance public safety.

2.3 PROPOSED ACTION—ROUTE A (PREFERRED ALTERNATIVE)

Route A is a bikeway alignment that would maximize off-street access to the scenic corridor along the north side of Dry Creek. This alignment would complete the bikeway link between Harding Boulevard and Royer Park, providing an alternative mode of transportation and passive recreation opportunities (bicycling and walking) in the open space areas along Dry Creek.

The eastern end of Route A would begin at Harding Boulevard, which has existing on-street bicycle facilities. Route A would connect with the Miners Ravine bikeway (currently planned for construction in summer 2001 between Harding Boulevard and Sculpture Park) near the upstream side of the Harding Boulevard bridge. A connecting ramp constructed as part of the Sculpture Park to Harding Boulevard bikeway project would allow access to the southbound bicycle lane on Harding Boulevard. Using the Harding Boulevard bicycle lanes as connecting links to the Miners Ravine bikeway, Route A would continue as an off-street bike trail from the south-side crosswalk at the intersection of Harding Boulevard and Wills Road. The route would continue southward to a bridge crossing over Antelope Creek.

From the bridge crossing, the alignment would continue on city-owned land through residential and undeveloped properties to the Enwood Park site, which is a proposed

neighborhood park at the end of Parry Street, across Dry Creek from the existing Lincoln Estates Park. An unpaved, all-weather trail connection would be constructed between the bike trail and Parry Street. Consistent with BMP goals encouraging a bikeway system that enhances interconnectivity between parks and residential areas, a bridge could be constructed at this point to allow a bikeway spur through city-owned land connecting the Enwood Park site with Lincoln Estates Park on the south side of Dry Creek. From this point, the main bikeway route would continue west along the north side of Dry Creek through City and private residential parcels at varying distances from the stream channel. Some bank stabilization work would be required at a location approximately 500 feet downstream of the Enwood Park site to maintain the trail alignment on city-owned property. The route would pass under Folsom Road and continue west past three commercial properties and one apartment complex on Linda Drive. A connecting link would be provided on both sides of the bridge between the trail and the roadway.

Continuing downstream, the alignment would connect to the city's parking lot on the east side of Lincoln Street. The alignment would continue through the parking lot to Lincoln Street, where it would become a Class III route. The alignment would extend north to Linda Drive, cross the street at the stop sign, and continue south to the parking lot on the west side of Lincoln Street. The alignment then would continue west through the parking lot as a Class III trail to the existing Royer Park footbridge. The Royer Park footbridge would provide a connection to the existing Darling-to-Douglas bike trail.

2.4 OFF-STREET AND DESIGN VARIATIONS FOR ROUTE A

One variation of the off-street alignment (Route A1) is being considered (Figure 2.1-2). In addition, three design alternatives are being considered for a portion in the middle of the trail, as shown in Figure 2.1-2. One additional design alternative was considered and rejected (see subsection 2.7).

Route A1—Linda Drive Alternative

Route A1 is a variation of the portion of Route A between Lincoln Street and Folsom Road. Instead of continuing along the stream channel under the Folsom Road bridge, Route A1 would bypass this area on Linda Drive. The upstream portion of the route would connect to Linda Drive at Folsom Road. A crosswalk would be constructed at this location to allow passage across Folsom Road. The route would become a Class III bike route on Linda Drive. At Lincoln Street, the route would cross at an existing crosswalk and continue as a Class III bike route to the city parking lot on the west side of Lincoln Street, where it would follow the same alignment as Route A.

Design Variations

At one location at the approximate midpoint of Route A (identified in Figure 2.2-1), the streambank has eroded substantially, and the remaining bank width presents a physical constraint to constructing a durable bike trail through this portion of the project area. Three design

variations have been developed for analysis in this EIR/EA that address bank protection:

- Variation 1 consists of installing a gabion wall along a 190-foot reach of the streambank. A portion of the streambank would be excavated to accommodate a 24-foot-high gabion wall.

- Variation 2 would affect the same reach but would consist of constructing a retaining wall built on a pile foundation. The degree of excavation would be similar to that proposed for Variation 1. The retaining wall would have a total height of 24 feet, which would include __ feet above finished grade.

- Variation 3 also affects the same reach but would consist of installing rock slope protection along the streambank. This variation would require substantially less excavation and would slope downward to the stream instead of creating a drop-off along the constructed edge of the streambank. This variation is the preferred design variation for this project.

2.5 ON-STREET SEGMENT ALTERNATIVE—ROUTE B

During the public scoping process, the Route B alternative was suggested for consideration to address privacy concerns of adjacent landowners on the north side of Dry Creek downstream of Lincoln Estates Park. This alternative differs from Route A only along the western portion of the route. This on-street segment alternative would connect to an off-street route between Harding Boulevard and Lincoln Estates Park, which would follow an off-street alignment on the north side of Dry Creek, as described in subsection 2.3. At the Lincoln Estates Park bridge crossing, the Route B segment alternative would begin, following an existing Class I bike path through the park, then connecting with James Drive. Route B then would leave the Dry Creek corridor and continue west and north on James Drive as an on-street Class III bike route to Evelyn Avenue. The alignment would continue west on Evelyn Avenue to Folsom Road. A new crosswalk would be required across Folsom Road at Evelyn Avenue to allow bicyclists traveling south on Folsom Road to cross the roadways safely and continue on Evelyn Avenue. At Folsom Road, the alignment would continue northwest to the Dry Creek bridge. At this bridge, the alignment would join Route A again, continuing along the north side of Dry Creek to Royer Park as described for Route A in subsection 2.3.

Route B would be combined with the portion of Route A extending upstream from Lincoln Estates Park to form a complete bikeway route. Where Route B would cross Dry Creek, the alignment also could be combined with Route A2 as a variation between Folsom Road and Royer Park.

2.6 NO-ACTION ALTERNATIVE

The No-Action Alternative provides the environmental baseline against which the proposed action and alternatives can be compared. Under the No-Action Alternative, the bikeway from Harding Boulevard to Royer Park would not be constructed. The benefits that would be gained by constructing the bikeway facilities (i.e., alternative transportation and passive recreational opportunities) would not occur, and this component of the 1994 BMP would not be implemented. As a consequence, bicyclists and pedestrians would be required to use the existing street network to connect between the Miners Ravine and Darling-to-Douglas bike trails. This on-street connection likely would involve the use of Wills Road, Atlantic Street, Vernon Street, and Lincoln Street. Under the No-Action Alternative, none of the environmental effects resulting from construction of the bikeway would occur.

2.7 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER CONSIDERATION

Additional on-/off-street alignments and design variations were considered by the City as alternatives to Routes A and B (Figure 2.1-3). These are described below, and the reasons for their removal from further consideration are explained.

Harding BoulevardBFolsom Road On-Street South Alternative—Alternative 1

At Harding Boulevard, the bikeway alignment would continue southward to the intersection of Harding Boulevard and Estates Drive. The alignment would continue westward to Folsom Road, then northward on Folsom Road to Dry Creek. From this point, the alignment would become an off-street bikeway following the same route as Route A to Royer Park. This alternative was rejected because it would not satisfy several of the project objectives. Because of the numerous roadway intersections along this route, this alignment would create traffic hazards for bicyclists by repeatedly requiring them to cross streets and commercial driveways with high traffic volumes. In addition, this route is less direct and would not facilitate commuting.

Harding BoulevardBFolsom Road On-Street North Alternative—Alternative 2

Other on-street alignments were considered for travel through the residential neighborhood that is bounded by Dry Creek on the north, Lincoln Estates Park on the east, Harding Boulevard on the south, and Folsom Road on the west. Streets that would be affected under this alternative include Macario Court, Zola Avenue, Sharon Way, Evelyn Avenue, Marilyn Street, and Maciel Avenue. This alternative was rejected because it would not satisfy several of the project objectives. Because of the numerous roadway intersections along this route, this alignment would create traffic hazards for bicyclists. Many of the intersections along this route have stop sign–controls or no traffic controls at all. In addition, this route is less direct and would not facilitate commuting.

Adelante High SchoolBDoyle Street Connector Alternative—Alternative 3

This minor variation to Route A was suggested during public scoping. Under Alternative 3, a connecting bikeway would be constructed along Doyle Street between Atlantic Street and the off-street bikeway along Dry Creek. This alternative was eliminated from further consideration because not only would the connector add substantial costs to the project as a result of restrictive terrain on the south side of the high school, where the bikeway would be constructed, but it would contribute very little toward accomplishing the City=s goals for this project.

In addition, although the connector would increase access to the Dry Creek corridor to some extent, the cost of constructing the corridor and mitigating probable environmental effects would be prohibitive compared to the limited benefits that would be gained by constructing this connector. Finally, Adelante High School has recently constructed a "natural footpath" to provide a connection between the high school and the Dry Creek floodplain. Thus, a connection at this location has already been provided by the school district.

South-Side Alternative (along Condominium Properties)—Alternative 4

This route was considered a variation to the eastern portion of the preferred alignment. At Harding Boulevard, this route would follow the property lines for a condominium complex and other private residential properties on the south side of Dry Creek. At Lincoln Estates Park, the route would connect to Route A. This alternative was not considered feasible because of the low elevations along this portion of the creek, unstable soil, and the susceptibility of this area to flooding and sediment deposition. From a design standpoint, significant maintenance and repair costs would be associated with building a bikeway in this area. The bikeway would also be constructed very close to residential properties because of the limited clearance along the top of the streambank.

South-Side Alternative (along Dry Creek)—Alternative 5

A second south-side alternative was considered in the same area as Alternative 4; however, Alternative 5 would be constructed closer to the stream channel. This alternative was not considered feasible because of the low elevations along this portion of the creek, unstable soil, and the susceptibility of this area to flooding and sediment deposition. As described previously, significant maintenance and repair costs would be associated with building a bikeway in this area. In addition, riparian habitat would be adversely affected along most of this route.

Harding Boulevard Bike Bridge Alternative—Alternative 6

Under Alternative 6, a bike bridge would be constructed downstream from Harding Boulevard to allow bicyclists to cross from the south side of Dry Creek to the north side. The north side has more suitable terrain for construction of a bikeway than the south side does. This alternative was not considered feasible because of the high costs associated with constructing a bridge at this location. A relatively long structure (compared to the Antelope Creek crossing

under Route A) would be required to span the creek without adversely affecting floodflows. An adequate bridge structure at this location would be very costly and aesthetically unattractive.

Lincoln Street to Royer Park Off-Street Alternative—Alternative 7

Under Alternative 7, the route would remain an off-street route through the entire downstream segment. At the parking lot on the east side of Lincoln Street, the route would continue as a Class I bikeway along the edge of the parking lot (resulting in the removal of several existing parking spaces) to the Lincoln Street bridge. At that point, it would continue under the bridge and along the top of the streambank to the end of the project. Stairs would be constructed at the bridge to assist bicyclists with traveling down the bank and under the bridge. This alternative was rejected because of the high costs associated with construction so close to the streambank and under the bridge; the environmental effects associated with disturbing the streambank, including recently installed mitigation plantings; and the loss of approximately [redacted] in an already underserved part of the city. In addition, other feasible but less damaging alternatives are available.

Design Variation 4

Of the four design variations originally considered for this project (see subsection 2.4), Design Variation 4 was considered and rejected. This variation proposed moving the trail alignment away from the creek to provide additional setback from the eroding streambank. This variation would require acquisition of private property to provide adequate distance from the bank. The variation was rejected because of the lengthy process and potential costs associated with acquiring land from a potentially unwilling seller.

2.8 REQUIRED PERMITS AND APPROVALS

Project implementation would require permits and approvals from the following jurisdictions, agencies, or decision bodies.

- City of Roseville—Project Approval. The Roseville City Council is charged with selecting a bikeway alignment and approving the project.

- City of Roseville—Tree Permit. The Roseville Planning Department, Planning Commission, and City Council are charged with reviewing the project and making decisions regarding approval of a tree permit for removal of protected oak trees in accordance with the Roseville Tree Ordinance (Ordinance No. 2294).

- City of Roseville—Flood Encroachment Permit. The Roseville Planning Commission issues flood encroachment permits for project proposed within the City's designated Floodway (FW) District (Municipal Code Section 19.74.010).

- Sacramento District of the U.S. Army Corps of Engineers—Section 404 Permit under Section 404 of the Clean Water Act. Projects that result in the placement of dredged or fill materials into waters of the United States, including wetlands, require a Section 404 permit from the U.S. Army Corps of Engineers (Corps). Depending on the amount of dredged or fill material and associated impacts, the project may receive authorization under a nationwide permit.

- Fish and Wildlife Service—Endangered Species Act Consultation. Because a Section 404 permit will be required for this project, consultation with the U.S. Fish and Wildlife Service (either formal or informal) will be required for this project because of issues involving the valley elderberry longhorn beetle, a federally listed threatened species that occurs in the project area.

- National Marine Fisheries Service—Endangered Species Act Consultation. Because a Section 404 permit will be required for this project, Section 7 consultation with the National Marine Fisheries Service (either formal or informal) will be required for issues regarding Central Valley steelhead, a federally listed threatened species that occurs in the project area.

- Central Valley Regional Water Quality Control Board—Water Quality Certification or Waiver. Projects requiring Section 404 permits from the Corps also need a waiver of water quality certification from the regional water quality control board (RWQCB) as a permit condition.

- Central Valley Regional Water Quality Control Board—Storm Water Pollution Prevention Plan. Under the National Pollutant Discharge Elimination System general stormwater permit for construction, a storm water pollution prevention plan may be required. The plan would identify best management practices that would be implemented before, during, and after construction to reduce pollution in stormwater runoff.

- California Department of Fish and Game—Streambed Alteration Agreement under Sections 1600B1603 of the California Fish and Game Code. Projects located in a 100-year floodplain fall under the jurisdiction of the California Department of Fish and Game (DFG), which is charged with protecting stream corridor habitat. Because the bikeway would be constructed adjacent to Dry Creek and Antelope Creek, the project is within the jurisdiction of DFG and requires a streambed alteration agreement.

- State Reclamation Board—Encroachment Permit. An encroachment permit would be required for any work proposed within the designated Dry Creek floodway or any work that would affect existing flood control structures.

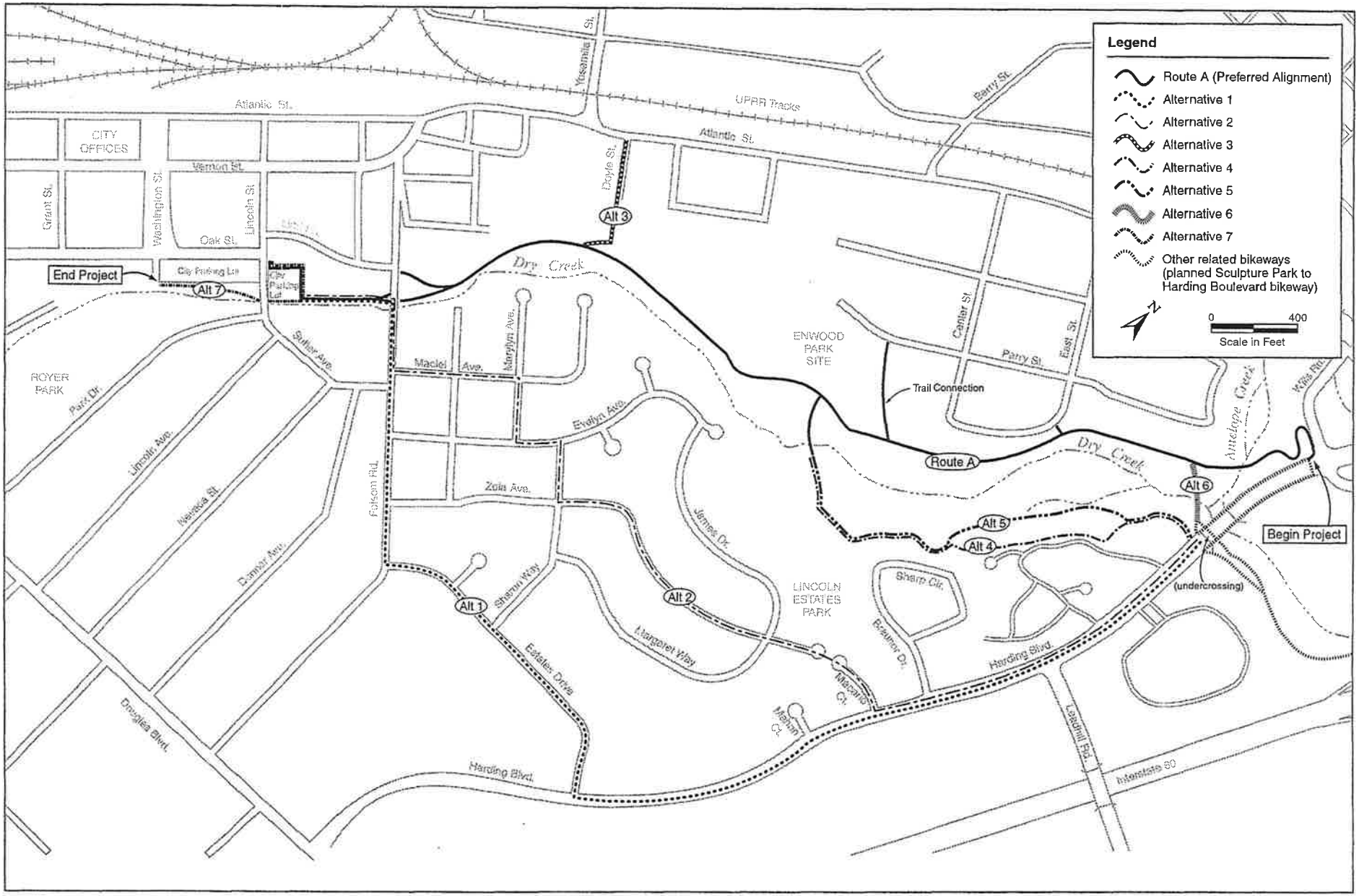

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Figure 2.1-3
Alternatives Considered but Eliminated from Further Consideration

3.0 POTENTIAL ENVIRONMENTAL IMPACTS

The environmental impact report will include analyses for the following potential environmental impacts:

Land Use and Planning

No changes to existing zoning or land use designations are proposed as part of this project. However in some instances, implementation of the project would introduce a public use in open space areas not presently accessible to the general public. Furthermore, the project could include off street trails located adjacent to existing residential development and/or require private property acquisition. These aspects of bike trail planning often raise land use compatibility concerns including but not limited to: loss of privacy, crime/safety, and nuisance. Property rights associated with unwilling sellers was also a concern expressed during public workshops conducted for the project. Potential land use compatibility impacts will be evaluated in the EIR.

Biological Resources

Construction of the proposed project could impact biological resources, which will therefore be evaluated in the EIR.

Six special status species may occur within the project area; Cooper's hawk, red-shouldered hawk, Sanford's arrowhead, steelhead trout, chinook salmon, and Valley Elderberry Longhorn Beetle.

The City encompasses several types of plant communities. Riparian woodlands form a narrow band along creekbanks. Scattered oaks extend from these creeks to the gullies and ephemeral channels of creek watersheds. Deeper valley soils are vegetated with annual grasslands and remnant patches of valley oak savanna. Some poorly drained, low-lying areas in relatively undisturbed grasslands contain ephemeral pools and marshes.

Hydrology/Water Quality

Construction of the proposed project could result in water quality impacts on streams and associated drainages, and flooding and storm drainage related impacts. The environmental impact report will evaluate the potential impacts of water quality and flooding issues.

Air Quality

The project would result in short-term air quality impacts due to emissions from equipment necessary for the construction of the proposed bike trails. The environmental impact report will quantify project-related impacts and suggest mitigation measures as appropriate.

Noise

The project may result in short-term noise impacts, due to noise generated by equipment during construction of the project. Also, bikeway projects located near sensitive land uses include a potential for exposure of these land uses to noises of bikeway users. These impacts will be evaluated in the EIR.

Cultural Resources

Potential disturbance of cultural resources during construction of segments of the proposed bikeway is considered a potentially significant impact.

Geology and Soils

Potential impacts include topographic alteration, slope stability, and erosion potential.

Public Services

The proposed project could potentially result in an increased demand for public services (e.g., park maintenance, police, and fire departments).

Aesthetics/Light and Glare

Construction of the proposed project may have controversial impacts on the visual appearance of currently undeveloped open space areas.

California Regional Water Quality Control Board
Central Valley Region

Winston H. Hickox
Secretary for Environmental Protection

Sacramento Main Office
Internet Address: http://www.swrcb.ca.gov/~rwqcb5
3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

Gray Davis
Governor

RECEIVED
JAN 0 8 2001
Community Development Dept.

January 4, 2001

Mark Morse
City of Roseville Community Development Department
316 Vernon Street, #102
Roseville, CA 95678

PERMIT REQUEST BASED ON CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENT REVIEW FOR PROPOSED PROJECT: Harding Boulevard to Royer Park Bikeway, Placer County, SCH#2000122078

We received your request for comments on the Notice of Preparation CEQA document for this proposed project.

Depending on the Standard Industrial Classification (SIC) code of the final project, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001 for Discharges of Storm Water Associated With Industrial Activities may be required. The SIC codes of activities requiring coverage are listed in the General Permit. In order to obtain coverage by the General Permit, the proponent must submit a Notice of Intent to comply with the permit (NOI) to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared.

If construction associated with the project will disturb more than five acres or is part of a larger common plan of development that encompasses five or more acres, the property owner needs to obtain permit coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity. Before construction begins, the proponent must submit an NOI to comply with the permit to the State Water Resources Control Board and a SWPPP must be prepared. If there are any questions about this process or the storm water program, you may call Dani Berchtold at (916) 255-3383 or Leo Sarmiento at (916) 255-3049. Additional information can be found at the Storm Water website - *http://www.swrcb.ca.gov/stormwtr/index.html*.

If the project will involve the discharge of dredged or fill material into navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the US Army Corps of Engineers. If a Section 404 permit is required by the Corps, the Board will review the permit application to ensure that discharge will not violate water quality standards. For more information, contact the Sacramento District of the Corps of Engineers at (916) 557-5250 or Matthew Reischman with the Regional Board at (916) 255-3120.

Jacque Kelley

JACQUE KELLEY
Storm Water Unit Assistant

cc Clearinghouse

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

GRAY DAVIS, *Governor*

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

January 29, 2001

RECEIVED
Community Development Dept.

City of Roseville
Community Development Department
316 Vernon Street, #102
Roseville, CA 95678
Attention: Mark Morse, Environmental Coordinator

Project Name: City of Roseville Harding Boulevard to Royer Park Bikeway Project

Staff for The Reclamation Board has reviewed the environmental document and provides the following comments:

The proposed project is located along regulated streams over which the Board has jurisdiction. Section 8710 of the California Water Code requires that a Board permit must be obtained prior to start of any work, including excavation and construction activities, within floodways, levees, and 10 feet landward of the landside levee toes. A list of streams regulated by the Board is contained in the California Code of Regulations, Title 23, Section 112.

Section 7 of the Regulations states that additional information, such as geotechnical exploration, soil testing, hydraulic or sediment transport studies, biological surveys, environmental surveys and other analyses may be required at any time prior to Board action on the application.

Section 8 of the Regulations states that applications for permits submitted to the Board must include a completed environmental questionnaire that accompanies the application and a copy of any environmental documents if they are prepared for the project. For any foreseeable significant environmental impacts, mitigation for such impacts shall be proposed. Applications are reviewed for compliance with the California Environmental Quality Act.

For further information, please contact me at the above address or telephone (916) 653-8912.

Jo Turner, Chair
Environmental Review Committee

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

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JAN 08 2001
Community Development Dept.

January 5, 2001

Mark Morse
City of Roseville
Community Development Department
316 Vernon Street, #102
Roseville, CA 95678

RE: SCH# 2000122078 – Harding Boulevard to Royer Park Bikeway Project

Dear Mr. Morse:

The Native American Heritage Commission has reviewed the above mentioned NOP. To adequately assess the project-related impact on archaeological resources, the Commission recommends the following action be required:

1. Contact the appropriate Information Center for a records search. The record search will determine:
   - Whether a part or all of the project area has been previously surveyed for cultural resources.
   - Whether any known cultural resources have already been recorded on or adjacent to the project area.
   - Whether the probability is low, moderate, or high that cultural resources are located within the project area.
   - Whether a survey is required to determine whether previously unrecorded cultural resources are present.

2. The final stage of the archaeological inventory survey is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
   - Required the report containing site significance and mitigation be submitted immediately to the planning department.
   - Required site forms and final written report be submitted within 3 months after work has been completed to the Information Center.

3. Contact the Native American Heritage Commission for:
   - A Sacred Lands File Check.
   - A list of appropriate Native American Contacts for consultation concerning the project site and assist in the mitigation measures.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA) §15064.5 (f). Health and Safety Code §7050.5 and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents. If you have any questions, please contact me at (916) 653-4038.

Sincerely,

Debbie Pilas-Treadway
Associate Governmental Program Analyst

cc: State Clearinghouse

California Regional Water Quality Control Board
Central Valley Region

Winston H. Hickox
Secretary for Environmental Protection

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Internet Address: http://www.swrcb.ca.gov/~rwqcb5
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JAN 0 [illegible] 2001
Community Development Dept.

January 3, 2001

Mark Morse, Environmental Coordinator
City of Roseville Community Development Department
316 Vernon Street, #102
Roseville, CA 95678

PERMIT REQUEST BASED ON CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENT REVIEW FOR PROPOSED PROJECT: City of Roseville Harding Boulevard to Royer Park Bikeway Project, Placer County

We received your request for comments on the Notice of Preparation CEQA document for this proposed project.

Depending on the Standard Industrial Classification (SIC) code of the final project, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001 for Discharges of Storm Water Associated With Industrial Activities may be required. The SIC codes of activities requiring coverage are listed in the General Permit. In order to obtain coverage by the General Permit, the proponent must submit a Notice of Intent to comply with the permit (NOI) to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared.

If construction associated with the project will disturb more than five acres or is part of a larger common plan of development that encompasses five or more acres, the property owner needs to obtain permit coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity. Before construction begins, the proponent must submit an NOI to comply with the permit to the State Water Resources Control Board and a SWPPP must be prepared. If there are any questions about this process or the storm water program, you may call Dani Berchtold at (916) 255-3383 or Leo Sarmiento at (916) 255-3049. Additional information can be found at the Storm Water website - *http://www.swrcb.ca.gov/stormwtr/index.html.*

If the project will involve the discharge of dredged or fill material into navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the US Army Corps of Engineers. If a Section 404 permit is required by the Corps, the Board will review the permit application to ensure that discharge will not violate water quality standards. For more information, contact the Sacramento District of the Corps of Engineers at (916) 557-5250 or Matthew Reischman with the Regional Board at (916) 255-3120.

CATHERINE HERNANDEZ
Storm Water Unit Assistant

cc Clearinghouse

APPENDIX B. LETTER FROM U.S. DEPARTMENT OF TRANSPORTATION DATED DECEMBER 10, 2001

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA. 95814-2724

December 10, 2001

IN REPLY REFER TO
HDA-CA
File #: CML-5182(6)
Roseville Bikeway
Document #: P37909

Ms. Jody Lonergan, District Director
California Department of Transportation
District 3
P.O. Box 911
Marysville, CA. 95901

Attention: Virginia Denison

Dear Ms. Lonergan:

SUBJECT: **PHASE II ROSEVILLE BIKEWAY HARDING BLVD TO ROYER PARK**

This will acknowledge your August 16, 2001 letter, which transmitted draft environmental assessment (NEPA)/environmental impact report (CEQA) for the proposed bikeway from Harding Boulevard to Royer Park, in the City of Roseville. We reviewed the documentation in October, and subsequently, there have been a number of discussions with staff, however, it was not until December 5, 2001 that an approach to resolving our concerns was formulated.

Since we are most concerned with the CEQA presentation in the joint NEPA/CEQA environmental document, we believe that those concerns are best allayed by determination of Categorical Exclusion under NEPA, which we would be able to support. In addition, the potential Section 4(f) use by the bikeway of existing and proposed parkland is exempt under TEA-21 for the use of Transportation Enhancement Activity (TEA) funding which is proposed for the project. We believe also that consultation under Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act is underway or completed or can be drawn to a "no effect" determination. A floodplain evaluation summary may be appropriate for impacts of construction of the bikeway within the floodplain.

We have provided you with the "mark-up" of the environmental document for your use and information. We are available to meet with you and the City to discuss project matters.

We await completion of the requisite consultations pursuant to NEPA Categorical Exclusion that this project may be advanced. Thank you for your assistance, and we deeply regret any inconvenience caused by our delay.

Sincerely,

For
Michael G. Ritchie
Division Administrator

APPENDIX C. LETTER FROM NATIONAL MARINE FISHERIES SERVICE DATED FEBRUARY 26, 2002

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

February 26, 2002

In Reply Refer To:
SWR-00-SA-5915:FKF

Mr. Michael G. Ritchie
U.S. Department of Transportation
Federal Highway Administration
California Division
980 Ninth Street, Suite 400
Sacramento, California 95814-2724

Dear Mr. Ritchie:

This letter responds to your December 11, 2000 request for concurrence that construction of the proposed bike trail from Harding Boulevard to Royer Park, within the City of Roseville, would not be likely to adversely affect threatened Central Valley steelhead (*Oncorhynchus mykiss*) or their critical habitat pursuant to provisions of the Endangered Species Act, as amended (ESA). In addition, you have determined that the proposed project may adversely affect Essential Fish Habitat (EFH) for Pacific salmon and are requesting consultation pursuant to provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

The proposed project is the construction of a bike trail in the City of Roseville along Dry Creek, however, the specific project description has not yet been selected by the Roseville City Council. The biological assessment, dated October 2001, describes in general terms different alternatives and their potential impacts. As suggested by the City of Roseville in a letter dated January 30, 2002, this consultation considers the preferred alternative (Route A) as the proposed action.

The Dry Creek watershed contains spawning and rearing habitat for Central Valley steelhead and Central Valley fall/late fall-run chinook salmon, however, the habitat values are being continually diminished through an increase in residential and urban development throughout the watershed. The corresponding increase in stormwater runoff is causing accelerated erosion, along the Dry Creek channel corridor, resulting in downcutting and bank failures which degrade habitat quality by increasing the sediment load and decreasing the amount of overhead canopy cover. To best minimize impacts to the habitat and allow for unimpaired fish passage where the proposed bike trail would cross the creek, the optimal solution would be to use an existing bridge crossing. Should this option not be possible, the next best alternative would be construction of a full-span bridge which avoids riparian vegetation to the maximum extent possible, in a location which avoids prime habitat, constructed in such a manner as to minimize habitat disturbance, and with a design alternative that includes restoring habitat values in the immediate project vicinity. The

bike trail design should include placing the entire trail width outside the area where riparian vegetation exists and set back from the creek channel a minimum of fifty feet from the outer edge of the channel migration zone.

In order to avoid or minimize potential adverse effects on ESA listed salmonids we recommend that the following conservation measures be added to the final project design:

1. The five proposed minimization measures outlined in the BA should be implemented.

2. Removed or damaged riparian and wetland vegetation or Shaded Riverine Aquatic (SRA) habitat shall be replaced at a minimum of a 3:1 ratio. Revegetate with native riparian trees or shrubs to restore shaded riparian aquatic habitat and increase bank stability which will increase the habitat value of the creek onsite and downstream.

3. Best management practices (BMPs) should be employed to insure: (1) no sediment which is generated during grading or other construction activities enters the creek; (2) riparian vegetation is avoided to the maximum extent possible; and (3) toxic materials associated with heavy equipment are unable to enter the channel at any time.

4. The bike trail shall be kept a minimum of fifty feet away from the edge of the channel migration zone of Dry Creek and Antelope Creek to protect essential features of salmonid habitat including riparian cover, water temperature, water quality, and substrate.

We have reviewed the project description (Route A) in the biological assessments, dated September 2000 and October 2001. Based on this review and the best scientific and commercial information currently available, and provided that the conservation measures described above are included in the project design, we concur that the proposed Harding Boulevard to Royer Park bike trail is not likely to adversely affect threatened Central Valley steelhead, nor is it anticipated that the proposed project will adversely modify designated critical habitat. This concludes ESA section 7 consultation for the proposed project. However, if the additional conservation measures described above can not be incorporated in the project design, or should new information indicate that the proposed action may affect listed species or designated critical habitat in a manner or to an extent not considered in this review, or new species and/or critical habitat are designated that may be affected by the proposed action, this determination may be reconsidered and further consultation may be necessary.

Essential Fish Habitat

The proposed project area has been identified as Essential Fish Habitat (EFH) for chinook salmon in Amendment 14 of the Pacific Salmon Fishery Management Plan pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Federal action agencies are mandated by MSA (section 305[b][2]) to consult with NMFS on all actions that may adversely affect EFH and NMFS must provide EFH Conservation Recommendations (section 305[b][4][A]). In order to minimize effects to EFH for chinook salmon and to ameliorate any

impacts to habitat caused by riparian and wetland vegetation removal and channel disturbance, in addition to the four abovementioned measures we have one additional conservation recommendation:

1. The City of Roseville's proposed bike trail should include a bike trail user's education effort (may be implemented with signs) to provide information on protection of water quality and riparian habitat integrity, salmonid presence and requirements, and other relevant information to insure use of the bike trail does not contribute to degradation of water quality or creek habitat along Dry Creek.

The MSA and Federal regulations (50 CFR Sections 600.920) to implement the EFH provisions of the MSA require federal action agencies to provide a written response to the five EFH Conservation Recommendations within 30 days of their receipt. A preliminary response is acceptable if final action cannot be completed within 30 days. Your final response must include a description of measures proposed to avoid, mitigate, or offset the adverse impacts of the activity. If your response is inconsistent with our EFH Conservation Recommendations, you must provide an explanation of the reasons for not implementing them.

If you have any questions or concerns about this consultation please contact Ms. F. Kelly Finn in our Sacramento Area Office, 650 Capitol Mall, Suite 8-300, Sacramento, CA 95814. Ms. Finn may be reached by telephone at (916) 930-3610 or by Fax at (916) 930-3629.

Sincerely,

for Rodney R. McInnis
Acting Regional Administrator

cc: NMFS-PRD, Long Beach, CA
Stephen A. Meyer, ASAC, NMFS, Sacramento, CA
Mark Morse, City of Roseville Planning Department, 316 Vernon Street, Roseville, CA 95678

APPENDIX D. BACKGROUND INFORMATION ON ACOUSTICS

Background Information on Acoustics

Sound Terminology

Sound travels through the air as waves of minute air pressure fluctuations caused by some type of vibration. In general, sound waves travel away from the sound source as an expanding spherical surface. The energy contained in a sound wave is consequently spread over an increasing area as it travels away from the source. This results in a decrease in loudness at greater distances from the sound source. The following terms are commonly used in acoustics.

Decibel

Sound-level meters measure the pressure fluctuations caused by sound waves. Because of the ability of the human ear to respond to a wide dynamic range of sound pressure fluctuations, loudness is measured in terms of decibels (dB) on a logarithmic scale. This results in a scale that measures pressure fluctuations with a convenient range of values and corresponds to our auditory perception of increasing or decreasing loudness.

A-Weighted Decibels

Most sounds consist of a broad range of sound frequencies. Because the human ear is not equally sensitive to all frequencies, several frequency-weighting schemes have been used to develop composite decibel scales that approximate the way the human ear responds to sound levels. The "A-weighted" decibel scale (dBA) is the most widely used for this purpose. Typical A-weighted sound levels for various types of sound sources are summarized in Figure 1.

Equivalent Sound Level

Time-varying sound levels are often described in terms of an equivalent constant decibel level. The equivalent sound level (L_{eq}) is the average of sound energy occurring over a specified time period. In effect, L_{eq} is the steady-state sound level that in a stated time period would contain the same acoustical energy as the time-varying sound that actually occurs during the same period. Equivalent sound levels (L_{eq}) are often used to develop single-value descriptions of average sound exposure over various periods of time. Such average sound exposure values often include additional weighting factors for annoyance potential attributable to time of day or other considerations. The L_{eq} data used for these average sound exposure descriptors are generally based on A-weighted sound-level measurements.

Sound Source	Sound Level (dBA)*	Response
Carrier deck jet operation		
	140	
Civil defense siren (at 100 feet)		
	130	Painfully loud
Jet takeoff (at 200 feet)		
	120	Threshold of feeling and pain
Riveting machine (at 1 foot) Rock music concert		
Pile driver (at 50 feet) Ambulance siren (at 100 feet)	110	
Heavy truck (at 50 feet)	100	Very loud
Pneumatic drill (at 50 feet) Freight train cars (at 50 feet) Garbage disposal in home	90	
Freight train cars (at 100 feet) Freeway traffic (at 50 feet) Vacuum cleaner (at 10 feet) Air conditioning unit (at 20 feet)	80	
Speech in normal voice (at 15 feet)	70	Moderately loud
Residence-typical movement of people, no TV or radio	60	
Soft whisper (at 5 feet)		
	50	
Recording studio		
	40	Quiet
	30	
	20	
	10	
	0	Threshold of hearing

* Typical A-weighted sound levels in decibels. "A" weighting approximates the frequency response of the human ear.

Figure 1
Weighted Sound Levels and Human Response

Day-Night Average Sound Level

Average sound exposure over a 24-hour period is often presented as a day-night average sound level (L_{dn}). L_{dn} values are calculated from hourly L_{eq} values, with the L_{eq} values for the nighttime period (10:00 p.m.-7:00 a.m.) increased by 10 dB to reflect the greater disturbance potential from nighttime noises.

Community Noise Equivalent Level

The community noise equivalent level (CNEL) is also used to characterize average sound levels over a 24-hour period, with weighting factors included for evening and nighttime sound levels. L_{eq} values for the evening period (7:00 p.m.-10:00 p.m.) are increased by 5 dB, while L_{eq} values for the nighttime period (10:00 p.m.-7:00 a.m.) are increased by 10 dB. For given set of sound measurements, the CNEL value will usually be about 1 dB higher than the L_{dn} value. In practice, CNEL and L_{dn} are often used interchangeably.

Percentile-Exceeded, Maximum, and Minimum Sound Level

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_x). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period, L_{50} is the level exceeded 50% of the period, and so on. L_{50} is the median sound level measured during the measurement period. L_{90}, the sound level exceeded 90% of the time, excludes high localized sound levels produced by nearby sources such as single car passages or bird chirps. L_{90} is often used to represent the background sound level. L_{50} is also used to provide a less conservative assessment of the background sound level.

The maximum sound level (L_{max}) and the minimum sound level (L_{min}) are the maximum and minimum sound levels respectively, measured during the measurement period. When a sound meter is set to the slow response setting as is typical for most community noise measurements, the Lmax and Lmin values are the maximum and minimum levels measured over a one second period.

Ambient Sound

Ambient sound is the all-encompassing sound associated with a given community site, usually being a composite of sounds from many sources, near and far, with no particular sound being dominant.

Equivalencies between Various Sound Descriptors

The L_{dn} value at a site calculated from a set of measurements taken over a given 24-hour period will be slightly lower than the CNEL value calculated over the same period. Except in situations where unusually high evening sound levels occur, the CNEL value will be within about 1.5 dB of the L_{dn} value for the same set of sound measurements.

The relationship between peak hourly L_{eq} values and associated L_{dn} values depends on the distribution of traffic over the entire day. There is no precise way to convert a peak hourly L_{eq} value to an L_{dn} value. However, in urban areas near heavy traffic, the peak hourly L_{eq} value is typically 2-4 dB lower than the daily L_{dn} value. In less heavily developed areas, the peak hourly L_{eq} is often equal to the daily L_{dn} value. For rural areas with little nighttime traffic, the peak hourly L_{eq} value will often be 3-4 dB greater than the daily L_{dn} value.

Working with Decibel Values

The nature of the decibel scale is such that the individual sound levels for different sound sources cannot be added directly to give the combined sound level of these sources. Two sound sources producing equal sound levels at a given location will produce a composite sound level that is 3 dB greater than either sound alone. When two sound sources differ by 10 dB, the composite sound level will be only 0.4 dB greater than the louder source alone.

Most people have difficulty distinguishing the louder of two sound sources if they differ by less than 1.5-2.0 dB. Research into the human perception of changes in sound level indicates the following:

- a 3-dB change is just perceptible,
- a 5-dB change is clearly perceptible, and
- a 10-dB change is perceived as being twice or half as loud.

A doubling or halving of acoustic energy will change the resulting sound level by 3 dB, which corresponds to a change that is just perceptible. In practice, this means that a doubling of traffic volume on a roadway, doubling the number of people in a stadium, or doubling the number of wind turbines in a wind farm will, as a general rule, only result in a 3-dB, or just perceptible, increase in noise.

Outdoor Sound Propagation

There are a number of factors that affect how sound propagates outdoors. These factors, described by Hoover and Keith (1996), are summarized below.

Distance Attenuation

As a general rule, sound from localized or point sound sources spreads out as it travels away from the source and the sound level drops at a rate of 6 dB per doubling of distance. If the sound source is long in one dimension, such as traffic on a highway or a long train, the sound source is considered to be a line source. As a general rule, the sound level from a line source will drop off at a rate of 3 dB per doubling of distance. If the intervening ground between the line source and the receptor is acoustically "soft" (e.g., ground vegetation, scattered trees, clumps of bushes), an attenuation rate of 4.5 dB per doubling of distance is generally used.

Attenuation from Barriers

Any solid structure such as a berm, wall, or building that blocks the line of sight between a source and receiver serves as a sound barrier and will result in additional sound attenuation. The amount of additional attenuation is a function of the difference between the length of the sound path over the barrier and the length of the direct line of sight path. Thus, the sound attenuation of a barrier between a source and a receiver that are very far apart will be much less than the attenuation that would result if either the source or the receiver is very close to the barrier.

Molecular Absorption

Air absorbs sound energy as a function of the temperature, humidity of the air, and frequency of the sound. Additional sound attenuation on the order of 1 to 2 dB per 1,000 feet can occur.

Anomalous Excess Attenuation

Large-scale effects of wind speed, wind direction, and thermal gradients in the air can cause large differences in sound transmission over large distances. These effects when combined result in anomalous excess attenuation, which can be applied to long-term sound-level estimates. Additional sound attenuation on the order of about 1 dB per 1,000 feet can occur.

Other Atmospheric Effects

Short-term atmospheric effects relating to wind and temperature gradients can cause bending of sound waves and can influence changes in sound levels at large distances. These effects can either increase or decrease sound levels depending on the orientation of the source and receptor and the nature of the wind and temperature gradient. Because these effects are normally short-term, it is generally not practical to include them in sound propagation calculations.

Understanding these effects, however, can help explain variations that occur between calculated and measured sound levels.

Guidelines for Interpreting Sound Levels

Various federal, state, and local agencies have developed guidelines for evaluating land use compatibility under different sound-level ranges. The following is a summary of federal and state guidelines.

Federal Agency Guidelines

The federal Noise Control Act of 1972 (Public Law 92-574) established a requirement that all federal agencies administer their programs to promote an environment free of noise that jeopardizes public health or welfare. The U.S. Environmental Protection Agency (EPA) was given the responsibility for:

- providing information to the public regarding identifiable effects of noise on public health or welfare,
- publishing information on the levels of environmental noise that will protect the public health and welfare with an adequate margin of safety,
- coordinating federal research and activities related to noise control, and
- establishing federal noise emission standards for selected products distributed in interstate commerce.

The federal Noise Control Act also directed that all federal agencies comply with applicable federal, state, interstate, and local noise control regulations.

Although EPA was given major public information and federal agency coordination roles, each federal agency retains authority to adopt noise regulations pertaining to agency programs. EPA can require other federal agencies to justify their noise regulations in terms of the federal Noise Control Act policy requirements. The Occupational Safety and Health Administration retains primary authority for setting workplace noise exposure standards. The Federal Aviation Administration retains primary jurisdiction over aircraft noise standards, and the Federal Highway Administration (FHWA) retains primary jurisdiction over highway noise standards.

In 1974, in response to the requirements of the federal Noise Control Act, EPA identified indoor and outdoor noise limits to protect public health and welfare (communication disruption, sleep disturbance, and hearing damage). Outdoor L_{dn} limits of 55 dB and indoor L_{dn} limits of 45 dB are identified as desirable to protect against speech interference and sleep disturbance for residential, educational, and healthcare areas. Sound-level criteria to protect against hearing damage in commercial and industrial areas are identified as 24-hour L_{eq} values of 70 dB (both outdoors and indoors).

FHWA regulations (23 CFR 772) specify criteria for evaluating noise impacts associated with federally funded highway projects and for determining whether these impacts are sufficient to justify funding noise abatement actions. The FHWA noise abatement criteria are based on worst hourly L_{eq} sound levels, not L_{dn} or 24-hour L_{eq} values. The worst-hour 1-hour L_{eq} criteria for residential, educational, and healthcare facilities are 67 dB outdoors and 52 dB indoors. The worst-hour 1-hour L_{eq} criterion for commercial and industrial areas is 72 dB (outdoors).

The U.S. Department of Housing and Urban Development has established guidelines for evaluating noise impacts on residential projects seeking financial support under various grant programs (44 FR 135:40860-40866, January 23, 1979). Sites are generally considered acceptable for residential use if they are exposed to outdoor L_{dn} values of 65 dB or less. Sites are considered "normally unacceptable" if they are exposed to outdoor L_{dn} values of 65-75 dB. Sites are considered unacceptable if they are exposed to outdoor L_{dn} values above 75 dB.

State Agency Guidelines

In 1987, the California Department of Health Services published guidelines for the noise elements of local general plans. These guidelines include a sound level/land use compatibility chart that categorizes various outdoor L_{dn} ranges into up to four compatibility categories (normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable) by land use. For many land uses, the chart shows overlapping L_{dn} ranges for two or more compatibility categories.

The noise element guidelines chart identifies the normally acceptable range for low-density residential uses as less than 60 dB and the conditionally acceptable range as 55-70 dB. The normally acceptable range for high-density residential uses is identified as L_{dn} values below 65 dB, and the conditionally acceptable range is identified as 60-70 dB. For educational and medical facilities, L_{dn} values below 70 dB are considered normally acceptable and L_{dn} values of 60-70 dB are considered conditionally acceptable. For office and commercial land uses, L_{dn} values below 70 dB are considered normally acceptable and L_{dn} values of 67.5-77.5 are categorized as conditionally acceptable.

These overlapping L_{dn} ranges are intended to indicate that local conditions (existing sound levels and community attitudes toward dominant sound sources) should be considered in evaluating land use compatibility at specific locations.

The California Department of Housing and Community Development has adopted noise insulation performance standards for new hotels, motels, and dwellings other than detached single-family structures (24 CCR T25-28). These standards require that "interior CNELs with windows closed, attributable to exterior sources, shall not exceed an annual CNEL of 45 dB in any habitable room".

The California Department of Transportation uses the FHWA criteria as the basis for evaluating noise impacts from highway projects.

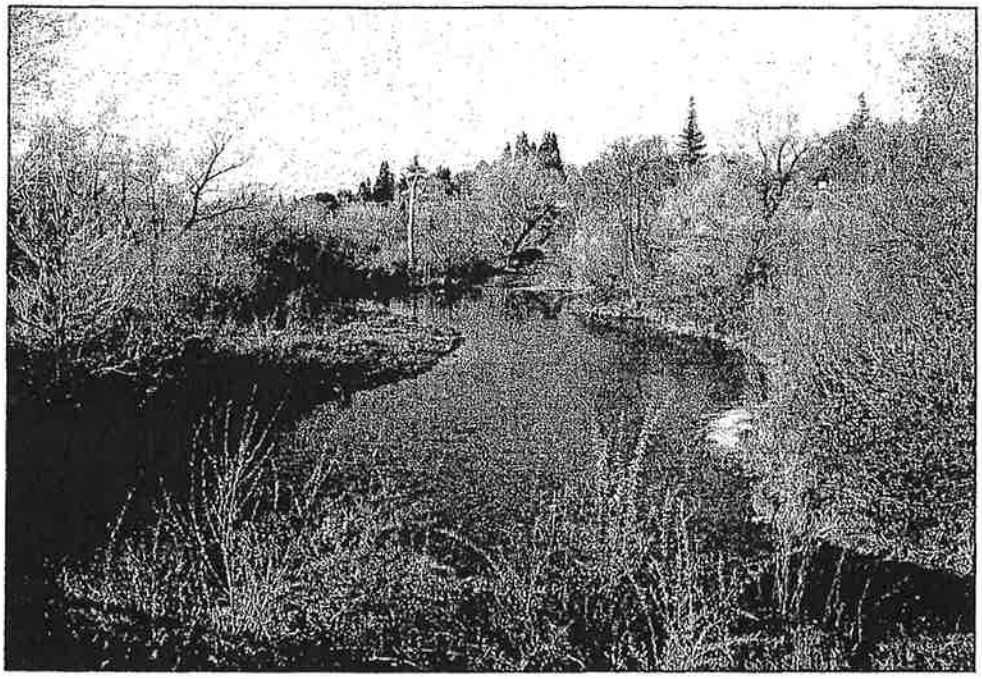
Reference

Hoover, R. M., and R. H. Keith. 1996. Noise control for buildings and manufacturing plants. Hoover and Keith, Inc. Houston, TX.

APPENDIX E. CREEK FOR A PROPOSED BIKE PATH FROM THE HARDING BOULEVARD BRIDGE TO ROYER PARK, ROSEVILLE, CALIFORNIA, DATED MAY 5, 2003

HYDRAULIC MODELING OF DRY CREEK FOR A PROPOSED BIKE PATH FROM THE HARDING BOULEVARD BRIDGE TO ROYER PARK, ROSEVILLE, CALIFORNIA

May 5, 2003



Prepared for:

CITY OF ROSEVILLE CALIFORNIA

311 Vernon Street
Roseville, CA 95678
Phone:(916) 774-5339
Fax: (916) 774-5379

AYRES ASSOCIATES

HYDRAULIC MODELING OF DRY CREEK FOR A PROPOSED BIKE PATH FROM THE HARDING BOULEVARD BRIDGE TO ROYER PARK, ROSEVILLE, CALIFORNIA

May 5, 2003

Prepared for:

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Prepared by:

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2151 River Plaza Dr., Suite 170
Sacramento, CA 95833
(916) 563-7700 FAX (916) 663-6972

Ayres Associates Project Number 33.0187.00

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APPENDIX 4. Antelope Creek with Bike Path HEC-RAS Output

1. INTRODUCTION

1.1 Project Setting and Purpose

This report summarizes the results of hydraulic modeling on Dry Creek and Antelope Creek for a proposed bike path in the City of Roseville, California and supercedes a previous analysis and report on this same project dated January 6, 1998. The proposed bike path runs parallel to Dry Creek, from Harding Blvd to Royer Park, primarily within the floodplain and along a short reach of Antelope Creek for approximately 600 feet. The proposed bike path includes two bridges, one crossing over Dry Creek and the other over Antelope Creek. The hydraulic model used for this analysis extends from Interstate 80 to Douglas Blvd.

The purpose of this analysis was to determine the hydraulic effects of the proposed bike path and bike bridges on the 100-year water surface elevations. A location map of the project area is shown in **Figure 1**. A more detailed map of the modeled creeks, plus model cross-sections and bike path stations is shown in **Figure 2**. Changes from the previous 1998 analysis and report include the addition of a bank erosion site near Cross Section 393 and a general update to the hydraulic model based on the most current version of the HEC-RAS hydraulic model.

1.2 Authorization and Project Team

Ayres Associates was authorized by the City of Roseville, Public Works/Engineering Department to conduct this analysis. The point of contact for the City of Roseville is Garth Gaylord, P.E. and the project manager for Ayres Associates is Thomas W. Smith, P.E., G.E. Matt Brogan of URS, Roseville office, provided the bike path design plans.

2. HYDROLOGY AND HYDRALUICS

2.1 Dry Creek – Existing-Conditions Hydraulic Model

The existing-conditions Dry Creek hydraulic model was provided by the City of Roseville. The original cross sections and bridge configurations came from a FEMA HEC-2 model that extended from just upstream of Interstate 80 (Cross Section 464) to downstream of Douglas Blvd (Cross Section 322). The HEC-2 cross sections were imported into a HEC-RAS model format for this analysis. HEC-RAS is the current, updated version of HEC-2, with many advanced features. The locations of the HEC-RAS cross-sections adjacent to the bike path, and the extent of the project reach (Harding Blvd. to Royer Park) are show in Figure 2.

Some minor changes were made from the original HEC-2 model to the HEC-RAS model used in this analysis. The method of modeling piers changed due to the advancements of the HEC-RAS program. The original FEMA HEC-2 modeled bridge piers by raising the channel bed elevation in the pier locations. The HEC-RAS model leaves the channel invert at its original location and uses the bridge pier-modeling tool to simulate the piers. This change more accurately represents the bridges since flow around piers is calculated differently than the flow within the channel section.

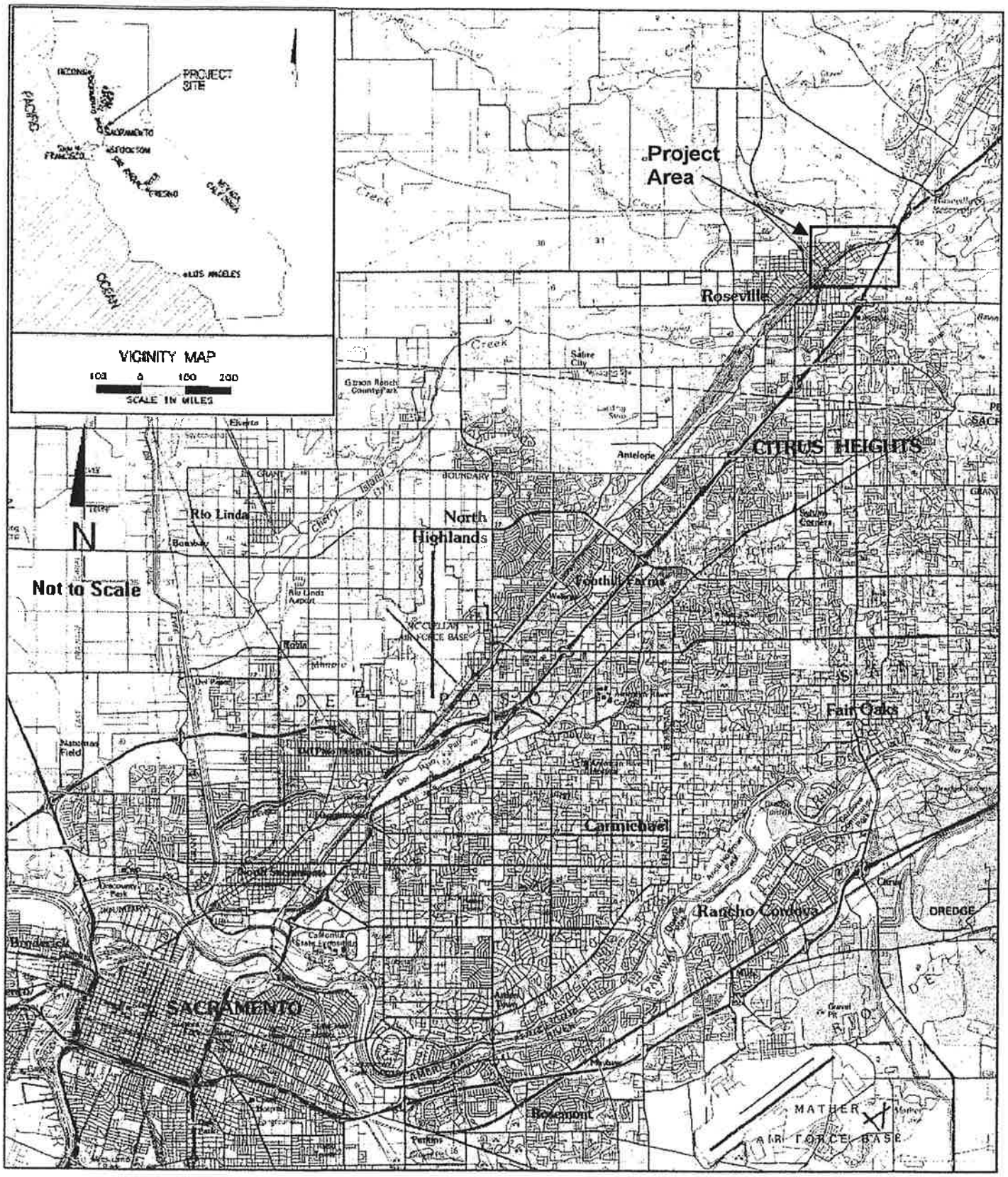

Figure 1. Project Location Map

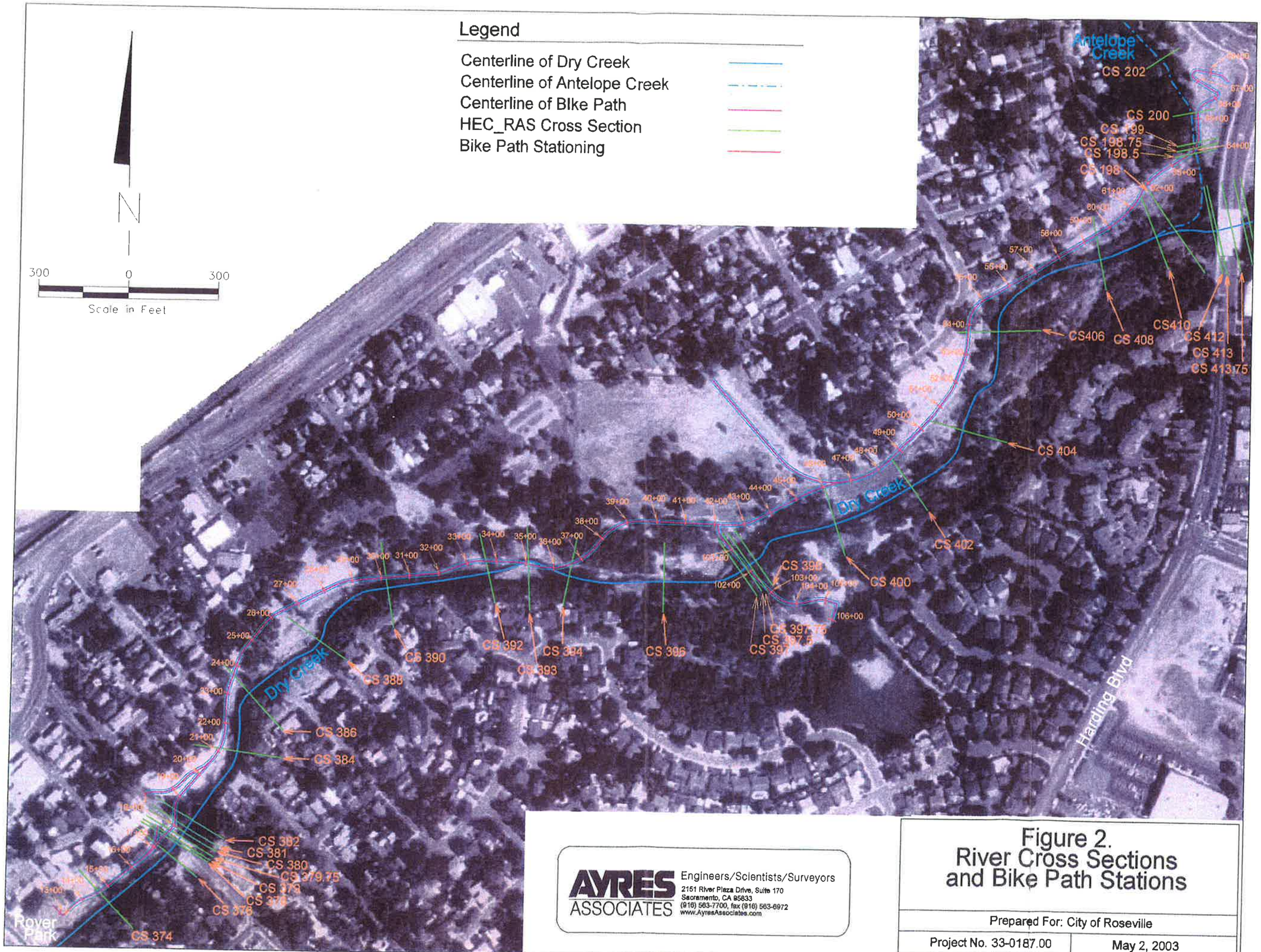

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Figure 2. River Cross Sections and Bike Path Stations

Prepared For: City of Roseville

Project No. 33-0187.00 | May 2, 2003

Three interpolated cross sections were added to Dry Creek existing-conditions HEC-RAS model. Cross section (CS) 393 was added where the channel bank has eroded away into the proposed bike path location. The City of Roseville plans to refill the eroded creek bank in this area and build the bike path within the existing right of way. This cross section was inserted to analyze any hydraulic impact along the erosion site. Two other cross sections were added to evaluate the proposed Lincoln Estates bike bridge, CS 397 and CS 397.75.

The hydraulic boundary conditions for the 100-year event were provided by the City of Roseville. The discharge and corresponding tailwater elevation are shown below in **Table 1**. There are 2 main sources of inflow into this model, the initial discharge at CS 464, and Antelope Creek at CS 410. There are additional inflows from local storm drains, 80 cfs at CS 448 and 60 cfs at CS 384. The tailwater elevation is located at CS 322, the downstream limit of the model.

Table 1. Dry Creek Hydraulic Boundary Conditions

Flow Event	Discharge (cfs)		Tailwater (ft) CS 322
	CS 464 – Upstream Limit	CS 410 – Antelope Creek *	
100-year	11080	1680	139.36

*Note: The peak shown for Antelope Creek corresponds with the timing of the peak on the 100-year hydrograph for Dry Creek.

The Dry Creek model stretches 2.5 miles, from Interstate 80 to Douglas Blvd, however the reach of interest for this report is from CS 410, just downstream of Harding Blvd, to CS 374, at Royer Park. The existing model was rerun with the modifications discussed and the boundary conditions provided. This model resulted in minor changes with a maximum difference of 0.11 from the FEMA HEC-2 model, as shown in **Table 2.**

Table 2. Comparison of FEMA HEC-2 and HEC-RAS Water Surface Elevations for Dry Creek, Existing-Conditions

River Station	FEMA HEC-2 Water Surface Elevation (ft)	HEC-RAS Water Surface Elevation (ft)	Change in Water Surface Elevation (ft)
410	155.27	155.31	0.04
408	154.91	154.95	0.04
406	154.24	154.29	0.05
404	153.72	153.78	0.06
402	153.07	153.15	0.08
400	152.6	152.69	0.09
398	152.36	152.47	0.11
396	152.3	152.39	0.09
394	152.12	152.2	0.08
392	151.77	151.83	0.06
390	151.26	151.34	0.08
388	150.85	150.94	0.09
386	150.6	150.7	0.1
384	149.2	149.19	-0.01
382	149.38	149.42	0.04

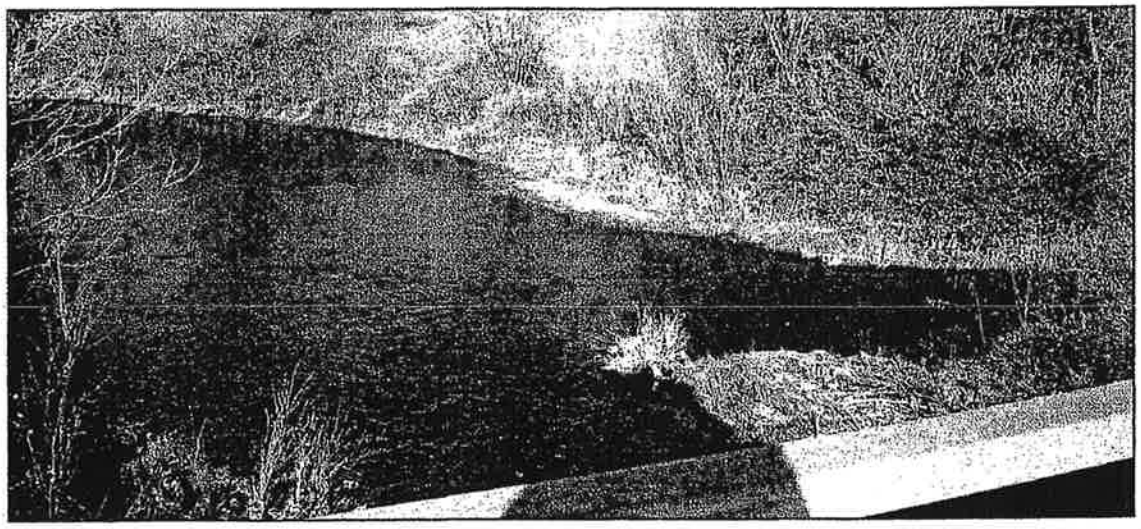
River Station	FEMA HEC-2 Water Surface Elevation (ft)	HEC-RAS Water Surface Elevation (ft)	Change in Water Surface Elevation (ft)
380	149.16	149.16	0
379.75	Folsom Street Bridge		
379	148.76	148.75	-0.01
378	148.73	148.75	0.02
376	148.72	148.74	0.02
374	148.41	148.43	0.02

2.2 Dry Creek – With-Project Conditions Hydraulic Model

The with-bike path project conditions model uses the existing-conditions HEC-RAS model and incorporates the proposed bike path into each model cross section. The bike path runs along the north side of Dry Creek from Harding Blvd. to Royer Park. The path alignment and cross sections were provided to Ayres Associates by Matt Brogan of the Roseville Office of URS. The bike path is 14 feet wide and wherever possible was designed to be placed in a flat section of the floodplain cross section. The hydraulic roughness coefficient for the bike path area was changed to 0.014 to represent a paved path. A bike path bridge crossing over Dry Creek was inserted at CS 397.5. This bike bridge is two feet thick and spans the low flow channel of the creek. Some embankment fill was modeled at the bridge abutments.

2.3 Antelope Creek – Existing-Conditions Hydraulic Model

The Antelope Creek hydraulic model was provided by the City of Roseville. The data was in HEC-2 format and was converted into HEC-RAS format as was the Dry Creek model. This model stretches approximately 1.4 miles from CS 288, the upstream most cross section, to CS 198, where it enters Dry Creek. The confluence between Antelope Creek and Dry Creek is shown in **Photograph 1**. The hydraulic model cross sections are shown in Figure 2, only the first few hundred feet are shown since the bike path does not extend farther along this creek. A change was made to the Antelope Creek existing-conditions model to include the addition of two cross sections in the location of the proposed bridge (CS 198.5 and CS 199)



Photograph 1. Looking Downstream at the confluence of Dry Creek and Antelope Creek. Antelope Creek enters on the right side.

The hydraulic boundary conditions for Antelope Creek were provided by the City of Roseville for the 100-year flood event. The discharge and corresponding tailwater elevation is summarized below in **Table 3**. There are 3 sources of inflow into this model, the initial discharge at CS 288, a storm drain at CS 286, and the junction with Dry Creek at CS 198. The provided tailwater elevation could not be verified by Ayres Associates and the tailwater elevation from the Dry Creek HEC-RAS model was used (CS 410).

Table 3. Antelope Creek Hydraulic Boundary Conditions

Flow Event	Discharge (cfs)			Tailwater (ft)
	CS 288 – Upstream Limit	CS 286 – Storm Drain	CS 198 – Dry Creek at Junction*	
100-year	2250	130	10,460	155.30

*Note: The peak shown for Dry Creek corresponds with the timing of the 100-year peak on the Antelope Creek hydrograph.

Of the 1.4 miles of Antelope Creek modeled, the reach of interest in this report is from CS 212 to CS 198. The existing conditions model was rerun in HEC-RAS format with the additional cross sections and revised tailwater. Resulting water surface elevations are slightly higher than the FEMA HEC-2 and a comparison is shown in **Table 4**. The increase of 0.7 ft at CS 198 is from the unverified tailwater elevation discussed previously.

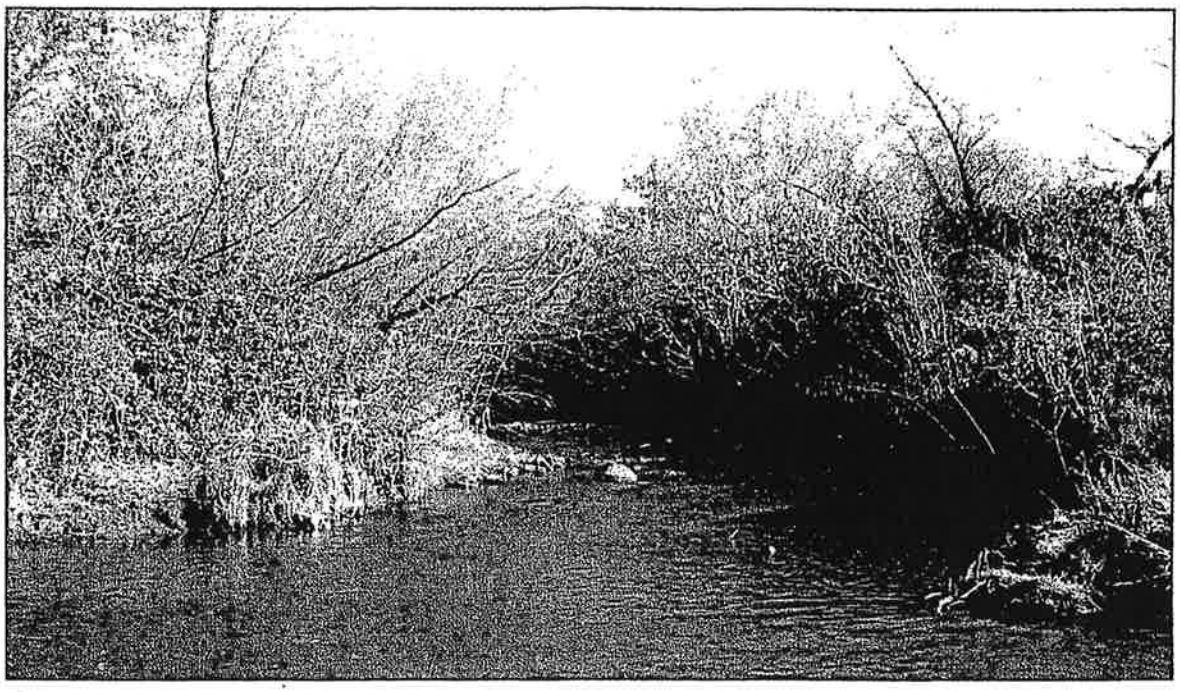
Table 4. Comparison of Original HEC-2 and HEC-RAS Water Surface Elevations for Antelope Creek

River Station	FEMA HEC-2 Water Surface Elevation (ft)	HEC-RAS Existing Water Surface Elevation (ft)	Change in Water Surface Elevation (ft)
212	159.6	159.63	0.03
210	159.25	159.28	0.03
209	158.91	158.94	0.03
208	158.12	158.16	0.04
207.5	Bridge		
207	157.45	157.48	0.03
206.5	157.56	157.59	0.03
206	157.34	157.37	0.03
204	156.87	156.91	0.04
202	156.59	156.64	0.05
200	156.01	156.08	0.07
198	154.61	155.31	0.7

2.4 Antelope Creek – With-Project Conditions

The Antelope Creek with-project model used the existing conditions model and incorporates the proposed bike path. The bike path alignment and cross sections were provided by URS. Each channel cross section was modified to include the bike path and other changes were incorporated as per the with-project conditions for Dry Creek. The proposed bike bridge crossing Antelope Creek at CS 198.5, was also inserted into the model. This bike bridge is two feet thick, spans the low flow channel, and has

abutments on each side. **Photograph 2** shows the approximate location of the proposed bridge.



Photograph 2. Looking upstream at the approximate location of the proposed bridge over Antelope Creek.

3. HYDRAULIC MODELING RESULTS

3.1 Dry Creek Results

The 100-year water surface elevations for the HEC-RAS existing-conditions model, with-project conditions model, and the change in water surface elevations are shown in **Table 5**. Complete HEC-RAS results and cross sections for the Dry Creek hydraulic models are included in the attached Appendices.

Table 5. Comparison of 100–year Water Surface Elevations for Dry Creek

River Station	Existing Water Surface Elevation (ft)	With Project Water Surface Elevation (ft)	Change in Water Surface Elevation (ft)
410	155.31	155.25	-0.06
408	154.95	154.87	-0.08
406	154.29	154.2	-0.09
404	153.78	153.67	-0.11
402	153.15	153.01	-0.14
400	152.69	152.57	-0.12
398	152.47	152.34	-0.13
397.75*	152.44	152.31	-0.13

River Station	Existing Water Surface Elevation (ft)	With Project Water Surface Elevation (ft)	Change in Water Surface Elevation (ft)
397.5	Lincoln Estates Bike Bridge		
397*	152.41	152.27	-0.14
396	152.39	152.24	-0.15
394	152.2	152.07	-0.13
393*	152	151.89	-0.11
392	151.83	151.76	-0.07
390	151.34	151.17	-0.17
388	150.94	150.79	-0.15
386	150.7	150.57	-0.13
384	149.19	148.93	-0.26
382	149.42	149.36	-0.06
380	149.16	149.15	-0.01
379.75	Folsom Street Bridge		
379	148.75	148.75	0
378	148.75	148.6	-0.15
376	148.74	148.44	-0.3
374	148.43	148.38	-0.05

* HEC-RAS interpolated cross section

The results of the hydraulic modeling of the proposed bike path project show a general decrease in water surface elevation throughout the project reach. The main reasons for the lowering of the water surface for the proposed project is the use of a lower Manning's N-value (hydraulic roughness coefficient) for the bike path and that the path does not create any impediments to flow.

The largest decrease in water surface elevation is 0.36 feet at CS 384. This decrease is due to the fact that a portion of the existing creek bank will be excavated to accommodate the bike path. This excavation will increase the channel capacity resulting in a lower water surface elevation.

Some bank erosion has occurred at CS 393 and it is proposed to refill this a portion of this area to accommodate the bike path within the existing right of way. The with-bike path model simulates this scenario. The results show (Table 5) that with this partial filling does not impact the pre-erosion condition (FEMA HEC-2) and in fact shows a small reduction of 0.14 feet.

The proposed bike path location is situated primarily within the Dry Creek floodplain. It is configured so that it is not an impediment to flow, which is verified by the hydraulic model. There are some locations where the bike path does some fill of swales from side drainages. This is not within the capabilities of the HEC-RAS hydraulic model to analyze, however, we do not see this as an impact to the Dry Creek floodplain.

3.2 Antelope Creek Results

The 100-year water surface elevations for the existing-conditions HEC-RAS model, the with-project, and the difference are shown in **Table 6**. The HEC-RAS output for the Antelope Creek existing- and with-project conditions are included in Appendices.

Table 6. Comparison of 100-year Water Surface Elevations for Antelope Creek

River Station	Existing-Conditions Water Surface Elevation (ft)	With-Project Water Surface Elevation (ft)	Change in Water Surface Elevation (ft)
212	159.63	159.63	0
210	159.28	159.29	0.01
209	158.94	158.96	0.02
208	158.16	158.17	0.01
207.5	Bridge		
207	157.48	157.50	0.02
206.5	157.59	157.62	0.03
206	157.37	157.40	0.03
204	156.91	156.95	0.04
202	156.64	156.69	0.05
200	156.08	156.10	0.02
199*	156.12	156.17	0.05
198.75	Proposed Bike Path Bridge		
198.5*	156.12	156.05	-0.07
198	155.31	155.24	-0.07

* HEC-RAS interpolated cross section

The proposed bike path shows small increases and decreases in water surface elevation, in the study reach. The greatest increase in water surface on Antelope Creek is 0.05 feet at CS 199 and 202. These cross sections are just upstream of the proposed bike bridge. The increase at CS 199 and 202, as well as all the other water surface increases, can be attributed to the proposed bike bridge. This increase propagates upstream to CS 210 before the effects are attenuated. Downstream of the bike bridge the water surface elevations are 0.07 feet lower than the existing conditions. This lowering is due to the lower water surface elevation on Dry Creek that resulted from the effects on the proposed bike path downstream of this location.

4. EVALUATION OF IMPACTS

In accordance with the Caltrans Local Planning Manual, Volume II, Environmental-Appendix J, Floodplain, the following impacts were evaluated and our findings are summarized below, show in bold italics;

1. The risk associated with the implementation of the action.
   Based upon the results shown in this report, the construction of the bike path resents very minimal hydraulic risk. The largest increase in water surface elevation is +0.05 feet, which is, in our opinion, less than the limits of accuracy within the hydraulic model used.

2. The impacts on natural and beneficial floodplain values

With the planned design of equalizing the size of the cut and fill areas, the impacts on the natural and beneficial floodplain values have been kept to minimum.

3. The support of probable incompatible floodplain development.
It is our opinion that the bike path will not encourage any floodplain development.

4. The measures to minimize floodplain impacts associated with the action.
With the construction methodology of equaling cuts and fills, any floodplain impacts have been minimized.

5. The measures to restore and preserve the natural and beneficial floodplain values impacted by the action.
Equalizing cuts and fills have hydraulically minimize any floodplain impacts.

6. The practicability of alternative to any significant encroachment.
There are no significant encroachments.

7. The practicability of alternatives to any longitudinal encroachment
There are no longitudinal encroachments.

5. CONCLUSIONS

Based upon our review of the bike path drawings, our field review and our hydraulic analysis, we offer the following conclusions:

- The proposed bike path will not create any increase in the 100-year floodplain elevation for Dry Creek.
- The bike bridge on Antelope Creek creates a small increase in water surface upstream of the bridge. The increase is calculated to be 0.05 feet and dissipates completely within approximately 1500 feet upstream.
- The partial re-filling of the bank erosion in the vicinity of CS 393 does not have any negative effects on the floodplain elevations.

6. RECOMENDATIONS

Based on our conclusions, we have no recommendations to offer for changes in the bike path location or configuration.

7. REFERENCES

Ayres Associates, Hydraulic Analysis of Proposed Dry Creek Bike Path for City of Roseville, California, Harding Bridge to Royer Park, Prepared for Jones & Stokes Associates, January, 1998

U.S. Army Corps of Engineers, HEC-RAS River Analysis System, User's Manual, Version 3.0, January 2001.

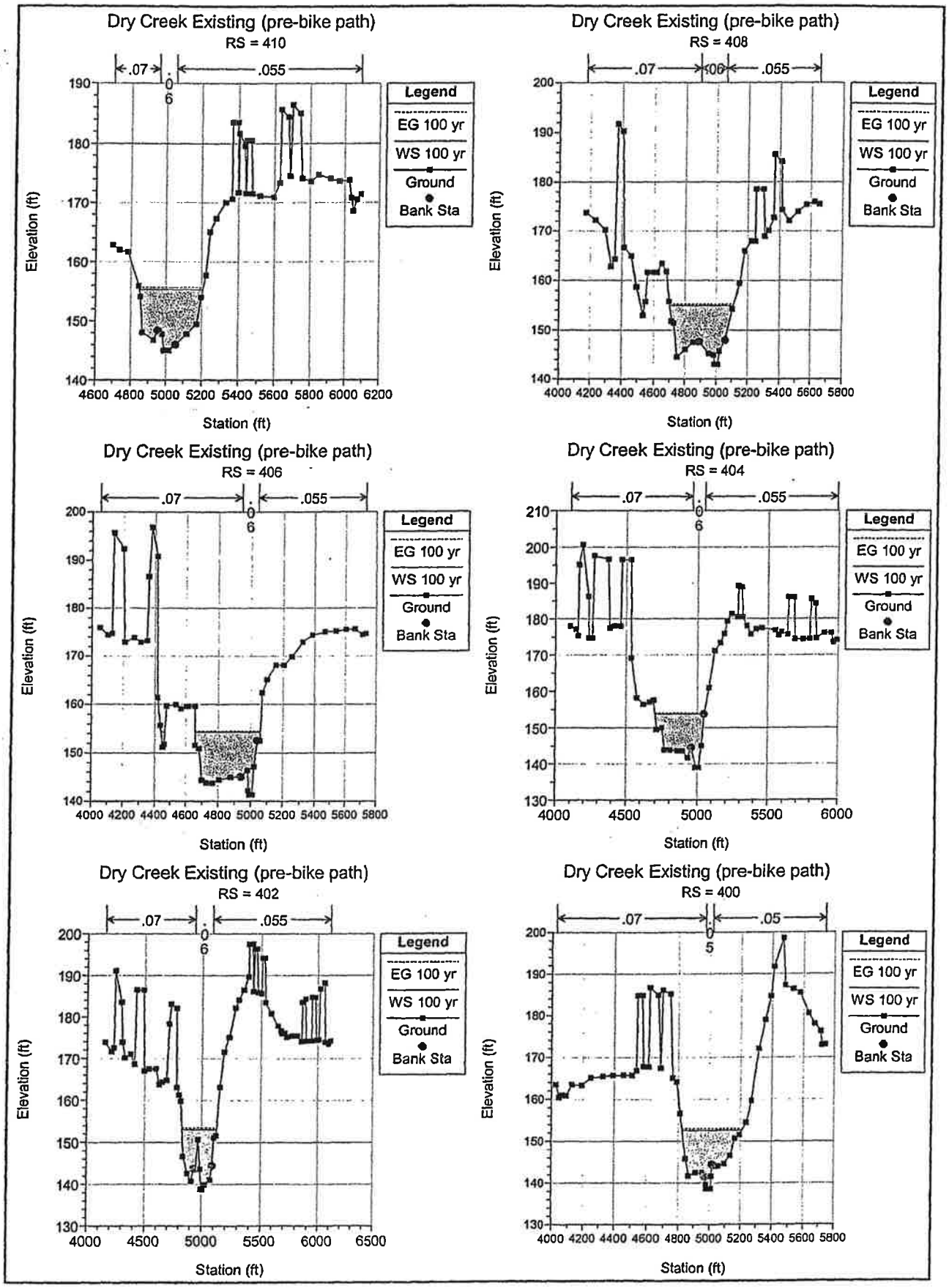
Appendix 1. Existing Dry Creek HEC-RAS Output

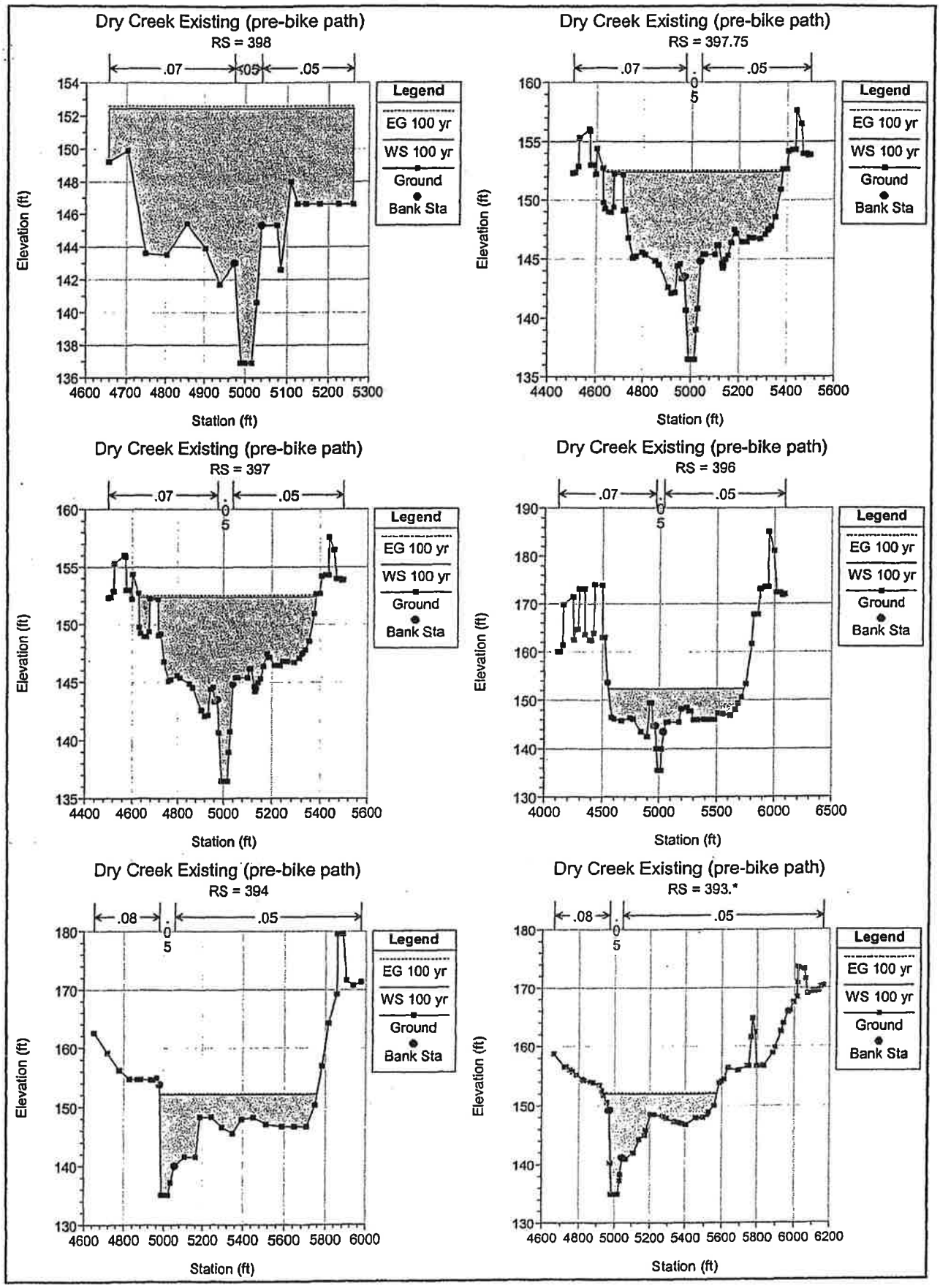
HEC-RAS Plan: Dry-exst River: 1 Reach: 1 Profile: 100 yr

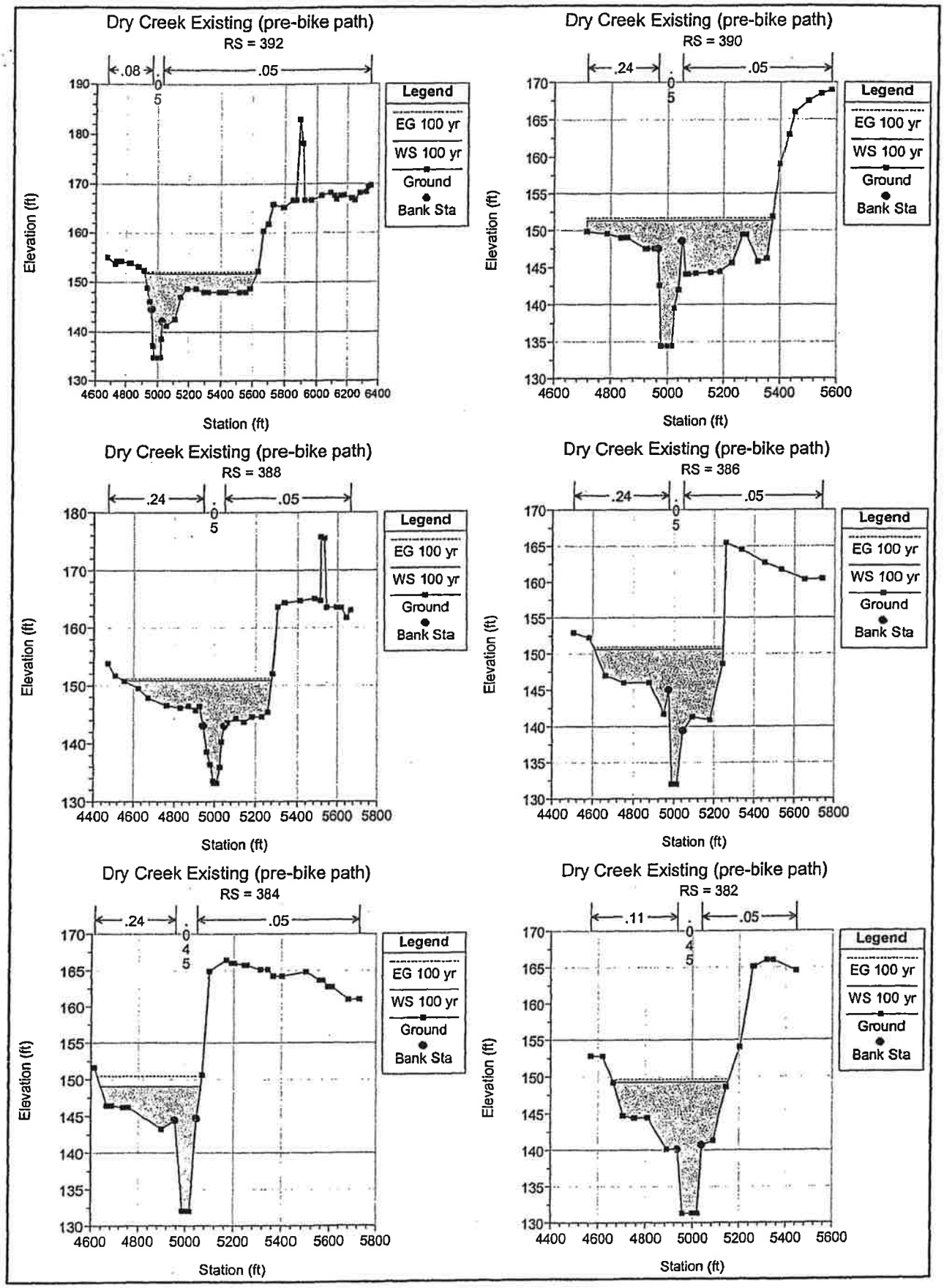
Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
1	464	11080.00	160.70	171.45		172.41	0.003794	8.56	1559.44	216.34	0.47
1	462	11080.00	159.90	169.80		170.93	0.005853	9.93	1297.51	188.05	0.58
1	460	11080.00	159.10	168.13		169.15	0.004946	8.35	1492.66	285.15	0.52
1	458	11080.00	156.20	166.92		167.52	0.005089	6.87	1976.59	418.33	0.43
1	456	11080.00	153.80	165.48		165.87	0.003456	5.61	2403.22	386.14	0.36
1	454	11080.00	152.90	164.62		165.14	0.001888	6.17	2354.93	362.78	0.34
1	452	11080.00	151.20	164.09		164.48	0.002525	7.48	2900.32	362.50	0.38
1	450	11080.00	151.20	163.81		164.18	0.002093	6.55	2875.78	353.49	0.35
1	448	11160.00	150.40	163.80		163.93	0.000749	4.14	4433.65	450.16	0.21
1	446	11160.00	149.30	163.68		163.85	0.000817	4.73	3909.79	376.40	0.23
1	445	11160.00	149.30	162.77		163.56	0.002641	7.94	1616.24	174.91	0.40
1	444	11160.00	149.30	162.69	158.08	163.49	0.002684	7.98	1604.44	173.48	0.41
1	443.5	Bridge									
1	443	11160.00	149.30	161.84		162.82	0.003568	8.76	1459.39	169.66	0.46
1	442	11160.00	149.10	161.68		162.74	0.004203	8.26	1352.51	151.09	0.48
1	440	11160.00	149.00	159.90		161.82	0.009842	11.98	1023.24	134.24	0.73
1	438	11160.00	149.00	159.29		160.97	0.007563	10.58	1123.51	222.53	0.64
1	436	11160.00	147.90	159.38		160.04	0.003549	7.90	1921.62	325.75	0.45
1	434	11160.00	146.90	158.80		159.52	0.004021	8.14	2044.89	450.95	0.47
1	432	11160.00	146.50	158.38		158.96	0.003468	7.88	2604.77	536.79	0.44
1	430	11160.00	145.90	158.08		158.38	0.001808	5.85	3042.83	414.06	0.32
1	428	11160.00	145.30	157.73		158.13	0.002042	6.46	2594.41	311.10	0.35
1	415	11160.00	144.70	157.75		157.86	0.000353	2.87	4296.44	548.21	0.15
1	414	11160.00	143.10	156.89	152.11	157.77	0.003325	7.53	1482.35	150.23	0.42
1	413.75	Bridge									
1	413	11160.00	143.10	155.52		156.71	0.005343	8.74	1277.02	150.17	0.53
1	412	11160.00	143.10	155.45		156.65	0.005503	8.82	1265.17	150.16	0.54
1	410	12840.00	145.00	155.30		155.68	0.002628	5.59	2658.19	358.98	0.32
1	408	12840.00	143.00	154.94		155.21	0.001855	4.71	3185.69	430.10	0.27
1	406	12840.00	141.30	154.28		154.48	0.001505	4.05	3539.92	424.20	0.24
1	404	12840.00	138.90	153.76		154.01	0.001500	4.73	3318.02	350.49	0.25
1	402	12840.00	138.80	153.13		153.48	0.001897	5.14	2775.09	300.42	0.28
1	400	12840.00	138.60	152.66		152.99	0.001523	6.27	3064.36	385.37	0.31
1	398	12840.00	136.90	152.43		152.59	0.000748	4.46	4625.99	603.70	0.21
1	397.75	12840.00	136.50	152.41		152.55	0.000697	4.32	5005.73	768.15	0.21
1	397	12840.00	136.50	152.38		152.52	0.000706	4.34	4983.85	766.72	0.21
1	396	12840.00	135.50	152.35		152.41	0.000332	3.00	7477.50	1192.70	0.14
1	394	12840.00	135.10	152.16		152.28	0.000480	3.62	5253.18	778.74	0.17
1	393.*	12840.00	134.90	151.96		152.18	0.000837	4.90	3967.32	635.88	0.22
1	392	12840.00	134.70	151.78		152.04	0.000938	5.40	3973.88	715.19	0.24
1	390	12840.00	134.40	151.28		151.64	0.001455	5.86	3468.92	654.49	0.29
1	388	12840.00	133.10	150.87		151.18	0.001008	5.32	4250.66	732.20	0.25
1	386	12840.00	132.00	150.62		150.91	0.000834	5.13	4552.11	637.52	0.23
1	384	12900.00	132.00	149.08		150.45	0.003182	9.87	2425.89	426.74	0.49
1	382	12900.00	131.30	149.29		149.65	0.000709	5.50	3932.78	466.51	0.24
1	380	12900.00	129.40	149.02	139.06	149.58	0.001491	6.31	2607.39	473.92	0.27
1	379.75	Bridge									
1	379	12900.00	129.40	148.57		149.20	0.001712	6.65	2399.47	449.06	0.29
1	378	12900.00	130.70	148.56		149.17	0.002206	7.31	2565.15	420.15	0.33
1	376	12900.00	130.50	148.56		149.05	0.001802	6.78	2690.01	385.11	0.31
1	374	12900.00	130.50	148.37		148.67	0.000991	4.63	3159.85	383.25	0.23
1	372	12900.00	130.50	147.14		148.20	0.004034	8.44	1786.25	394.79	0.44
1	371	12900.00	130.50	146.46		147.99	0.002926	10.02	1453.68	337.20	0.52
1	370	12900.00	129.50	147.09	138.99	147.71	0.000995	6.32	2127.75	411.85	0.30
1	369.75	Bridge									
1	369	12900.00	129.50	146.56		147.48	0.001476	7.68	1698.94	200.53	0.36
1	364	12900.00	130.30	145.54		147.36	0.002880	11.55	1318.63	127.07	0.54
1	362	12900.00	129.80	145.83		147.03	0.002539	8.88	1643.65	299.14	0.48
1	360	12900.00	129.50	144.68		146.19	0.003375	10.49	1877.28	324.29	0.55
1	358	12900.00	129.10	143.36		145.79	0.008149	13.06	1435.11	320.46	0.72
1	356	12900.00	128.50	143.84		144.22	0.001487	5.97	2861.20	529.34	0.30
1	354	12900.00	127.30	143.50		143.77	0.001220	5.35	3536.84	811.87	0.26
1	352	12900.00	125.80	143.21		143.44	0.000933	4.97	3782.25	762.87	0.23
1	351	12900.00	125.20	143.17		143.39	0.000859	4.64	3806.55	715.12	0.22
1	350	12900.00	124.80	143.10	139.91	143.36	0.001066	5.07	3483.74	709.72	0.24
1	349.75	Bridge									
1	349	12900.00	124.80	143.06		143.32	0.001087	5.11	3453.46	706.49	0.25
1	346	12900.00	125.10	143.03		143.28	0.001070	5.09	3616.85	741.40	0.25
1	344	12900.00	125.20	143.04		143.21	0.000691	4.29	4486.40	846.97	0.20
1	342	12900.00	126.00	142.82		143.03	0.000671	4.45	3841.85	617.49	0.21
1	341	12900.00	125.10	142.78		143.00	0.000669	4.81	4228.62	813.29	0.21
1	340	12900.00	123.80	142.44	135.69	142.91	0.000920	6.12	3063.87	775.80	0.29
1	339.75	Bridge									
1	339	12900.00	123.80	140.29		141.42	0.002376	8.79	1743.24	429.45	0.45

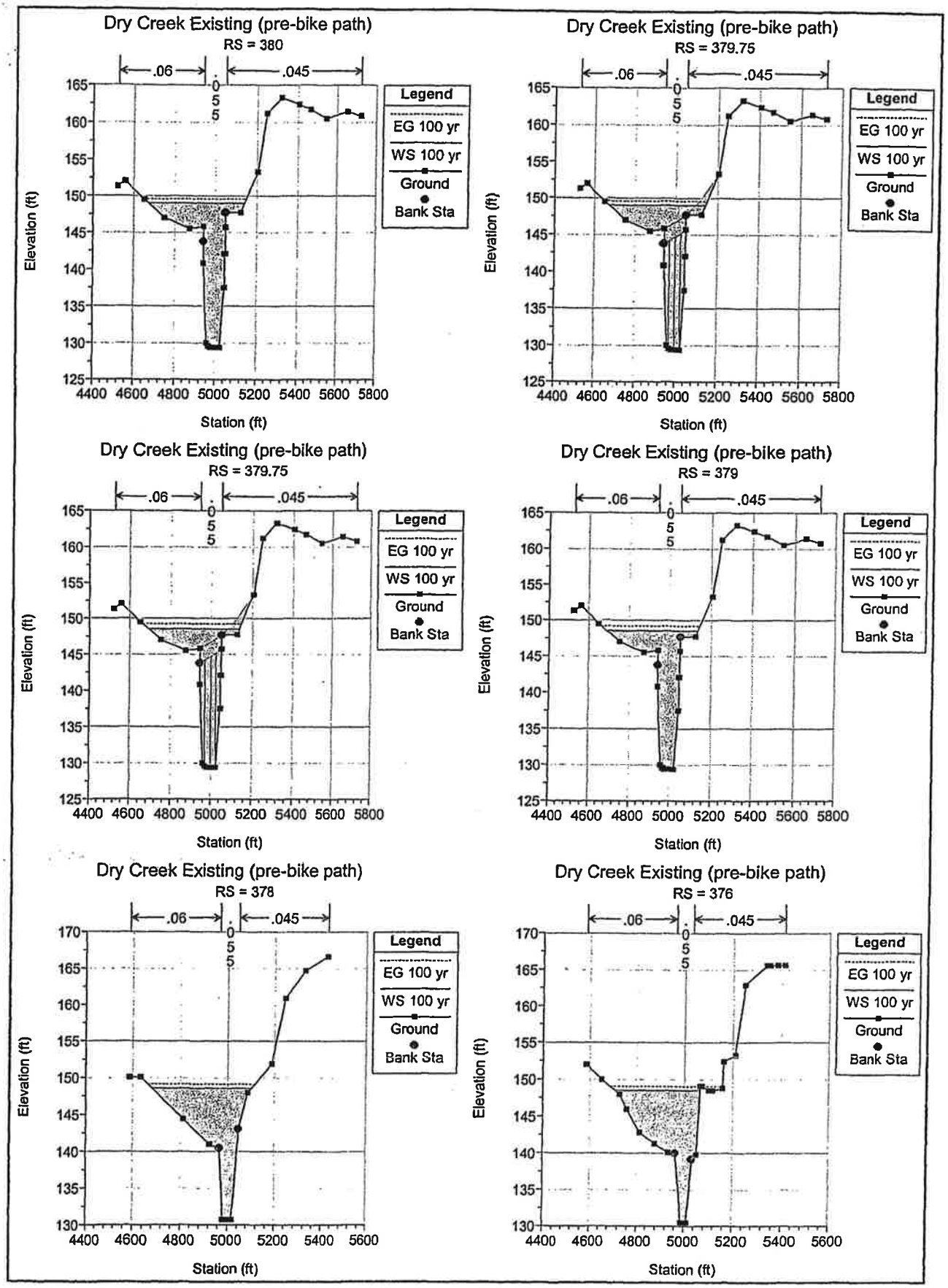
HEC-RAS Plan: Dry-exst River: 1 Reach: 1 Profile: 100 yr (Continued)

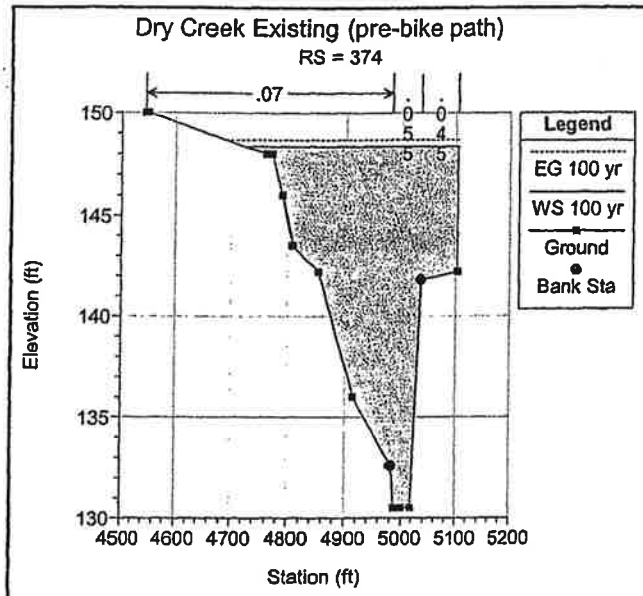
Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
1	332	12900.00	124.00	140.12		141.36	0.002194	9.85	2177.69	617.08	0.47
1	330	12900.00	123.60	140.19		141.13	0.001675	8.67	2313.24	520.62	0.41
1	328	12900.00	123.10	140.13		140.58	0.001079	6.72	3249.54	605.40	0.32
1	326	12900.00	123.10	139.83		140.20	0.000937	6.39	3722.92	827.32	0.30
1	324	12900.00	121.30	139.53		139.85	0.000809	5.94	3785.01	773.58	0.28
1	322	12900.00	120.70	139.36	133.64	139.54	0.000606	3.48	4311.93	614.50	0.16


Dry Creek Existing (pre-bike path)
RS = 410
.07
.06
.055
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 408
.07
.06
.055
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 406
.07
.06
.055
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 404
.07
.06
.055
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 402
.07
.06
.055
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 400
.07
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Dry Creek Existing (pre-bike path)
RS = 398
.07
.05
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 397.75
.07
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 397
.07
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 396
.07
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 394
.08
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 393.*
.08
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Dry Creek Existing (pre-bike path)
RS = 392
.08
.05
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 390
.24
.05
Dry Creek Existing (pre-bike path)
RS = 388
.24
.05
Dry Creek Existing (pre-bike path)
RS = 386
.24
.05
Dry Creek Existing (pre-bike path)
RS = 384
.24
.05
Dry Creek Existing (pre-bike path)
RS = 382
.11
.05


Dry Creek Existing (pre-bike path)
RS = 380
.06
.055
.045
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek Existing (pre-bike path)
RS = 379.75
Dry Creek Existing (pre-bike path)
RS = 379.75
Dry Creek Existing (pre-bike path)
RS = 379
Dry Creek Existing (pre-bike path)
RS = 378
Dry Creek Existing (pre-bike path)
RS = 376


Dry Creek Existing (pre-bike path)
RS = 374
.07
0.05
0.04
Legend
EG 100 yr
WS 100 yr
Ground
Bank Sta
Elevation (ft)
150
145
140
135
130
4500 4600 4700 4800 4900 5000 5100 5200
Station (ft)

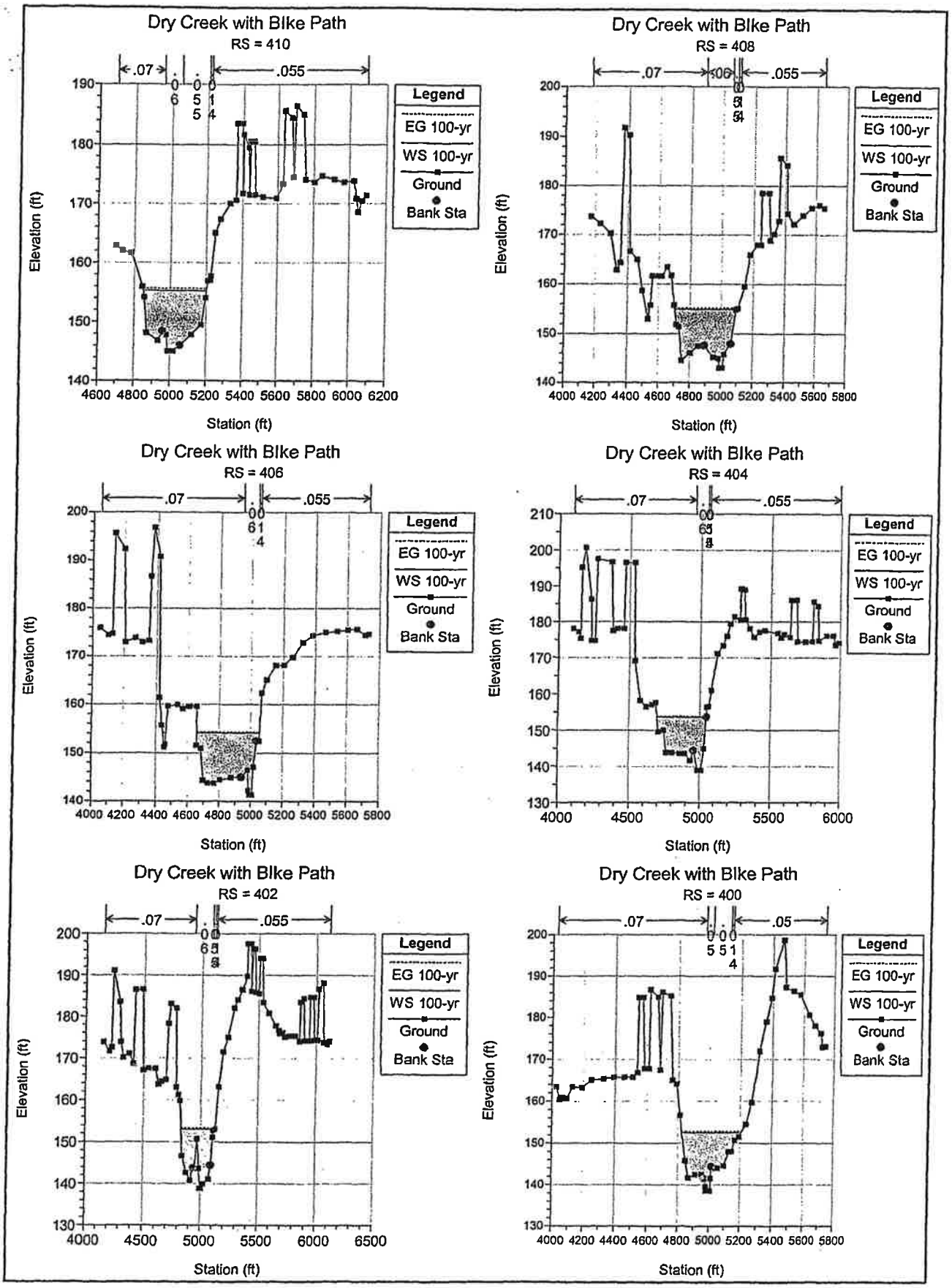
Appendix 2. Dry Creek With Bike Path HEC-RAS Output

HEC-RAS Plan: drywB River: 1 Reach: 1 Profile: PF 1

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
1	464	11080.00	160.70	171.45		172.41	0.003794	8.56	1559.44	216.34	0.47
1	462	11080.00	159.90	169.60		170.93	0.005653	9.93	1297.51	188.05	0.58
1	460	11080.00	159.10	168.13		169.15	0.004946	8.35	1492.64	285.14	0.52
1	458	11080.00	156.20	166.92		167.52	0.005090	6.87	1976.53	418.31	0.43
1	456	11080.00	153.80	165.48		165.87	0.003456	5.61	2403.08	386.13	0.36
1	454	11080.00	152.90	164.62		165.14	0.001888	6.17	2354.75	362.77	0.34
1	452	11080.00	151.20	164.09		164.48	0.002526	7.49	2900.08	362.49	0.38
1	450	11080.00	151.20	163.81		164.18	0.002094	6.55	2875.52	353.48	0.35
1	448	11160.00	150.40	163.80		163.93	0.000749	4.14	4433.32	450.15	0.21
1	446	11160.00	149.30	163.68		163.85	0.000818	4.73	3909.51	376.40	0.23
1	445	11160.00	149.30	162.77		163.56	0.002641	7.94	1616.07	174.91	0.40
1	444	11160.00	149.30	162.69	158.08	163.49	0.002685	7.98	1604.27	173.47	0.41
1	443.5	Bridge									
1	443	11160.00	149.30	161.84		162.82	0.003570	8.76	1459.14	169.65	0.46
1	442	11160.00	149.10	161.68		162.74	0.004205	8.26	1352.28	151.08	0.48
1	440	11160.00	149.00	159.90		161.82	0.009863	11.99	1022.49	134.22	0.73
1	438	11160.00	149.00	159.28		160.96	0.007593	10.59	1121.48	222.12	0.65
1	436	11160.00	147.90	159.37		160.03	0.003567	7.92	1918.13	325.68	0.45
1	434	11160.00	146.90	158.78		159.51	0.004069	8.18	2035.76	450.65	0.47
1	432	11160.00	146.50	158.35		158.94	0.003521	7.93	2589.85	536.48	0.45
1	430	11160.00	145.90	158.05		158.36	0.001831	5.87	3029.74	413.88	0.32
1	428	11160.00	145.30	157.69		158.10	0.002069	6.48	2583.46	310.93	0.35
1	415	11160.00	144.70	157.71		157.83	0.000358	2.89	4276.70	548.11	0.15
1	414	11160.00	143.10	156.85	152.13	157.74	0.003373	7.56	1475.78	150.23	0.43
1	413.75	Bridge									
1	413	11160.00	143.10	155.48		156.68	0.005425	8.78	1270.85	150.16	0.53
1	412	11160.00	143.10	155.40		156.62	0.005594	8.87	1258.73	150.16	0.54
1	410	12840.00	145.00	155.25		155.64	0.002649	5.60	2639.03	354.10	0.32
1	408	12840.00	143.00	154.87		155.16	0.001938	4.80	3112.70	418.78	0.28
1	406	12840.00	141.30	154.20		154.41	0.001522	4.05	3507.62	423.67	0.24
1	404	12840.00	138.90	153.67		153.92	0.001545	4.77	3287.51	349.92	0.25
1	402	12840.00	138.80	153.01		153.38	0.001976	5.21	2715.55	296.99	0.28
1	400	12840.00	138.60	152.57		152.91	0.001396	5.98	2982.32	383.81	0.29
1	398	12840.00	136.90	152.34		152.51	0.000799	4.59	4476.63	603.70	0.22
1	397.75	12840.00	136.50	152.31	147.82	152.46	0.000700	4.31	4901.19	757.85	0.21
1	397.5	Bridge									
1	397	12840.00	136.50	152.27		152.42	0.000714	4.34	4869.09	753.81	0.21
1	396	12840.00	135.50	152.24		152.30	0.000342	3.02	7334.27	1190.70	0.14
1	394	12840.00	135.10	152.07		152.18	0.000431	3.42	5126.22	778.16	0.16
1	393.*	12840.00	134.90	151.89		152.09	0.000718	4.52	3863.74	634.47	0.21
1	392	12840.00	134.70	151.76		151.98	0.000766	4.88	3911.80	714.69	0.22
1	390	12840.00	134.40	151.17		151.59	0.001763	6.41	3247.57	654.09	0.34
1	388	12840.00	133.10	150.79		151.09	0.000904	5.01	4196.95	728.36	0.24
1	386	12840.00	132.00	150.57		150.85	0.000733	4.80	4476.81	636.57	0.21
1	384	12900.00	132.00	148.93		150.41	0.003000	9.65	2352.81	426.73	0.47
1	382	12900.00	131.30	149.36		149.65	0.000563	4.91	4072.23	488.11	0.21
1	380	12900.00	129.40	149.15	139.29	149.60	0.000813	5.01	2926.24	481.49	0.21
1	379.75	Bridge									
1	379	12900.00	129.40	148.75		149.28	0.000899	5.18	2735.75	459.36	0.22
1	378	12900.00	130.70	148.60		149.25	0.001163	5.60	2813.25	430.66	0.25
1	376	12900.00	130.50	148.44		149.19	0.001345	5.87	2662.37	354.62	0.27
1	374	12900.00	130.50	148.38		148.75	0.001307	5.91	3163.45	384.46	0.26
1	372	12900.00	130.50	147.14		148.20	0.004034	8.44	1786.25	394.79	0.44
1	371	12900.00	130.50	146.46		147.99	0.002926	10.02	1453.68	337.20	0.52
1	370	12900.00	129.50	147.09	138.99	147.71	0.000995	6.32	2127.75	411.85	0.30
1	369.75	Bridge									
1	369	12900.00	129.50	146.56		147.48	0.001478	7.68	1698.94	200.53	0.36
1	364	12900.00	130.30	145.54		147.36	0.002880	11.55	1318.63	127.07	0.54
1	362	12900.00	129.80	145.83		147.03	0.002539	8.88	1643.85	299.14	0.48
1	360	12900.00	129.50	144.68		146.19	0.003375	10.49	1877.28	324.29	0.55
1	358	12900.00	129.10	143.38		145.79	0.006149	13.06	1435.11	320.46	0.72
1	356	12900.00	128.50	143.84		144.22	0.001487	5.97	2861.20	529.34	0.30
1	354	12900.00	127.30	143.50		143.77	0.001220	5.35	3536.84	811.87	0.26
1	352	12900.00	125.80	143.21		143.44	0.000933	4.97	3782.25	762.87	0.23
1	351	12900.00	125.20	143.17		143.39	0.000859	4.64	3806.55	715.12	0.22
1	350	12900.00	124.80	143.10	139.91	143.36	0.001066	5.07	3483.74	709.72	0.24
1	349.75	Bridge									
1	349	12900.00	124.80	143.06		143.32	0.001087	5.11	3453.46	706.49	0.25
1	346	12900.00	125.10	143.03		143.28	0.001070	5.09	3616.85	741.40	0.25
1	344	12900.00	125.20	143.04		143.21	0.000691	4.29	4486.40	846.97	0.20
1	342	12900.00	126.00	142.82		143.03	0.000671	4.45	3841.85	617.49	0.21
1	341	12900.00	125.10	142.78		143.00	0.000669	4.81	4228.62	813.29	0.21
1	340	12900.00	123.80	142.44	135.69	142.91	0.000920	6.12	3063.87	775.80	0.29
1	339.75	Bridge									

HEC-RAS Plan: drywB River: 1 Reach: 1 Profile: PF 1 (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
1	339	12900.00	123.80	140.29		141.42	0.002376	8.79	1743.24	429.45	0.45
1	332	12900.00	124.00	140.12		141.36	0.002194	9.85	2177.69	617.08	0.47
1	330	12900.00	123.60	140.19		141.13	0.001675	8.67	2313.24	520.62	0.41
1	328	12900.00	123.10	140.13		140.56	0.001079	6.72	3249.54	605.40	0.32
1	326	12900.00	123.10	139.83		140.20	0.000937	6.39	3722.92	827.32	0.30
1	324	12900.00	121.30	139.53		139.85	0.000809	5.94	3785.01	773.58	0.28
1	322	12900.00	120.70	139.36	133.64	139.54	0.000608	3.48	4311.93	814.50	0.16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RS = 410
.07
.055
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 408
.07
.055
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 406
.07
.055
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 404
.07
.055
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 402
.07
.055
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
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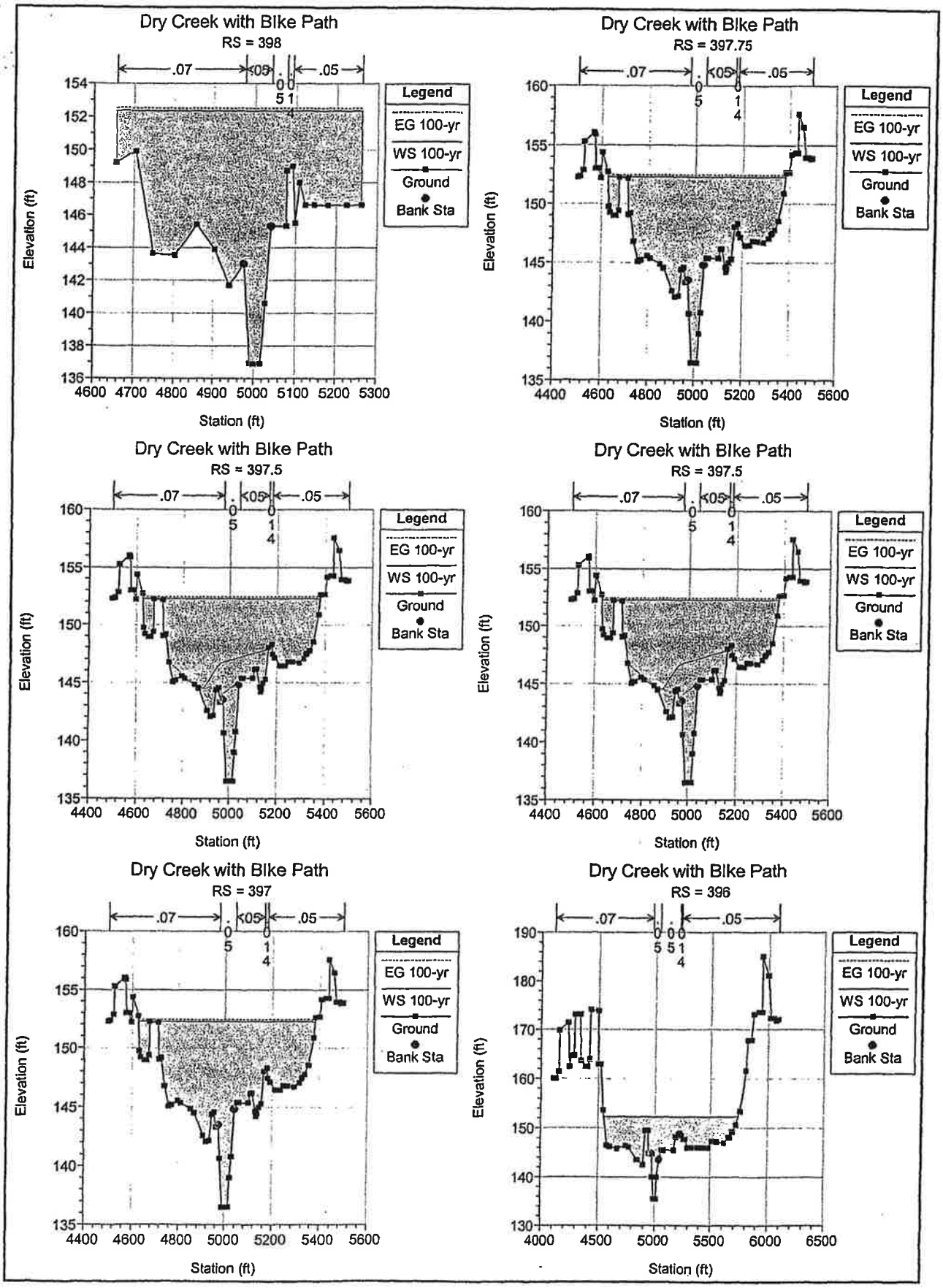
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)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RS = 398
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Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 397.75
.07
.05
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 397.5
.07
.05
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 397.5
.07
.05
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 397
.07
.05
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
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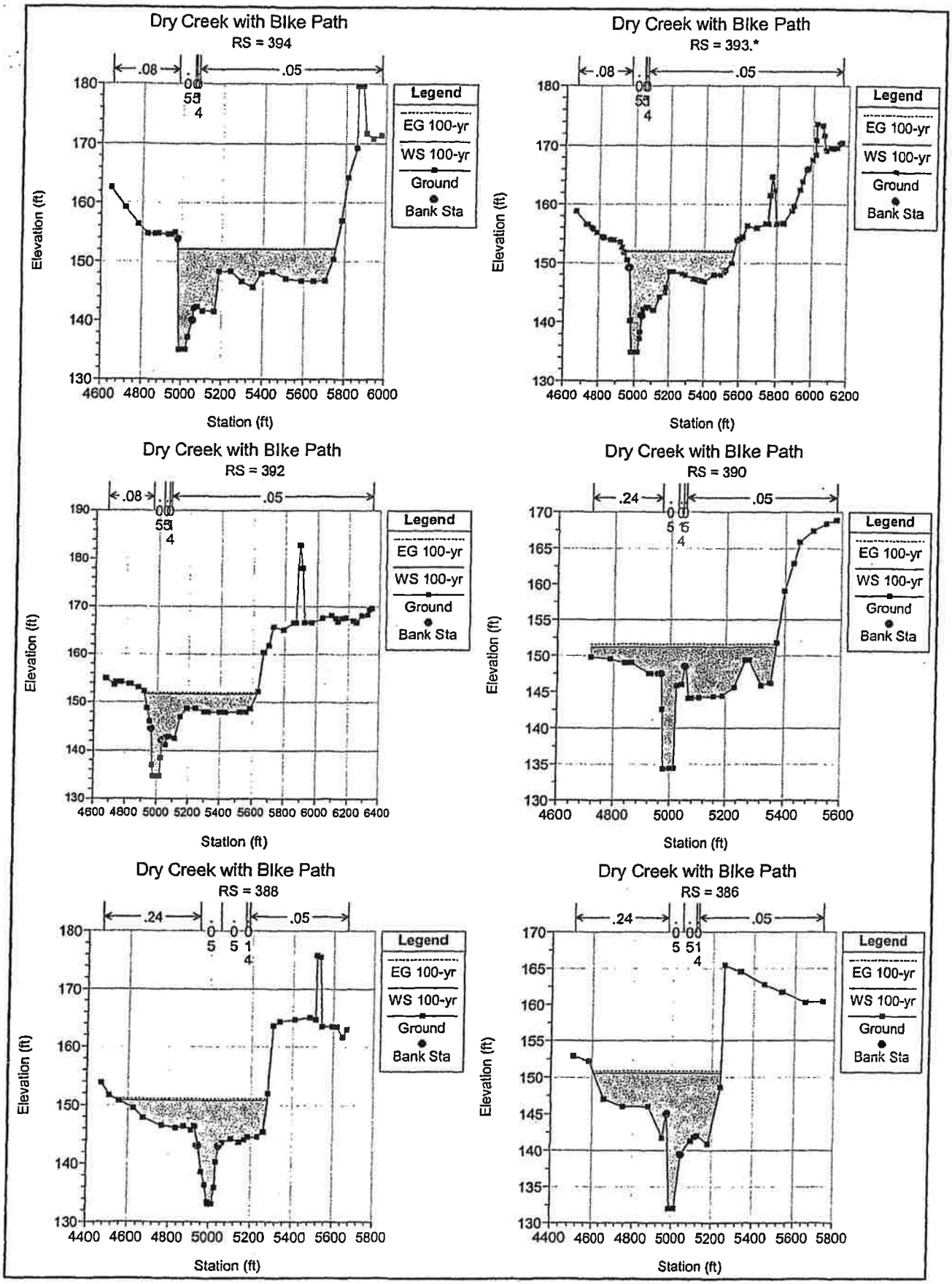
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)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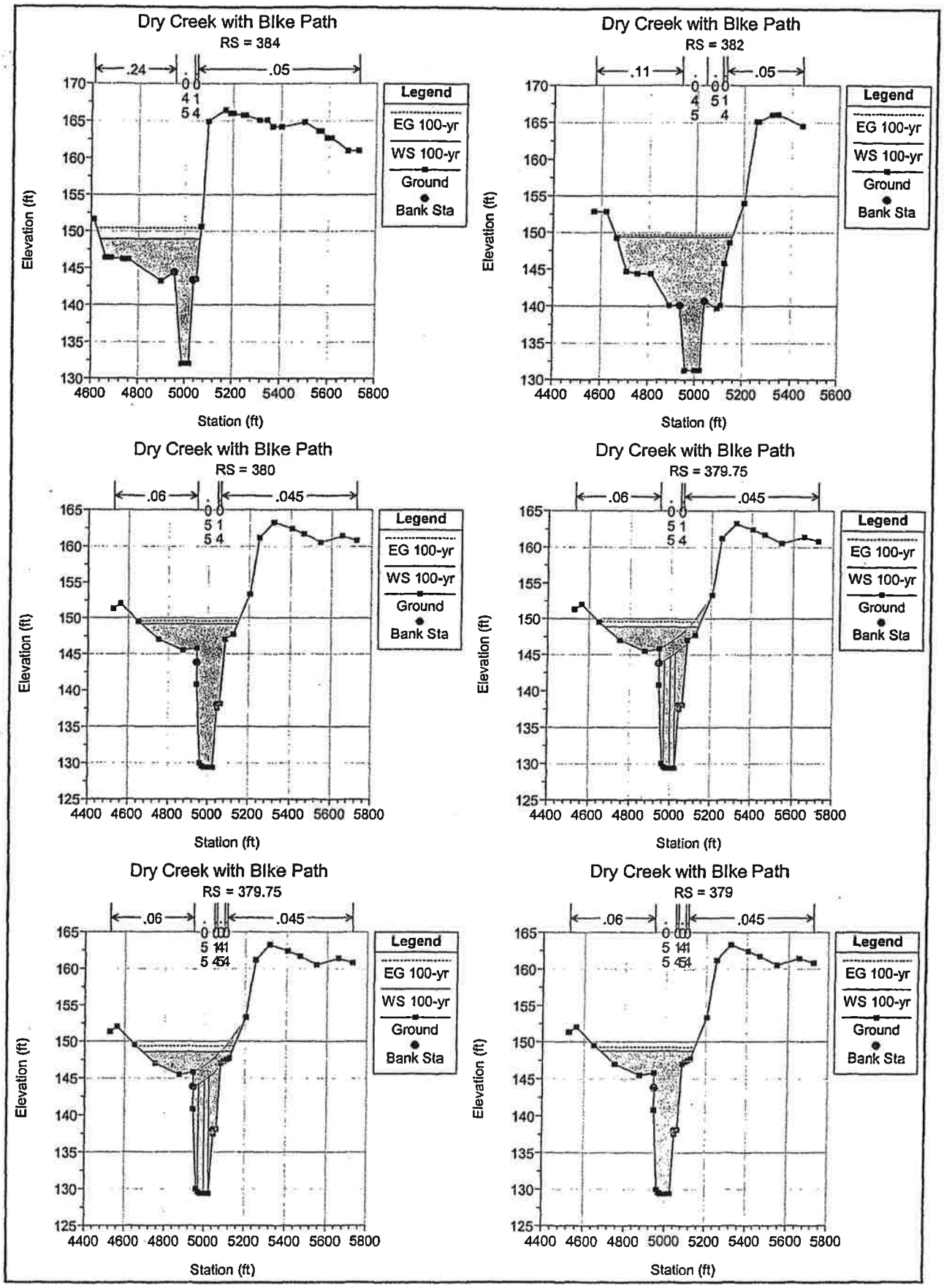
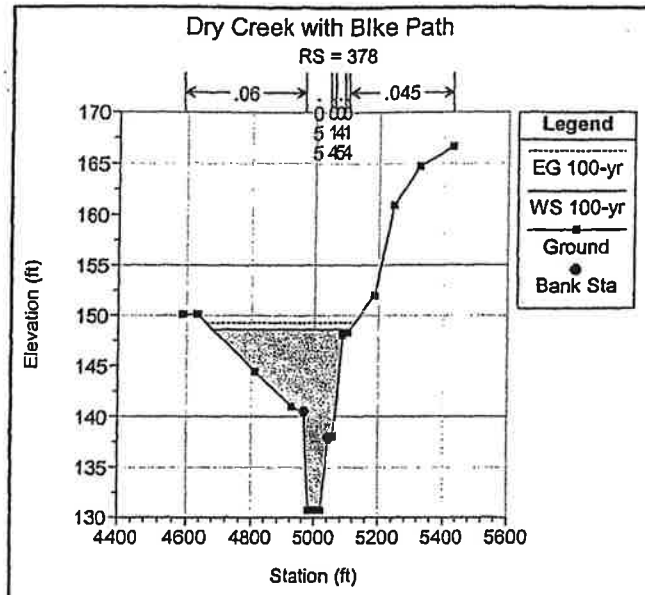
RS = 394
Dry Creek with Bike Path
RS = 393.*
Dry Creek with Bike Path
RS = 392
Dry Creek with Bike Path
RS = 390
Dry Creek with Bike Path
RS = 388
Dry Creek with Bike Path
RS = 386
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Dry Creek with Bike Path
RS = 384
.24
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 382
.11
.05
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 380
.06
.045
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 379.75
.06
.045
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 379.75
.06
.045
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Dry Creek with Bike Path
RS = 379
.06
.045
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Dry Creek with Bike Path
RS = 378
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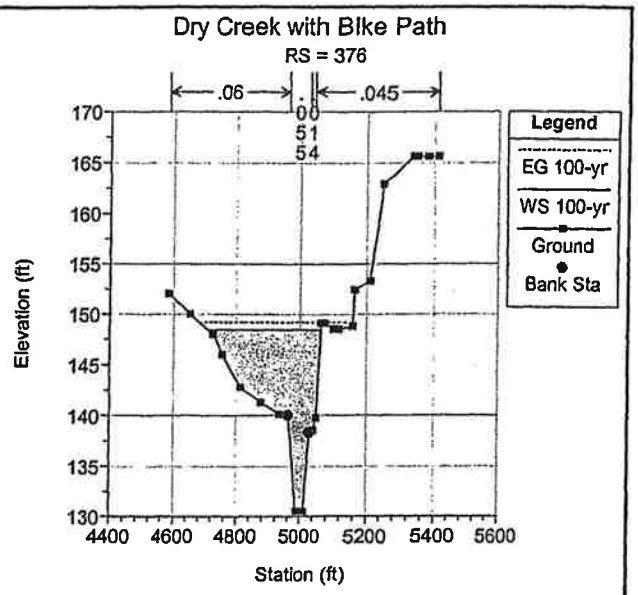
.045
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Dry Creek with Bike Path
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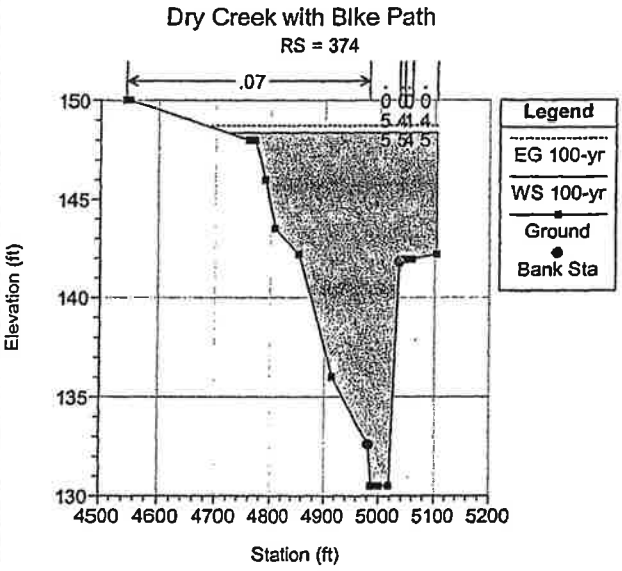
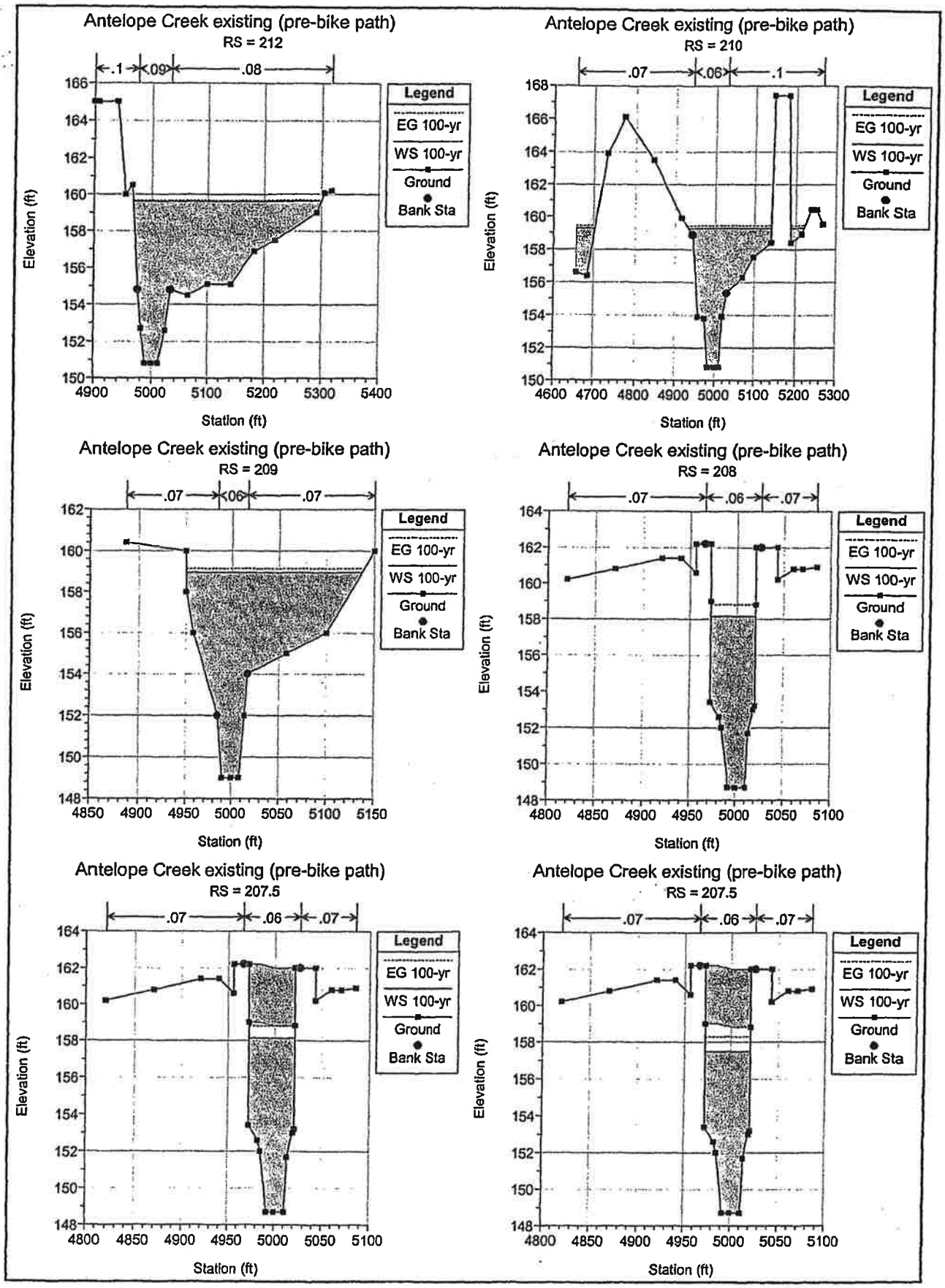
.045
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Dry Creek with Bike Path
RS = 374
.07
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)

Appendix 3. Existing Antelope Creek HEC-RAS Output

HEC-RAS Plan: Ant-exist River: RIVER-1 Reach: Reach-1 Profile: PF#1

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Reach-1	288	2250.00	165.10	175.00		175.06	0.000364	2.27	1189.49	199.03	0.13
Reach-1	286	2380.00	164.70	174.90		174.97	0.000468	2.54	1227.25	239.56	0.15
Reach-1	284	2380.00	164.70	174.47		174.84	0.002614	5.06	494.84	81.67	0.33
Reach-1	282	2380.00	164.50	174.52		174.59	0.000360	2.21	1198.75	193.19	0.13
Reach-1	280	2380.00	163.10	174.37		174.45	0.000382	2.39	1072.04	164.66	0.13
Reach-1	278	2380.00	162.40	174.32		174.36	0.000167	1.74	1527.07	199.77	0.09
Reach-1	276	2380.00	161.70	174.29		174.32	0.000132	1.57	1739.92	236.52	0.08
Reach-1	274	2380.00	161.00	174.27		174.29	0.000061	1.05	2232.44	223.51	0.05
Reach-1	272	2380.00	160.00	174.22		174.26	0.000169	1.77	1483.33	186.22	0.09
Reach-1	271	2380.00	159.00	174.14		174.23	0.000576	2.77	1122.25	235.78	0.15
Reach-1	270	2380.00	159.00	174.11	168.51	174.21	0.001244	2.78	962.81	233.77	0.17
Reach-1	269	Bridge									
Reach-1	268	2380.00	159.00	167.16		168.85	0.020281	10.42	228.34	40.83	0.77
Reach-1	266	2380.00	158.90	167.39		167.68	0.003012	4.61	585.48	146.99	0.32
Reach-1	264	2380.00	158.80	166.89		167.26	0.003993	5.21	495.36	105.99	0.36
Reach-1	262	2380.00	158.90	166.01		166.55	0.006801	6.33	417.42	106.12	0.47
Reach-1	260	2380.00	158.70	165.00		165.27	0.003170	4.22	578.20	129.61	0.32
Reach-1	258	2380.00	157.50	164.71		164.78	0.000891	2.41	1089.09	268.71	0.17
Reach-1	256	2380.00	155.50	164.62		164.65	0.000230	1.36	1693.94	288.53	0.09
Reach-1	254	2380.00	155.20	164.58		164.63	0.000327	1.65	1455.40	262.86	0.11
Reach-1	252	2380.00	154.60	164.51		164.57	0.000426	2.16	1231.79	206.58	0.13
Reach-1	250	2380.00	153.60	164.43		164.53	0.000684	2.73	996.81	190.80	0.16
Reach-1	248	2380.00	153.40	164.43		164.46	0.000205	1.54	1779.81	307.74	0.09
Reach-1	246	2380.00	153.20	164.37		164.40	0.000226	1.53	1674.72	278.21	0.09
Reach-1	244	2380.00	153.10	164.36		164.38	0.000053	0.80	2691.25	313.46	0.05
Reach-1	242	2380.00	152.80	164.36		164.37	0.000034	0.60	3356.07	388.71	0.03
Reach-1	241	2380.00	152.80	163.85		164.25	0.004310	5.24	506.08	72.82	0.30
Reach-1	240	2380.00	152.80	163.83	157.33	164.19	0.004683	4.83	492.50	45.14	0.26
Reach-1	239.5	Bridge									
Reach-1	239	2380.00	152.80	163.68		164.05	0.004882	4.90	485.51	45.14	0.26
Reach-1	234	2380.00	152.30	163.64		163.99	0.004393	4.83	528.80	76.81	0.30
Reach-1	232	2380.00	152.00	163.81		163.81	0.000064	0.65	5120.39	810.14	0.04
Reach-1	231	2380.00	151.40	163.60		163.76	0.002811	3.98	940.14	282.27	0.23
Reach-1	230	2380.00	149.50	163.06	157.80	163.61	0.004957	6.51	536.81	175.01	0.34
Reach-1	225	Bridge									
Reach-1	220	2380.00	151.00	160.98		161.23	0.005722	4.33	713.11	317.55	0.29
Reach-1	218	2380.00	151.10	160.96		161.08	0.002454	3.38	881.66	147.00	0.20
Reach-1	216	2380.00	151.30	160.50		160.72	0.004630	4.18	740.12	216.19	0.27
Reach-1	214	2380.00	150.80	159.95		160.06	0.002556	3.24	996.93	236.16	0.20
Reach-1	212	2380.00	150.80	159.63		159.69	0.001398	2.39	1322.63	332.01	0.15
Reach-1	210	2380.00	150.80	159.28		159.45	0.001894	3.57	921.12	287.38	0.25
Reach-1	209	2380.00	149.00	158.94		159.14	0.001847	4.43	819.35	186.82	0.26
Reach-1	208	2380.00	148.70	158.16	154.87	158.82	0.006383	6.54	363.74	48.67	0.42
Reach-1	207.5	Bridge									
Reach-1	207	2380.00	148.70	157.48		158.28	0.008512	7.20	330.61	48.65	0.49
Reach-1	206.5	2380.00	149.10	157.59		157.82	0.002506	4.19	685.91	160.65	0.29
Reach-1	206	2380.00	149.00	157.37		157.43	0.000866	2.55	1308.86	318.17	0.17
Reach-1	204	2380.00	148.10	156.91		157.11	0.001740	3.78	712.80	144.38	0.25
Reach-1	202	2380.00	147.40	156.64		156.78	0.001523	3.57	953.79	237.04	0.23
Reach-1	200	2380.00	147.40	156.08		156.37	0.003111	4.85	607.25	136.84	0.33
Reach-1	199	2380.00	145.00	156.12		156.19	0.000586	2.75	1366.60	270.00	0.15
Reach-1	198.5	2380.00	145.00	156.12		156.18	0.000588	2.76	1366.48	270.00	0.15
Reach-1	198	12840.00	145.00	155.31	151.05	155.69	0.002614	5.59	2662.96	359.14	0.32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.09
.08
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek existing (pre-bike path)
RS = 210
.07
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Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek existing (pre-bike path)
RS = 209
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Legend
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WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek existing (pre-bike path)
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Ground
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Elevation (ft)
Station (ft)
Antelope Creek existing (pre-bike path)
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EG 100-yr
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Ground
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Elevation (ft)
Station (ft)
Antelope Creek existing (pre-bike path)
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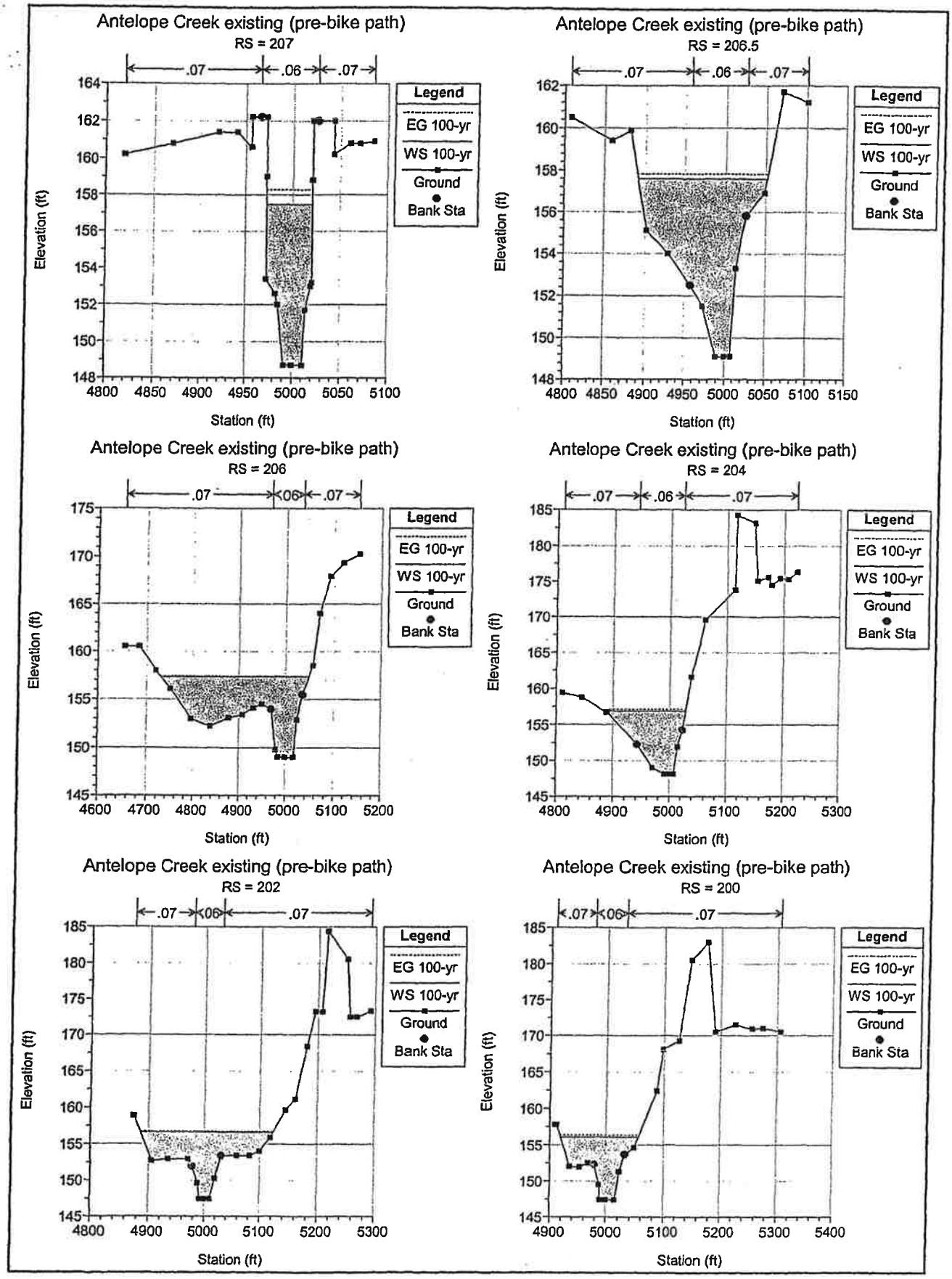
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)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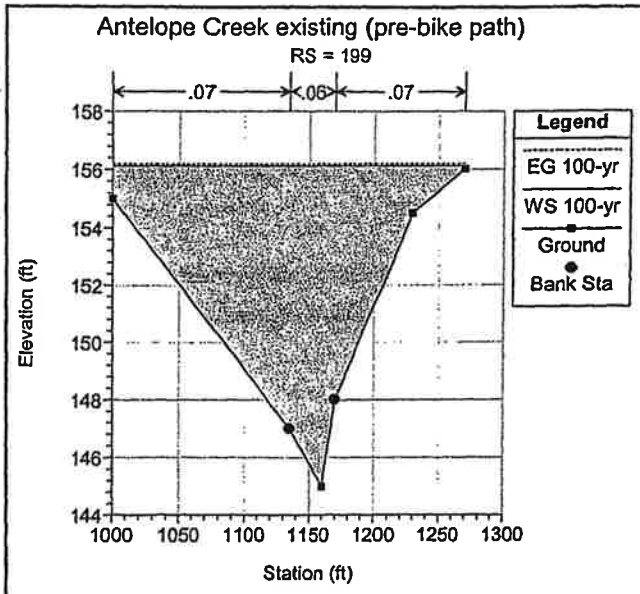
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek existing (pre-bike path)
RS = 206.5
Antelope Creek existing (pre-bike path)
RS = 206
Antelope Creek existing (pre-bike path)
RS = 204
Antelope Creek existing (pre-bike path)
RS = 202
Antelope Creek existing (pre-bike path)
RS = 200


Antelope Creek existing (pre-bike path)
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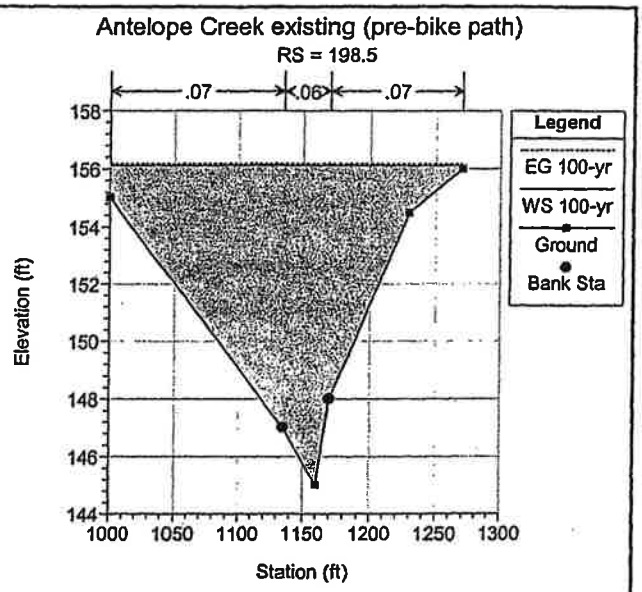
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Antelope Creek existing (pre-bike path)
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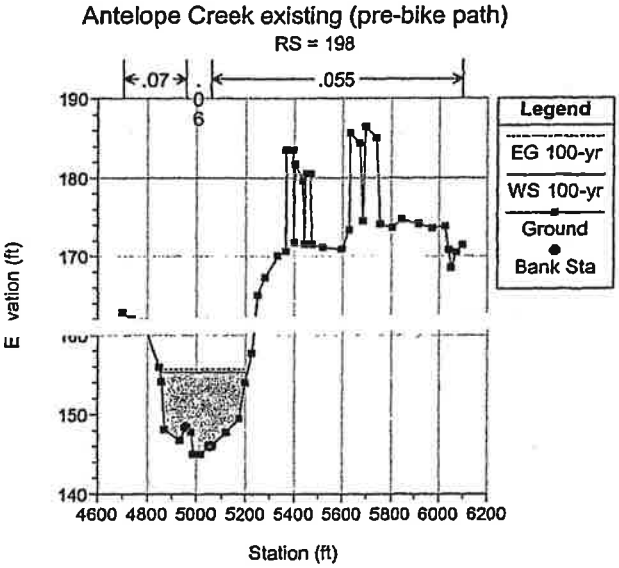
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)


Antelope Creek existing (pre-bike path)
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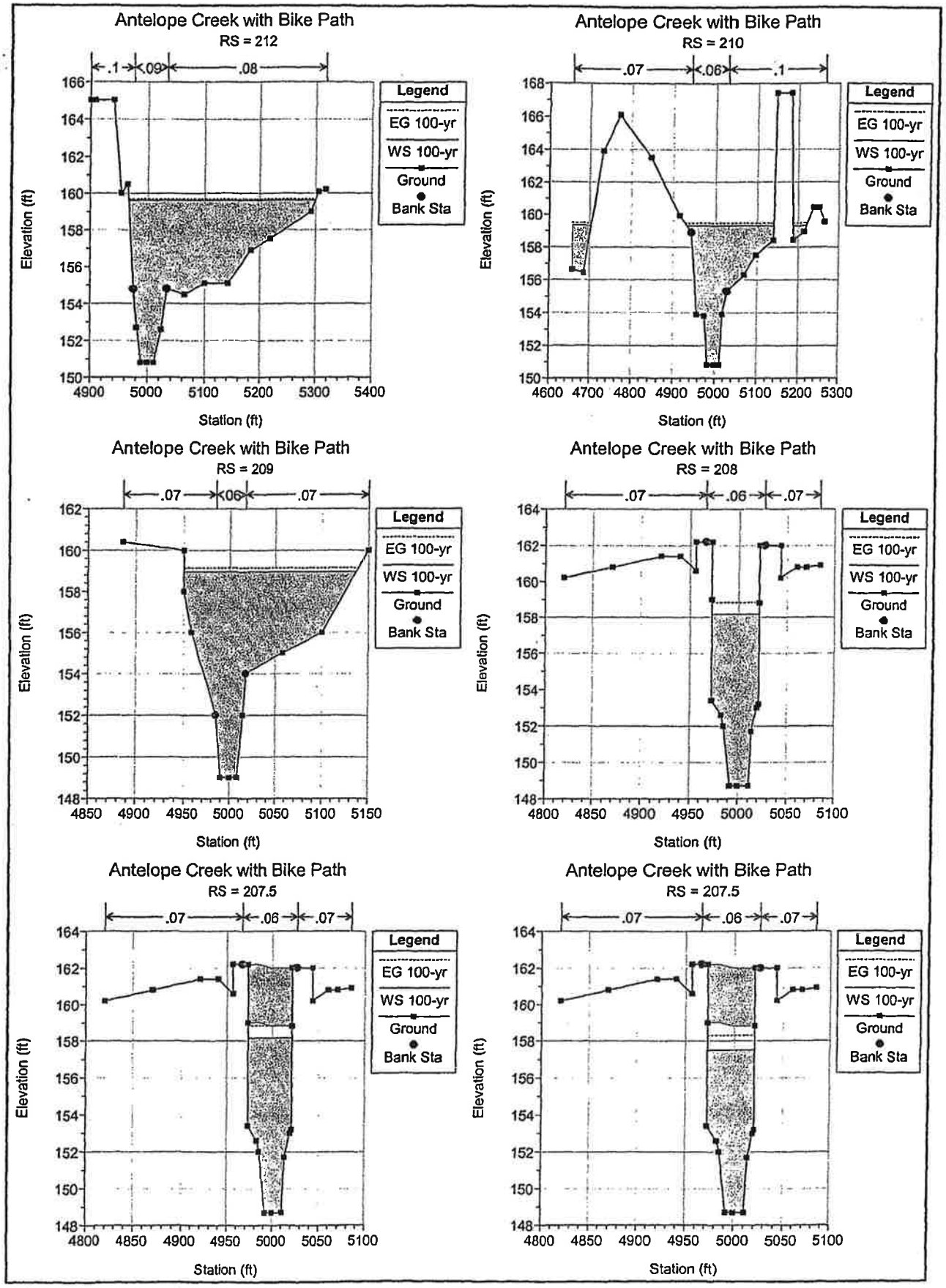
.07
.06
.055
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)

Appendix 4. Antelope Creek with Bike Path HEC-RAS Output

HEC-RAS Plan: Ant w bike River: RIVER-1 Reach: Reach-1 Profile: PF#1

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Reach-1	288	2250.00	165.10	175.00		175.06	0.000364	2.27	1189.49	199.03	0.13
Reach-1	286	2380.00	164.70	174.90		174.97	0.000468	2.54	1227.25	239.56	0.15
Reach-1	284	2380.00	164.70	174.47		174.84	0.002614	5.06	494.84	81.67	0.33
Reach-1	282	2380.00	164.50	174.52		174.59	0.000360	2.21	1198.75	193.19	0.13
Reach-1	280	2380.00	163.10	174.37		174.45	0.000382	2.39	1072.04	164.66	0.13
Reach-1	278	2380.00	162.40	174.32		174.36	0.000167	1.74	1527.07	199.77	0.09
Reach-1	276	2380.00	161.70	174.29		174.32	0.000132	1.57	1739.92	236.52	0.08
Reach-1	274	2380.00	161.00	174.27		174.29	0.000061	1.05	2232.44	223.51	0.05
Reach-1	272	2380.00	160.00	174.22		174.26	0.000169	1.77	1483.33	186.22	0.09
Reach-1	271	2380.00	159.00	174.14		174.23	0.000576	2.77	1122.25	235.78	0.15
Reach-1	270	2380.00	159.00	174.11	168.51	174.21	0.001244	2.78	962.81	233.77	0.17
Reach-1	269	Bridge									
Reach-1	268	2380.00	159.00	167.16		168.85	0.020279	10.42	228.34	40.83	0.77
Reach-1	266	2380.00	158.90	167.39		167.69	0.003011	4.61	585.51	146.99	0.32
Reach-1	264	2380.00	158.80	166.89		167.26	0.003992	5.21	495.40	105.99	0.36
Reach-1	262	2380.00	158.90	166.01		166.55	0.006797	6.33	417.50	106.12	0.47
Reach-1	260	2380.00	158.70	165.01		165.27	0.003166	4.22	578.47	129.62	0.32
Reach-1	258	2380.00	157.50	164.71		164.79	0.000889	2.41	1089.82	268.73	0.17
Reach-1	256	2380.00	155.50	164.63		164.66	0.000229	1.36	1694.77	288.54	0.09
Reach-1	254	2380.00	155.20	164.59		164.63	0.000326	1.65	1456.17	262.89	0.11
Reach-1	252	2380.00	154.60	164.51		164.57	0.000425	2.16	1232.43	206.60	0.13
Reach-1	250	2380.00	153.60	164.44		164.53	0.000682	2.73	997.41	190.85	0.16
Reach-1	248	2380.00	153.40	164.43		164.46	0.000205	1.54	1780.80	307.76	0.09
Reach-1	246	2380.00	153.20	164.37		164.40	0.000226	1.53	1675.64	278.26	0.09
Reach-1	244	2380.00	153.10	164.37		164.38	0.000053	0.80	2692.29	313.48	0.05
Reach-1	242	2380.00	152.80	164.36		164.37	0.000034	0.60	3357.35	388.72	0.03
Reach-1	241	2380.00	152.80	163.85		164.25	0.004304	5.23	506.36	72.84	0.30
Reach-1	240	2380.00	152.80	163.84	157.33	164.20	0.004677	4.83	492.68	45.14	0.26
Reach-1	239.5	Bridge									
Reach-1	239	2380.00	152.80	163.68		164.05	0.004876	4.90	485.69	45.14	0.26
Reach-1	234	2380.00	152.30	163.65		163.99	0.004386	4.83	529.12	76.83	0.30
Reach-1	232	2380.00	152.00	163.81		163.82	0.000064	0.65	5123.62	810.40	0.04
Reach-1	231	2380.00	151.40	163.60		163.76	0.002802	3.98	941.44	262.45	0.23
Reach-1	230	2380.00	149.50	163.07	157.80	163.61	0.004938	6.50	538.01	175.33	0.34
Reach-1	225	Bridge									
Reach-1	220	2380.00	151.00	160.98		161.23	0.005707	4.32	714.06	317.55	0.29
Reach-1	218	2380.00	151.10	160.96		161.09	0.002451	3.37	882.09	147.00	0.20
Reach-1	216	2380.00	151.30	160.51		160.72	0.004618	4.18	740.98	216.33	0.27
Reach-1	214	2380.00	150.80	159.95		160.07	0.002546	3.24	998.35	236.28	0.20
Reach-1	212	2380.00	150.80	159.63		159.69	0.001390	2.38	1325.31	332.12	0.15
Reach-1	210	2380.00	150.80	159.29		159.46	0.001879	3.56	924.24	287.95	0.25
Reach-1	209	2380.00	149.00	158.96		159.15	0.001833	4.41	821.90	186.99	0.26
Reach-1	208	2380.00	148.70	158.17	154.86	158.83	0.006340	6.53	364.59	48.67	0.42
Reach-1	207.5	Bridge									
Reach-1	207	2380.00	148.70	157.50		158.30	0.008413	7.17	331.91	48.65	0.48
Reach-1	206.5	2380.00	149.10	157.62		157.84	0.002462	4.17	690.36	160.89	0.29
Reach-1	206	2380.00	149.00	157.40		157.47	0.000847	2.53	1319.40	318.95	0.17
Reach-1	204	2380.00	148.10	156.95		157.15	0.001703	3.75	718.86	145.36	0.25
Reach-1	202	2380.00	147.40	156.69		156.82	0.001471	3.52	965.95	237.64	0.23
Reach-1	200	2380.00	147.40	156.10		156.42	0.003234	4.95	578.92	121.49	0.33
Reach-1	199	2380.00	145.00	156.17	150.76	156.23	0.000567	2.71	1314.75	270.00	0.15
Reach-1	198.75	Bridge									
Reach-1	198.5	2380.00	145.00	156.05		156.11	0.000571	2.70	1302.28	270.00	0.15
Reach-1	198	12840.00	145.00	155.24	151.05	155.63	0.002661	5.61	2635.20	354.00	0.33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.09
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Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek with Bike Path
RS = 210
.07
.06
.1
Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek with Bike Path
RS = 209
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Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek with Bike Path
RS = 208
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Legend
EG 100-yr
WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek with Bike Path
RS = 207.5
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Legend
EG 100-yr
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Ground
Bank Sta
Elevation (ft)
Station (ft)
Antelope Creek with Bike Path
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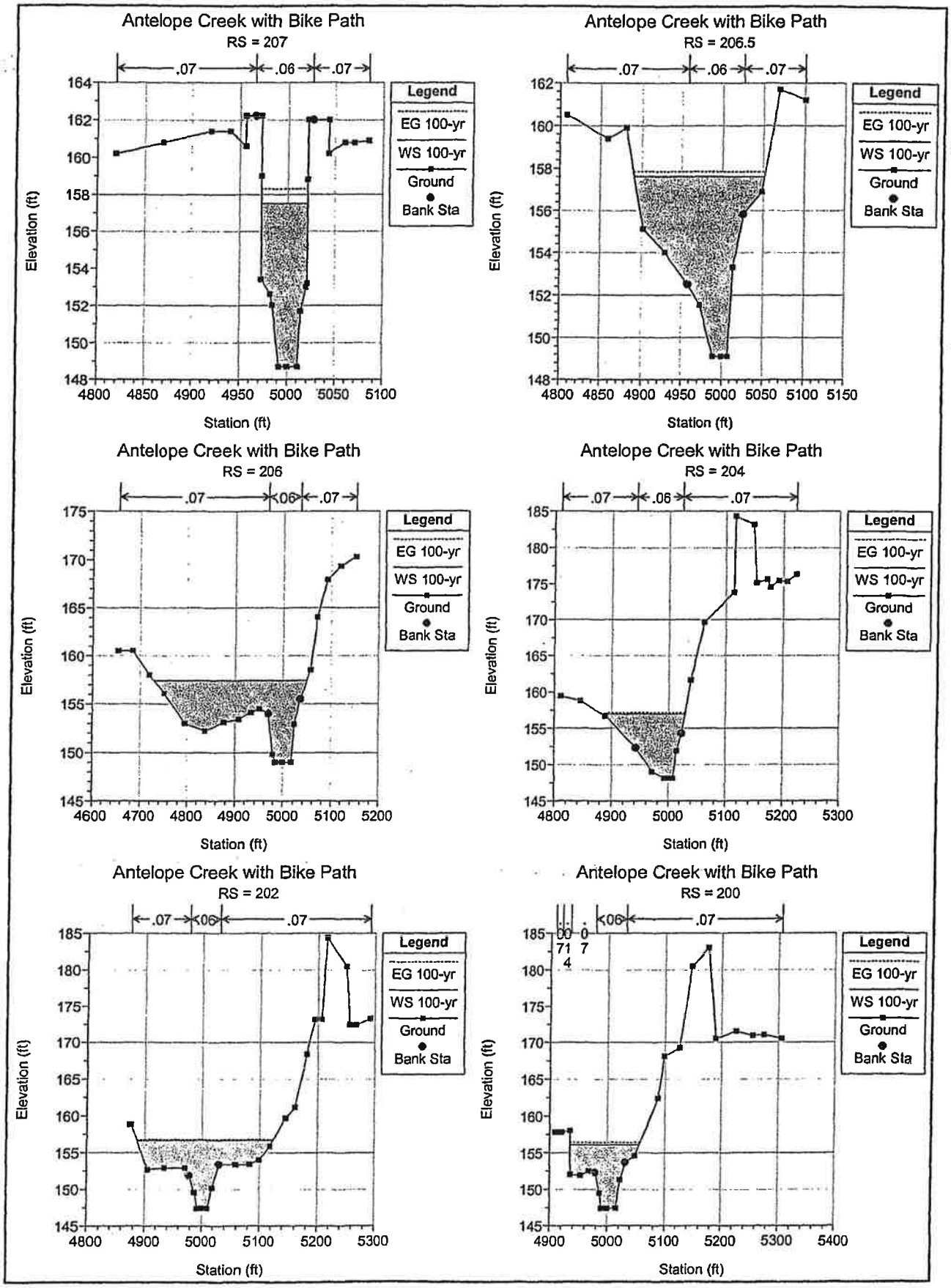
Ground
Bank Sta
Elevation (ft)
Station (ft)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Legend
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WS 100-yr
Ground
Bank Sta
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Station (ft)
Antelope Creek with Bike Path
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Antelope Creek with Bike Path
RS = 206
Antelope Creek with Bike Path
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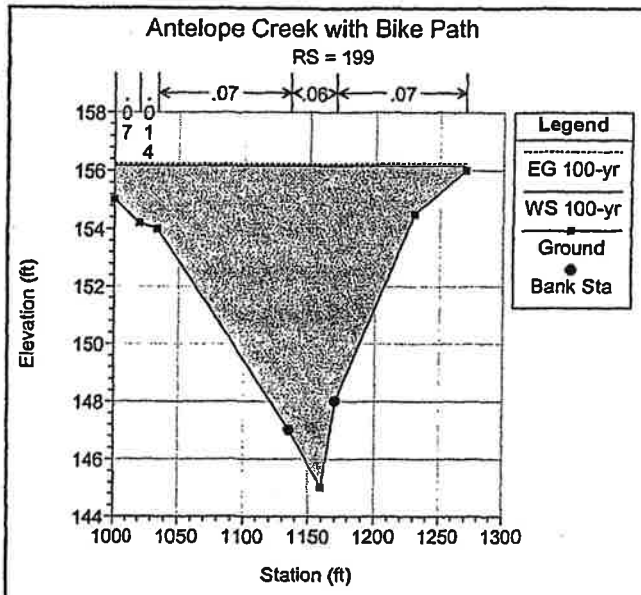
Antelope Creek with Bike Path
RS = 202
Antelope Creek with Bike Path
RS = 200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Ground
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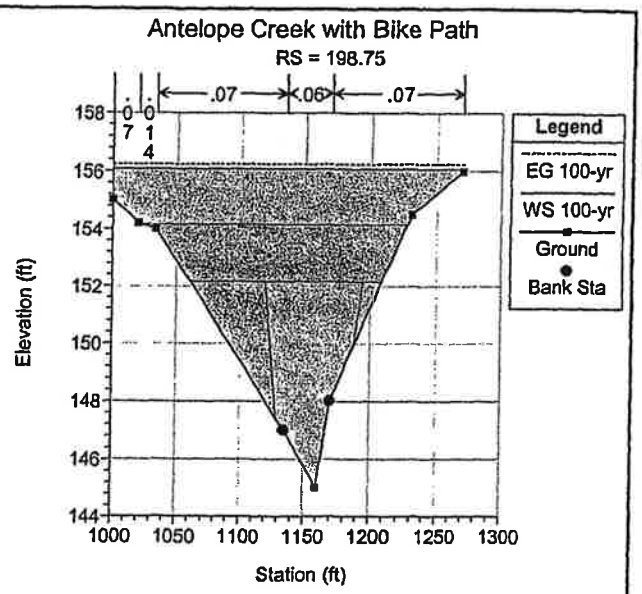
Station (ft)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Bank Sta
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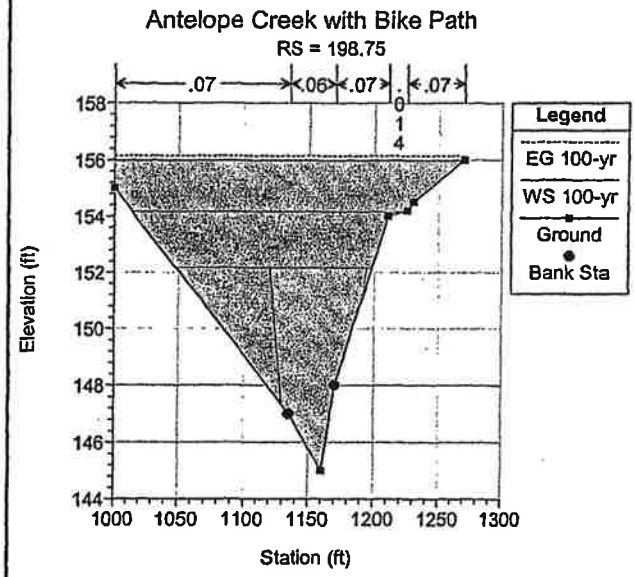
Station (ft)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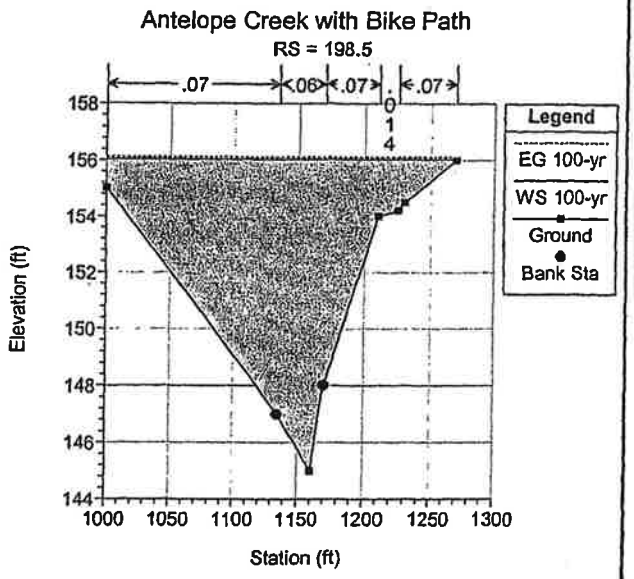
Station (ft)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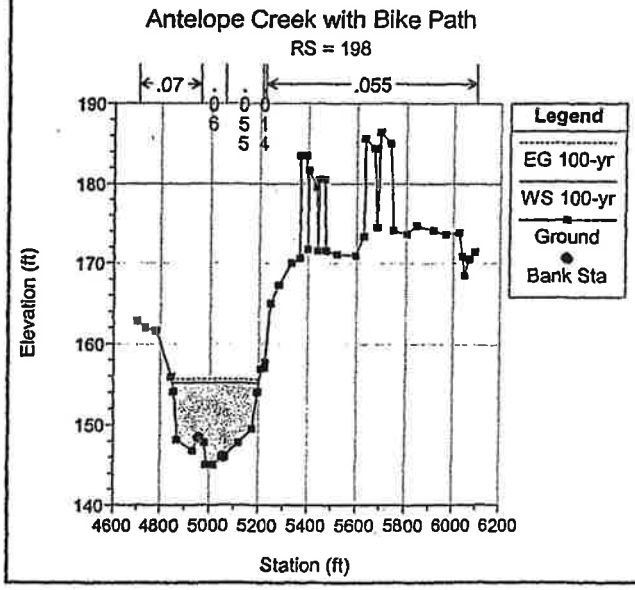
Station (ft)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.055
.014
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WS 100-yr
Ground
Bank Sta
Elevation (ft)
Station (ft)

APPENDIX F. BIOLOGICAL OPINION ON IMPACTS ON VALLEY ELDERBERRY LONGHORN BEETLE BY THE U.S. FISH AND WILDLIFE SERVICE, DATED APRIL 10, 2003

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

IN REPLY REFER TO:
1-1-02-F-0287

APR 10 2003

Gary N. Hamby
Division Administrator
U.S. Department of Transportation
980 Ninth Street, Suite 400
Sacramento California 95814-2724

Subject: Review of the Harding Boulevard to Royer Park Bikeway Project, Placer County, California for Inclusion with the Valley Elderberry Longhorn Beetle Formal Programmatic Consultation (File No. 1-1-96-F-0156).

Dear Mr. Hamby:

This document has been prepared in response to your August 21, 2002, request to initiate formal consultation with the U.S. Fish and Wildlife Service (Service) on the effects of the proposed construction of a bike path between Harding Boulevard and Royer Park in Roseville, Placer County, California on the threatened valley elderberry longhorn beetle (*Desmocerus californicus dimaphus*) (beetle). The Service received your request on August 23, 2002. This response has been prepared in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)(Act).

Although elderberry shrubs (*Sambucus* spp.) are not considered endangered, threatened, or rare, they are the obligate host plant of the beetle. A direct or indirect effect on the elderberry shrub may have a direct effect on the beetle. All conservation guidelines focus on the protection of the elderberry shrub to protect the continued existence of the beetle.

The findings and recommendations in this consultation are based on: (1) the July 2002 *Harding Boulevard to Royer Park Bikeway Park Biological Assessment*; (2) electronic mail correspondences between Justin Ly of the Service and Virginia Denison of the California Department of Fish and Game (Caltrans) from February 18 and 19, 2003; and (3) electronic mail correspondences from Erich Fischer of Environmental Science Associates (representing the City of Roseville) to Justin Ly of the Service on March 19 and 27, 2003, revising the biological assessment to acknowledge the three elderberry shrubs adjacent to Dry Creek as riparian vegetation. A complete administrative record of this consultation is on file at the Sacramento Fish and Wildlife Office.

After reviewing information included with your request, the Service has determined it is appropriate to append the proposed project to the March 11, 1997, *Formal Programmatic Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office, California* (Ref# 1-1-96-F-0156) (Programmatic Consultation).

The City of Roseville (applicant) proposes to build a bike path between Harding Boulevard and Royer Park in the City of Roseville, California. The proposed project is within the riparian corridor on the north side of Dry Creek. The 1.21 mile bike path would be 10-foot wide with a 2-foot wide shoulder on each side. A 53-foot long and 12-foot wide bridge would be constructed over Antelope Creek.

The construction alignment would be the same as the proposed bike path alignment and would extend 30 feet on each side of center line of the bike path. 1.75 acres of habitat would be permanently affected and 8.75 acres would be temporarily affected during construction of the bike path. The construction of the bike path would include: (1) grading and fill activities, and placing and installing the prefabricated bridge, (2) shoulder construction and paving the bike surface, and (3) fencing/protecting environmentally sensitive areas. Equipment used to construct the proposed bike path includes but is not limited to, backhoes, cranes, scrapers, concrete, and asphalt delivery vehicles, and haul and dump vehicles.

The proposed project may result in adverse effects to three elderberry shrubs with 34 stems between 1-3 inches in diameter, 6 stems between 3-5 inches in diameter, and 2 stem greater than 5 inches in diameter at ground level. Survey results found exit holes on one of the three elderberry shrubs. The Programmatic Consultation requires that each affected elderberry stem 1.0 inch or greater at ground level be replaced with elderberry seedlings or cuttings at a ratio shown on Table 1. Native trees and/or shrubs are also required to be planted with the elderberry seedlings. The ratio of native plants that are required depends on the absence or presence of exit holes on the elderberry shrub and whether the elderberry shrub is located in riparian forest or other habitat type. The ratio for native plants required for compensation is also found on Table 1.

The Service has determined it is appropriate to append the proposed project to the Programmatic Consultation. This document and the Programmatic Consultation represents the Service's biological opinion on the effects of the proposed action. Minimization of effects for projects appended to the Programmatic Consultation involves the implementation of avoidance and minimization measures described in the *Conservation Guidelines for the Valley Elderberry Longhorn Beetle*, dated July 9, 1999 (Beetle Guidelines) appended to the Programmatic Consultation.

The Service is tracking losses of beetle habitat permitted under the Programmatic Consultation, and compensation for those loses, in each county under the jurisdiction of the Sacramento Fish and Wildlife Office and within the range of the beetle. The Service reevaluates the effectiveness of this Programmatic Consultation at least every six (6) months to ensure continued implementation would not result in unacceptable effects to the beetle or the habitat upon which it depends.

Compensation

In accordance with the Programmatic Consultation projects that are appended to that biological opinion would be compensated according to these Guidelines unless otherwise approved by the Service. The compensation identified in the Programmatic Consultation includes the following:

1. Transplantation of affected elderberry plants to the compensation area(s);

2. Planting of additional elderberry seedlings or cuttings and plantings of associated native species at the compensation area(s);

3. Management and monitoring of the compensation area(s) for either ten (10) consecutive years of seven (7) years over a 15-year period with monitoring reports submitted for each monitoring year; and

4. A management plan for long-term protection of the compensation area(s) to protect the area(s) in perpetuity as habitat for the valley elderberry longhorn beetle.

The proposed project may incidentally take all valley elderberry longhorn beetles inhabiting 3 elderberry plants consisting of thirty-four 1-3-inch stems at ground level, six 3-5 inch stems at ground level and two 5 inch or greater stems at ground level. As per the Programmatic Consultation, the Federal Highway Administration and the City of Roseville propose purchasing sufficient to plant 115 elderberry plantings and 157 associated native plants (approximately 28 credits). Table 1 shows the calculations used to determine the compensation requirements and associated effects with the proposed project.

Table 1: Compensation requirements for effect to elderberry shrubs

Location	Stems (maximum diameter at ground level)	Exit hole on shrub	Count	Elderberry Seedling Ratio	Associated Native Plant Ratio	Required Elderberry Plantings	Required Vegetation Plantings
riparian	stems ≥ 1" & ≤ 3"	No	29	2:1	1:1	58	58
		Yes	5	4:1	2:1	20	40
riparian	stems ≥ 3" & ≤ 5"	No	5	3:1	1:1	15	15
		Yes	1	6:1	2:1	6	12
riparian	stems ≥ 5"	No		4:1	1:1	0	0
		Yes	2	8:1	2:1	16	32
Total			42			115	157

The Compensation responsibilities of the applicant are as follows:

1. Prior to any construction activities at the project site, the City of Roseville will purchase at least 28 beetle units at a Service-approved beetle compensation bank servicing the proposed project area. Alternatively, prior to any construction, the City of Roseville will plant 115 elderberry seedlings and 157 associated riparian plants in at least a 1.16 acre conservation site to be approved by the Service. The conservation site will be preserved in perpetuity via a Service-approved conservation easement, and will be managed according to the July 9, 1999, Beetle Guidelines.

2. Prior to groundbreaking and between November 1 and February 15, Caltrans will transplant the three elderberry shrubs to a Service-approved beetle conservation bank or area in Placer County.

3. If construction has not begun in two years, effects to the beetle may increase from elderberry stem growth (in size and quantity). As such, Caltrans will need to resurvey the elderberry shrubs and reinitiate consultation with the Service if construction has not begun in two years.

REINITIATION–CLOSING STATEMENT

This concludes formal consultation with the Federal Highway Administration on the proposed bike path construction project. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been maintained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded [e.g., if construction dose not begin within the next two years and effects to the beetle habitat may increase through increased stem growth and /or numbers]; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have any questions concerning this opinion, please contact Justin Ly of my staff at the above letterhead address or at (916) 414-6645.

Sincerely,

Chris Nagano
Chief, Endangered Species Division

Enclosure

cc:
ARD (ES), Portland, Oregon
Caltrans, Marysville, California (attn: Virginia Denison)
CDFG, Rancho Cordova, California (attn: Terry Roscoe)
City of Roseville, Roseville California (attn: Mark Morse)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825

Conservation Guidelines for the Valley Elderberry Longhorn Beetle

9 July 1999

The following guidelines have been issued by the U.S. Fish and Wildlife Service (Service) to assist Federal agencies and non-federal project applicants needing incidental take authorization through a section 7 consultation or a section 10(a)(1)(B) permit in developing measures to avoid and minimize adverse effects on the valley elderberry longhorn beetle. The Service will revise these guidelines as needed in the future. The most recently issued version of these guidelines should be used in developing all projects and habitat restoration plans. The survey and monitoring procedures described below are designed to avoid any adverse effects to the valley elderberry longhorn beetle. Thus a recovery permit is not needed to survey for the beetle or its habitat or to monitor conservation areas. If you are interested in a recovery permit for research purposes please call the Service's Regional Office at (503) 231-2063.

BACKGROUND INFORMATION

The valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), was listed as a threatened species on August 8, 1980 (*Federal Register* 45: 52803-52807). This animal is fully protected under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). The valley elderberry longhorn beetle (beetle) is completely dependent on its host plant, elderberry (*Sambucus* species), which is a common component of the remaining riparian forests and adjacent upland habitats of California's Central Valley. Use of the elderberry by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. The life cycle takes one or two years to complete. The animal spends most of its life in the larval stage, living within the stems of an elderberry plant. Adult emergence is from late March through June, about the same time the elderberry produces flowers. The adult stage is short-lived. Further information on the life history, ecology, behavior, and distribution of the beetle can be found in a report by Barr (1991) and the recovery plan for the beetle (USFWS 1984).

SURVEYS

Proposed project sites within the range of the valley elderberry longhorn beetle should be surveyed for the presence of the beetle and its elderberry host plant by a qualified biologist. The beetle's range extends throughout California's Central Valley and associated foothills from about the 3,000-foot elevation contour on the east and the watershed of the Central Valley on the west (Figure 1). All or portions of 31 counties are included: Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Kern, Kings, Lake, Madera, Mariposa, Merced, Napa, Nevada, Placer, Sacramento, San Benito, San Joaquin, San Luis Obispo, Shasta, Solano, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, Yuba.

If elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level occur on or adjacent to the proposed project site, or are otherwise located where they may be directly or indirectly affected by the proposed action, minimization measures which include planting replacement habitat (conservation planting) are required (Table 1).

All elderberry shrubs with one or more stems measuring 1.0 inch or greater in diameter at ground level that occur on or adjacent to a proposed project site must be thoroughly searched for beetle exit holes (external evidence of beetle presence). In addition, all elderberry stems one inch or greater in diameter at ground level must be tallied by diameter size class (Table 1). As outlined in Table 1, the numbers of elderberry seedlings/cuttings and associated riparian native trees/shrubs to be planted as replacement habitat are determined by stem size class of affected elderberry shrubs, presence or absence of exit holes, and whether a proposed project lies in a riparian or non-riparian area.

Elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level with no exit holes. Surveys are valid for a period of two years.

AVOID AND PROTECT HABITAT WHENEVER POSSIBLE

Project sites that do not contain beetle habitat are preferred. If suitable habitat for the beetle occurs on the project site, or within close proximity where beetles will be affected by the project, these areas must be designated as avoidance areas and must be protected from disturbance during the construction and operation of the project. When possible, projects should be designed such that avoidance areas are connected with adjacent habitat to prevent fragmentation and isolation of beetle populations. Any beetle habitat that cannot be avoided as described below should be considered impacted and appropriate minimization measures should be proposed as described below.

Avoidance: Establishment and Maintenance of a Buffer Zone

Complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer is established and maintained around elderberry plants containing stems measuring 1.0 inch or greater in diameter at ground level. Firebreaks may not be included in the buffer zone. In buffer areas construction-related disturbance should be minimized, and any damaged area should be promptly restored following construction. The Service must be consulted before any disturbances within the buffer area are considered. In addition, the Service must be provided with a map identifying the avoidance area and written details describing avoidance measures.

Protective Measures

1. Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the Service, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.

2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.

3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be

clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.

4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.

Restoration and Maintenance

1. Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.

2. Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding, and trash removal are usually appropriate.

3. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.

4. The applicant must provide a written description of how the buffer areas are to be restored, protected, and maintained after construction is completed.

5. Mowing of grasses/ground cover may occur from July through April to reduce fire hazard. No mowing should occur within five (5) feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., stripping away bark through careless use of mowing/trimming equipment).

TRANSPLANT ELDERBERRY PLANTS THAT CANNOT BE AVOIDED

Elderberry plants must be transplanted if they can not be avoided by the proposed project. All elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level must be transplanted to a conservation area (see below). At the Service's discretion, a plant that is unlikely to survive transplantation because of poor condition or location, or a plant that would be extremely difficult to move because of access problems, may be exempted from transplantation. In cases where transplantation is not possible the minimization ratios in Table 1 may be increased to offset the additional habitat loss.

Trimming of elderberry plants (e.g., pruning along roadways, bike paths, or trails) with one or more stems 1.0 inch or greater in diameter at ground level, may result in take of beetles. Therefore, trimming is subject to appropriate minimization measures as outlined in Table 1.

1. Monitor. A qualified biologist (monitor) must be on-site for the duration of the transplanting of the elderberry plants to insure that no unauthorized take of the valley elderberry longhorn beetle occurs. If unauthorized take occurs, the monitor must have the authority to stop work until corrective measures have been completed. The monitor must immediately report any unauthorized take of the beetle or its habitat to the Service and to the California Department of Fish and Game.

2. Timing. Transplant elderberry plants when the plants are dormant, approximately November through the first two weeks in February, after they have lost their leaves. Transplanting during the non-growing season will reduce shock to the plant and increase transplantation success.

3. Transplanting Procedure.

a. Cut the plant back 3 to 6 feet from the ground or to 50 percent of its height (whichever is taller) by removing branches and stems above this height. The trunk and all stems measuring 1.0 inch or greater in diameter at ground level should be replanted. Any leaves remaining on the plant should be removed.

b. Excavate a hole of adequate size to receive the transplant.

c. Excavate the plant using a Vemeer spade, backhoe, front end loader, or other suitable equipment, taking as much of the root ball as possible, and replant immediately at the conservation area. Move the plant only by the root ball. If the plant is to be moved and transplanted off site, secure the root ball with wire and wrap it with burlap. Dampen the burlap with water, as necessary, to keep the root ball wet. Do not let the roots dry out. Care should be taken to ensure that the soil is not dislodged from around the roots of the transplant. If the site receiving the transplant does not have adequate soil moisture, pre-wet the soil a day or two before transplantation.

d. The planting area must be at least 1,800 square feet for each elderberry transplant. The root ball should be planted so that its top is level with the existing ground. Compact the soil sufficiently so that settlement does not occur. As many as five (5) additional elderberry plantings (cuttings or seedlings) and up to five (5) associated native species plantings (see below) may also be planted within the 1,800 square foot area with the transplant. The transplant and each new planting should have its own watering basin measuring at least three (3) feet in diameter. Watering basins should have a continuous berm measuring approximately eight (8) inches wide at the base and six (6) inches high.

e. Saturate the soil with water. Do not use fertilizers or other supplements or paint the tips of stems with pruning substances, as the effects of these compounds on the beetle are unknown.

f. Monitor to ascertain if additional watering is necessary. If the soil is sandy and well-drained, plants may need to be watered weekly or twice monthly. If the soil is clayey and poorly-drained, it may not be necessary to water after the initial saturation. However, most transplants require watering through the first summer. A drip watering system and timer is ideal. However, in situations where this is not possible, a water truck or other apparatus may be used.

PLANT ADDITIONAL SEEDLINGS OR CUTTINGS

Each elderberry stem measuring 1.0 inch or greater in diameter at ground level that is adversely affected (i.e., transplanted or destroyed) must be replaced, in the conservation area, with elderberry seedlings or cuttings at a ratio ranging from 1:1 to 8:1 (new plantings to affected stems). Minimization ratios are listed and explained in Table 1. Stock of either seedlings or cuttings should be obtained from local sources. Cuttings may be obtained from the plants to be transplanted if the project site is in the vicinity of the conservation area. If the Service determines that the elderberry plants on the proposed project site are unsuitable candidates for transplanting, the Service may allow the applicant to plant seedlings or cuttings at higher than the stated ratios in Table 1 for each elderberry plant that cannot be transplanted.

PLANT ASSOCIATED NATIVE SPECIES

Studies have found that the beetle is more abundant in dense native plant communities with a mature overstory and a mixed understory. Therefore, a mix of native plants associated with the elderberry plants at the project site or similar sites will be planted at ratios ranging from 1:1 to 2:1 [native tree/plant species to each elderberry seedling or cutting (see Table 1)]. These native plantings must be monitored with the same survival criteria used for the elderberry seedlings (see below). Stock of saplings, cuttings, and seedlings should be obtained from local sources. If the parent stock is obtained from a distance greater than one mile from the conservation area, approval by the Service of the native plant donor sites must be obtained prior to initiation of the revegetation work. Planting or seeding the conservation area with native herbaceous species is encouraged. Establishing native grasses and forbs may discourage unwanted non-native species from becoming established or persisting at the conservation area. Only stock from local sources should be used.

Examples

Example 1

The project will adversely affect beetle habitat on a vacant lot on the land side of a river levee. This levee now separates beetle habitat on the vacant lot from extant Great Valley Mixed Riparian Forest (Holland 1986) adjacent to the river. However, it is clear that the beetle habitat located on the vacant lot was part of a more extensive mixed riparian forest ecosystem extending farther from the river's edge prior to agricultural development and levee construction. Therefore, the beetle habitat on site is considered riparian. A total of two elderberry plants with at least one stem measuring 1.0 inch or greater in diameter at ground level will be affected by the proposed action. The two plants have a total of 15 stems measuring over 1.0 inch. No exit holes were found on either plant. Ten of the stems are between 1.0 and 3.0 inches in diameter and five of the stems are greater than 5.0 inches in diameter. The conservation area is suited for riparian forest habitat. Associated natives adjacent to the conservation area are box elder (*Acer negundo californica*), walnut (*Juglans californica* var. *hindsii*), sycamore (*Platanus racemosa*), cottonwood (*Populus fremontii*), willow (*Salix gooddingii* and *S. laevigata*), white alder (*Alnus rhombifolia*), ash (*Fraxinus latifolia*), button willow (*Cephalanthus occidentalis*), and wild grape (*Vitis californica*).

Minimization (based on ratios in Table 1):

- Transplant the two elderberry plants that will be affected to the conservation area.

- Plant 40 elderberry rooted cuttings (10 affected stems compensated at 2:1 ratio and 5 affected stems compensated at 4:1 ratio, cuttings planted:stems affected)

- Plant 40 associated native species (ratio of associated natives to elderberry plantings is 1:1 in areas with no exit holes):

  5 saplings each of box elder, sycamore, and cottonwood
  5 willow seedlings
  5 white alder seedlings
  5 saplings each of walnut and ash
  3 California button willow
  2 wild grape vines

Total: 40 associated native species

- Total area required is a minimum of 1,800 sq. ft. for one to five elderberry seedlings and up to 5 associated natives. Since, a total of 80 plants must be planted (40 elderberries and 40 associated natives), a total of 0.33 acre (14,400 square feet) will be

required for conservation plantings. The conservation area will be seeded and planted with native grasses and forbs, and closely monitored and maintained throughout the monitoring period.

Example 2

The project will adversely affect beetle habitat in Blue Oak Woodland (Holland 1986). One elderberry plant with at least one stem measuring 1.0 inch or greater in diameter at ground level will be affected by the proposed action. The plant has a total of 10 stems measuring over 1.0 inch. Exit holes were found on the plant. Five of the stems are between 1.0 and 3.0 inches in diameter and five of the stems are between 3.0 and 5.0 inches in diameter. The conservation area is suited for elderberry savanna (non-riparian habitat). Associated natives adjacent to the conservation area are willow (*Salix* species), blue oak (*Quercus douglasii*), interior live oak (*Q. wislizenii*), sycamore, poison oak (*Toxicodendron diversilobum*), and wild grape.

Minimization (based on ratios in Table 1):

- Transplant the one elderberry plant that will be affected to the conservation area.

- Plant 30 elderberry seedlings (5 affected stems compensated at 2:1 ratio and 5 affected stems compensated at 4:1 ratio, cuttings planted:stems affected)

- Plant 60 associated native species (ratio of associated natives to elderberry plantings is 2:1 in areas with exit holes):
  20 saplings of blue oak, 20 saplings of sycamore, and 20 saplings of willow, and seed and plant with a mixture of native grasses and forbs

- Total area required is a minimum of 1,800 sq. ft. for one to five elderberry seedlings and up to 5 associated natives. Since, a total of 90 plants must be planted (30 elderberries and 60 associated natives), a total of 0.37 acre (16,200 square feet) will be required for conservation plantings. The conservation area will be seeded and planted with native grasses and forbs, and closely monitored and maintained throughout the monitoring period.

CONSERVATION AREA—PROVIDE HABITAT FOR THE BEETLE IN PERPETUITY

The conservation area is distinct from the avoidance area (though the two may adjoin), and serves to receive and protect the transplanted elderberry plants and the elderberry and other native plantings. The Service may accept proposals for off-site conservation areas where appropriate.

1. Size. The conservation area must provide at least 1,800 square feet for each transplanted elderberry plant. As many as 10 conservation plantings (i.e., elderberry cuttings or seedlings and/or associated native plants) may be planted within the 1800 square foot area with each transplanted elderberry. An additional 1,800 square feet shall be provided for every additional 10 conservation plants. Each planting should have its own watering basin measuring approximately three feet in diameter. Watering basins should be constructed with a continuous berm measuring approximately eight inches wide at the base and six inches high.

   The planting density specified above is primarily for riparian forest habitats or other habitats with naturally dense cover. If the conservation area is an open habitat (i.e., elderberry savanna, oak woodland) more area may be needed for the required plantings. Contact the Service for assistance if the above planting recommendations are not appropriate for the proposed conservation area.

No area to be maintained as a firebreak may be counted as conservation area. Like the avoidance area, the conservation area should connect with adjacent habitat wherever possible, to prevent isolation of beetle populations.

Depending on adjacent land use, a buffer area may also be needed between the conservation area and the adjacent lands. For example, herbicides and pesticides are often used on orchards or vineyards. These chemicals may drift or runoff onto the conservation area if an adequate buffer area is not provided.

2. Long-Term Protection. The conservation area must be protected in perpetuity as habitat for the valley elderberry longhorn beetle. A conservation easement or deed restrictions to protect the conservation area must be arranged. Conservation areas may be transferred to a resource agency or appropriate private organization for long-term management. The Service must be provided with a map and written details identifying the conservation area; and the applicant must receive approval from the Service that the conservation area is acceptable prior to initiating the conservation program. A true, recorded copy of the deed transfer, conservation easement, or deed restrictions protecting the conservation area in perpetuity must be provided to the Service before project implementation.

   Adequate funds must be provided to ensure that the conservation area is managed in perpetuity. The applicant must dedicate an endowment fund for this purpose, and designate the party or entity that will be responsible for long-term management of the conservation area. The Service must be provided with written documentation that funding and management of the conservation area (items 3-8 above) will be provided in perpetuity.

3. Weed Control. Weeds and other plants that are not native to the conservation area must be removed at least once a year, or at the discretion of the Service and the California Department of Fish and Game. Mechanical means should be used; herbicides are prohibited unless approved by the Service.

4. Pesticide and Toxicant Control. Measures must be taken to insure that no pesticides, herbicides, fertilizers, or other chemical agents enter the conservation area. No spraying of these agents must be done within one 100 feet of the area, or if they have the potential to drift, flow, or be washed into the area in the opinion of biologists or law enforcement personnel from the Service or the California Department of Fish and Game.

5. Litter Control. No dumping of trash or other material may occur within the conservation area. Any trash or other foreign material found deposited within the conservation area must be removed within 10 working days of discovery.

6. Fencing. Permanent fencing must be placed completely around the conservation area to prevent unauthorized entry by off-road vehicles, equestrians, and other parties that might damage or destroy the habitat of the beetle, unless approved by the Service. The applicant must receive written approval from the Service that the fencing is acceptable prior to initiation of the conservation program. The fence must be maintained in perpetuity, and must be repaired/replaced within 10 working days if it is found to be damaged. Some conservation areas may be made available to the public for appropriate recreational and educational opportunities with written approval from the Service. In these cases appropriate fencing and signs informing the public of the beetle's threatened status and its natural history and ecology should be used and maintained in perpetuity.

7. Signs. A minimum of two prominent signs must be placed and maintained in perpetuity at the conservation area, unless otherwise approved by the Service. The signs should note that the site is habitat of the federally threatened valley elderberry longhorn beetle and, if appropriate, include information on the beetle's natural history and ecology. The signs must be approved by the Service. The signs must be repaired or replaced within 10 working days if they are found to be damaged or destroyed.

MONITORING

The population of valley elderberry longhorn beetles, the general condition of the conservation area, and the condition of the elderberry and associated native plantings in the conservation area must be monitored over a period of either ten (10) consecutive years or for seven (7) years over a 15-year period. The applicant may elect either 10 years of monitoring, with surveys and reports every year; or 15 years of monitoring, with surveys and reports on years 1, 2, 3, 5, 7, 10, and 15. The conservation plan provided by the applicant must state which monitoring schedule will be followed. No change in monitoring schedule will be accepted after the project is initiated. If conservation planting is done in stages (i.e., not all planting is implemented in the same time period), each stage of conservation planting will have a different start date for the required monitoring time.

Surveys. In any survey year, a minimum of two site visits between February 14 and June 30 of each year must be made by a qualified biologist. Surveys must include:

1. A population census of the adult beetles, including the number of beetles observed, their condition, behavior, and their precise locations. Visual counts must be used; mark-recapture or other methods involving handling or harassment must not be used.

2. A census of beetle exit holes in elderberry stems, noting their precise locations and estimated ages.

3. An evaluation of the elderberry plants and associated native plants on the site, and on the conservation area, if disjunct, including the number of plants, their size and condition.

4. An evaluation of the adequacy of the fencing, signs, and weed control efforts in the avoidance and conservation areas.

5. A general assessment of the habitat, including any real or potential threats to the beetle and its host plants, such as erosion, fire, excessive grazing, off-road vehicle use, vandalism, excessive weed growth, etc.

The materials and methods to be used in the monitoring studies must be reviewed and approved by the Service. All appropriate Federal permits must be obtained prior to initiating the field studies.

Reports. A written report, presenting and analyzing the data from the project monitoring, must be prepared by a qualified biologist in each of the years in which a monitoring survey is required. Copies of the report must be submitted by December 31 of the same year to the Service (Chief of Endangered Species, Sacramento Fish and Wildlife Office), and the Department of Fish and Game (Supervisor, Environmental Services, Department of Fish and Game, 1416 Ninth Street, Sacramento, California 95814; and Staff Zoologist, California Natural Diversity Data Base, Department of Fish and Game, 1220 S Street, Sacramento, California 95814). The report must explicitly address the status and progress of the transplanted and planted elderberry and associated native plants and trees, as well as

any failings of the conservation plan and the steps taken to correct them. Any observations of beetles or fresh exit holes must be noted. Copies of original field notes, raw data, and photographs of the conservation area must be included with the report. A vicinity map of the site and maps showing where the individual adult beetles and exit holes were observed must be included. For the elderberry and associated native plants, the survival rate, condition, and size of the plants must be analyzed. Real and likely future threats must be addressed along with suggested remedies and preventative measures (e.g. limiting public access, more frequent removal of invasive non-native vegetation, etc.).

A copy of each monitoring report, along with the original field notes, photographs, correspondence, and all other pertinent material, should be deposited at the California Academy of Sciences (Librarian, California Academy of Sciences, Golden Gate Park, San Francisco, CA 94118) by December 31 of the year that monitoring is done and the report is prepared. The Service's Sacramento Fish and Wildlife Office should be provided with a copy of the receipt from the Academy library acknowledging receipt of the material, or the library catalog number assigned to it.

Access. Biologists and law enforcement personnel from the California Department of Fish and Game and the Service must be given complete access to the project site to monitor transplanting activities. Personnel from both these agencies must be given complete access to the project and the conservation area to monitor the beetle and its habitat in perpetuity.

SUCCESS CRITERIA

A minimum survival rate of at least 60 percent of the elderberry plants and 60 percent of the associated native plants must be maintained throughout the monitoring period. Within one year of discovery that survival has dropped below 60 percent, the applicant must replace failed plantings to bring survival above this level. The Service will make any determination as to the applicant's replacement responsibilities arising from circumstances beyond its control, such as plants damaged or killed as a result of severe flooding or vandalism.

SERVICE CONTACT

These guidelines were prepared by the Endangered Species Division of the Service's Sacramento Fish and Wildlife Office. If you have questions regarding these guidelines or to request a copy of the most recent guidelines, telephone (916) 414-6600, or write to:

U.S. Fish and Wildlife Service
Ecological Services
2800 Cottage Way, W-2605
Sacramento, CA 95825

LITERATURE CITED

Barr, C. B. 1991. The distribution, habitat, and status of the valley elderberry longhorn beetle *Desmocerus californicus dimorphus*. U.S. Fish and Wildlife Service; Sacramento, California.

Holland, R.F. 1986. Preliminary descriptions of the terrestrial natural communities of California. Unpublished Report. State of California, The Resources Agency, Department of Fish and Game, Natural Heritage Division, Sacramento, California.

USFWS. 1980. Listing the valley elderberry longhorn beetle as a threatened species with critical habitat. Federal Register 45:52803-52807.

USFWS. 1984. Recovery plan for the valley elderberry longhorn beetle. U.S. Fish and Wildlife Service, Endangered Species Program; Portland, Oregon.

Figure 1: Range of the Valley Elderberry Longhorn Beetle

Table 1: Minimization ratios based on location (riparian vs. non-riparian), stem diameter of affected elderberry plants at ground level, and presence or absence of exit holes.

Location	Stems (maximum diameter at ground level)	Exit Holes on Shrub Y/N (quantify)[1]	Elderberry Seedling Ratio[2]	Associated Native Plant Ratio[3]
non-riparian	stems ≥ 1" & ≤ 3"	No:	1:1	1:1
		Yes:	2:1	2:1
non-riparian	stems > 3" & < 5"	No:	2:1	1:1
		Yes:	4:1	2:1
non-riparian	stems ≥ 5"	No:	3:1	1:1
		Yes:	6:1	2:1
riparian	stems ≥ 1" & ≤ 3"	No:	2:1	1:1
		Yes:	4:1	2:1
riparian	stems > 3" & < 5"	No:	3:1	1:1
		Yes:	6:1	2:1
riparian	stems ≥ 5"	No:	4:1	1:1
		Yes:	8:1	2:1

[1] All stems measuring one inch or greater in diameter at ground level on a single shrub are considered occupied when exit holes are present anywhere on the shrub.

[2] Ratios in the *Elderberry Seedling Ratio* column correspond to the number of cuttings or seedlings to be planted per elderberry stem (one inch or greater in diameter at ground level) affected by a project.

[3] Ratios in the *Associated Native Plant Ratio* column correspond to the number of associated native species to be planted per elderberry (seedling or cutting) planted.

APPENDIX G. LETTER FROM CALIFORNIA OFFICE OF HISTORIC PRESERVATION DATED OCTOBER 10, 2000

STATE OF CALIFORNIA – THE RESOURCES AGENCY

P33722

GRAY DAVIS, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@mail2.quiknet.com

Phase II

October 10, 2000

REPLY TO: FHWA000908C

Michael G. Ritchie, Division Administrator
Federal Highway Administration
California Division
980 Ninth Street, Suite 400
SACRAMENTO CA 95814-2724

Re: Dry Creek Bicycle Path, Roseville, Placer County.

Dear Mr. Ritchie:

Thank you for submitting to our office your September 6, 2000 letter and Historic Property Survey Report (HPSR) regarding the proposed construction of a bikeway along the Dry Creek corridor in the City of Roseville, Placer County. The project is sponsored by the City of Roseville, the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA). The project will involve the construction of Class I and Class III bikeways, either as off-street facilities along Dry Creek or along a combination of on- and off-street routes within and adjacent to the creekbed and terraces. The project would require the acquisition of new right-of –way, and construction activities would include grading and bridge construction. The project Area of Potential Effects (APE), as identified in the HPSR, appears adequate and meets the definition set forth as guidance in 36 CFR 800.16(d).

FHWA is seeking our comments on its determination of the eligibility of six (6) properties identified within the project APE for inclusion on the National Register of Historic Places (NRHP) in accordance with guidance set forth in 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act. FHWA is also seeking our comments on the effects the proposed project will have on historic properties in accordance with guidance set forth in 36 CFR 800. Our review of the submitted HPSR leads us to concur with FHWA's determination that none of the aforementioned properties is eligible for inclusion on the NRHP under any of the criteria established by 36 CFR 60.4. The properties have no strong associations with significant historical events or persons, and are not examples of outstanding architectural or engineering design or function. Our review of the submitted HPSR also leads us to concur with FHWA's determination that the proposed project, as described, will have no effect on historic properties.

Thank you again for seeking our comments on your project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902.

Sincerely,

M Greenberg for

Daniel Abeyta, Acting
State Historic Preservation Officer

RECEIVED
OCT 20 2000
FHWA-Sacramento

APPENDIX H. CATEGORICAL EXCLUSION DATED MAY 21, 2003

CATEGORICAL EXEMPTION
CATEGORICAL EXCLUSION/PROGRAMMATIC CATEGORICAL EXCLUSION DETERMINATION FORM

City of Roseville	Dry Creek between Harding Blvd. and Royer Park	CML-1582(6)
Local Agency	Location	Project Number

PROJECT DESCRIPTION: (Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved)

The Harding Boulevard to Royer Park Bikeway project is a proposal by the Roseville Public Works Department to construct approximately 1 mile of Class I bike trail along the north side of Dry Creek in the City of Roseville. This infill trail segment would include a 10-foot paved section and 1-foot shoulders. Connecting ramps and grade-separated crossings would be provided at Harding Boulevard and Folsom Road. An at grade crossing and connecting ramps would be provided at Lincoln Street.

CEQA COMPLIANCE *(for State Projects only)*

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

~~CALTRANS CEQA DETERMINATION~~

☐ **Exempt by Statute** ~~(PRC 21080)~~

Based on an examination of this ~~proposal, supporting~~ information, and the ~~above statements~~, the project is:

☐ **Categorically Exempt.** Class ___, or **General ~~Rule exemption~~** (This project does not fall within an exempt class, but it can be seen with certainty that there is no ~~possibility that the~~ activity ~~may have a significant~~ effect on the environment [CCR 15061(b)(3)])

Signature: Environmental Office Chief	Date	Signature: Project Manager	Date

NEPA COMPLIANCE (23 CFR 771.117)

Based on an examination of this proposal, supporting information, and the following statements.

- This project does not have a significant impact on the environment as defined by the NEPA.
- This project does not involve substantial controversy on environmental grounds.
- This project does not involve significant impacts on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act.
- In non-attainment or maintenance areas for Federal air quality standards: this project comes from a currently conforming plan and Transportation Improvement Program or is exempt from regional conformity.
- This project is consistent with all Federal, State, & local laws, requirements or administrative determinations relating to the environmental aspects of this action.

CALTRANS NEPA DETERMINATION

Based on an examination of this proposal, supporting information, and the statements above under "NEPA Compliance", it is determined that the project is a:

☐ **PROGRAMMATIC CATEGORICAL EXCLUSION (PCE):** Based on the evaluation of this project and supporting documentation in the project files, all the conditions of the September 7, 1990 Programmatic Categorical Exclusion have been met.

☒ **CATEGORICAL EXCLUSION (CE):** For actions that do not individually or cumulatively have a significant environmental effect and are excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Require FHWA determination.

Signature: Environmental Office Chief	Date	Signature: Project Manager/DLA Engineer	Date
Jeffrey M. Landon	5/14/03	[illegible]	5/13/03

FHWA DETERMINATION

Based on the evaluation of this project and the statements above, it is determined that the project meets the criteria of and is properly classified as a Categorical Exclusion (CE).

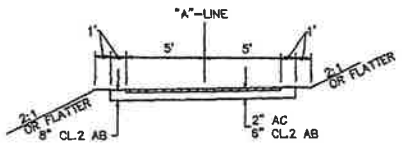
Signature: FHWA Transportation Engineer	Date
[illegible]	5-21-03

APPENDIX I. PRELIMINARY DESIGN PLANS

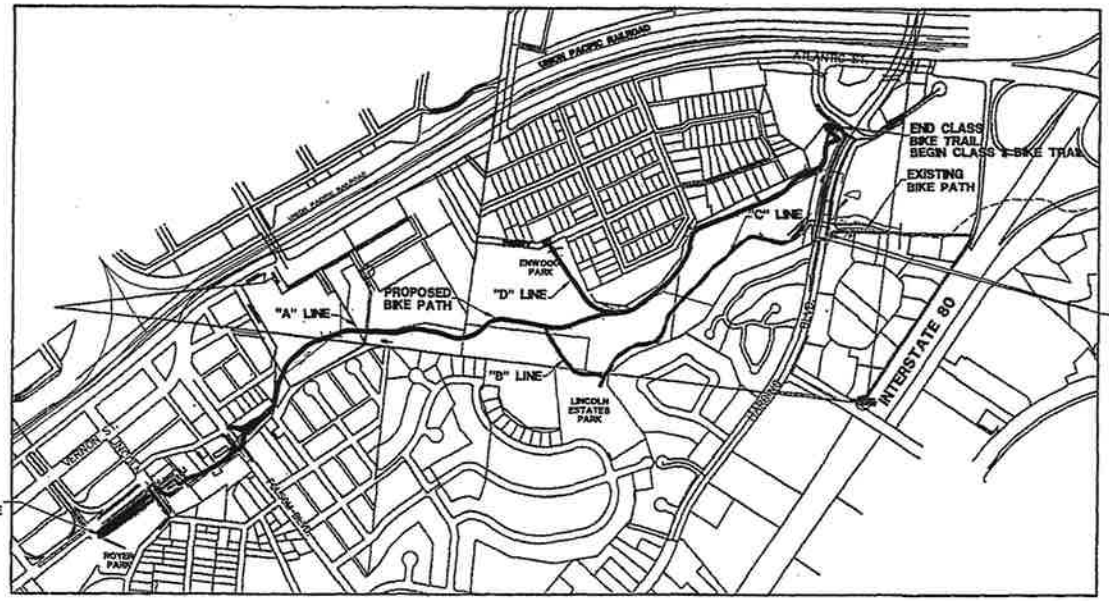
HARDING BLVD. TO ROYER PARK BIKE TRAIL
PRELIMINARY CONCEPT PLANS
CITY OF ROSEVILLE

SHEET INDEX	SHEET NUMBER
TITLE SHEET/TYPICAL SECTION	1
LAYOUTS	2 – 6
PROFILES	7 – 11

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS



CLASS I BIKE TRAIL
TYPICAL SECTION
(NO SCALE)



GRAPHIC SCALE
400 0 200 400 800 1600
(IN FEET)
1 inch = 400 ft.

CITY OF ROSEVILLE UTILITY REPRESENTATIVES			
CONTACT	UTILITY	REPRESENTATIVES	PHONE
–	U.S.A.	U.S.A.	800-642-2444
CHUCK WILLIAMS	TELEPHONE	ROSEVILLE TELEPHONE	786-1195
SCOTT STICKEL	GAS	PACIFIC GAS & ELECTRIC	(530) 889-3145
RICK CORRAL	ELECTRIC	CITY OF ROSEVILLE	774-5616
RAUL CERVANTES	ENGINEERING	CITY OF ROSEVILLE	774-5339
–	POLICE	CITY OF ROSEVILLE	774-5100
–	FIRE	ROSEVILLE FIRE DEPT.	774-5805
ED KREIZ	WATER	CITY OF ROSEVILLE	774-5758
ART O'BRIEN	SEWER	CITY OF ROSEVILLE	774-5750
ANDREW KOTZ	CABLE T.V.	COMCAST CABLE	648-8350

DESIGN CRITERIA (1992 CALTRANS HIGHWAY DESIGN MANUAL CHAPTER 1000 UPDATED FEBRUARY 13, 1995)

SPEED : 25 MPH UNLESS OTHERWISE NOTED
MINIMUM RADIUS : 155' UNLESS OTHERWISE NOTED
MAXIMUM SLOPE : 8% UNLESS OTHERWISE NOTED
BIKEPATH CROSS SLOPE : 2%
WIDTH : 10' WITH 1' SHOULDER EACH SIDE

LEGEND

— — — ℄ OF BIKE TRAIL–10' WIDE W/1' SHOULDER
EL.165 FINISH GRADE ELEVATION OF BIKE PATH
R=65' RADII OF BIKE PATH CENTERLINE
— — — ALTERNATE ALIGNMENT

NOTES:

1. ORIGINAL FIELD SURVEYS WERE COMPLETED BETWEEN NOVEMBER 1994 AND JULY 1995. ADDITIONAL FIELD SURVEY WAS COMPLETED IN JULY 2000.
2. ALL PROPERTY LINES SHOWN ARE APPROXIMATE AND NEED TO BE VERIFIED BY FIELD SURVEY.

NO.	REVISIONS	BY	DATE
4			
3			
2			
1			
0	UPDATES TO PROJECT	CHR	8/00
1	UPDATES TO PROJECT	CHR	10/97

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR
DRAWN BY : NGK, MB
CHECKED BY : CHR
SCALE : N/A
DATE : 8/21/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER No. Exp. CIVIL STATE OF CALIFORNIA

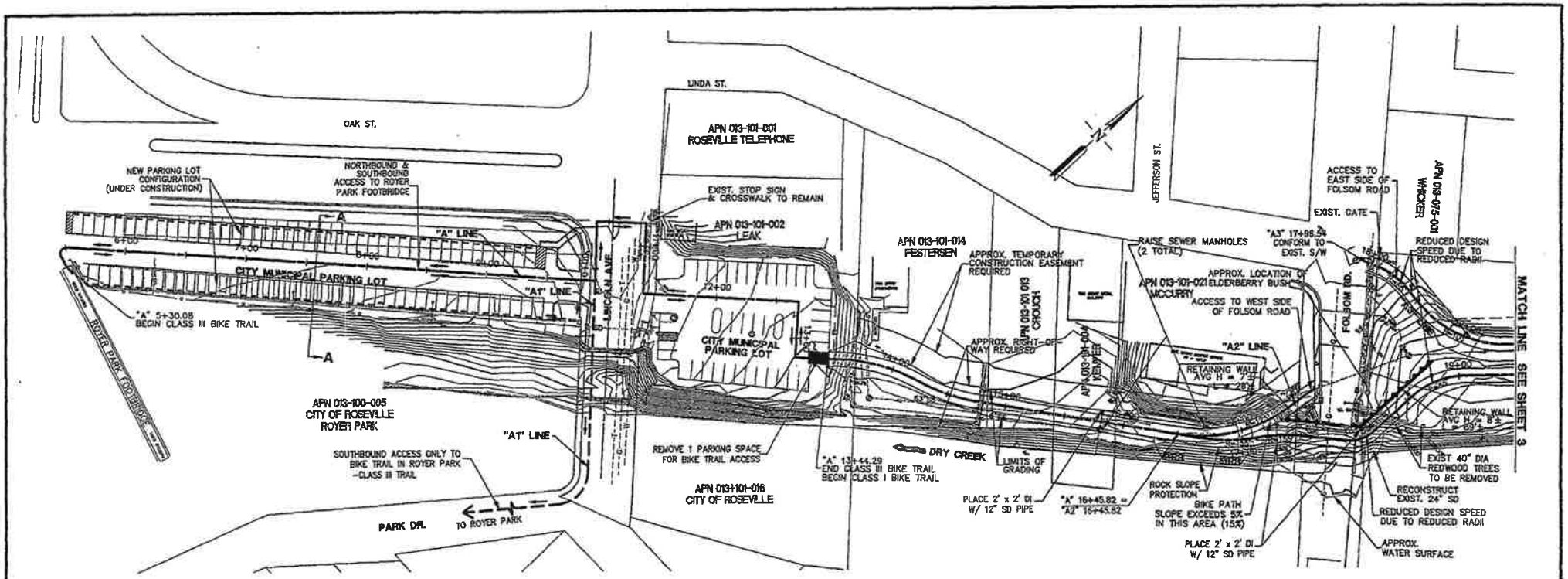
URS
ENGINEERING • PLANNING • SURVEYING
1380 LEAD HILL BLVD, SUITE 100
ROSEVILLE, CA 95661 (916) 784-3900

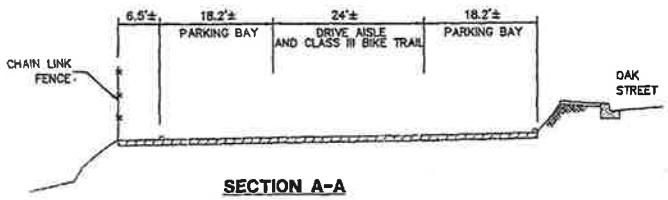
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
TITLE SHEET

CITY OF ROSEVILLE CALIFORNIA

1 of





SECTION A-A
CITY MUNICIPAL PARKING LOT
NO SCALE

RIGHT-OF-WAY AND EASEMENT ACQUISITION TABLE

PARCEL	SHEET NO.	FEE ACQUISITION (SF)	TEMPORARY CONSTRUCTION EASEMENT (SF)
013-101-004	2	3325	2425
013-101-013	2	1475	1150
013-101-014	2	5375	3425
013-101-021	2	5875	3250
013-075-012	3	25	1550
013-062-009	3	11600	23200
013-063-004	3	3175	1525
TOTAL		30850	36525

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

NO.	REVISIONS	BY	DATE
4			
3			
2			
1			
4	UPDATES TO PROJECT	CHR	8/00
1	UPDATES TO PROJECT	CHR	10/97

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR
DRAWN BY : NGK, MB
CHECKED BY : CHR
SCALE : 1"=40'
DATE : 8/21/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER No. Exp. CIVIL STATE OF CALIFORNIA

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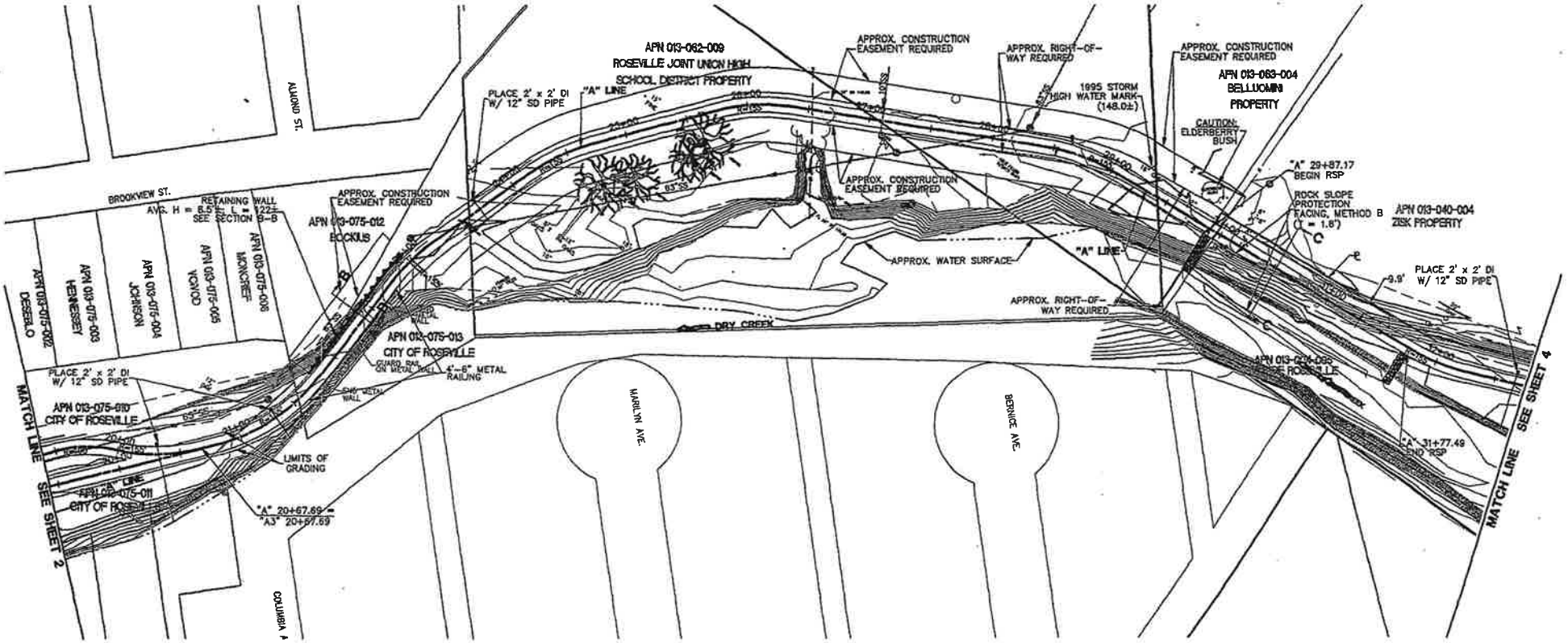
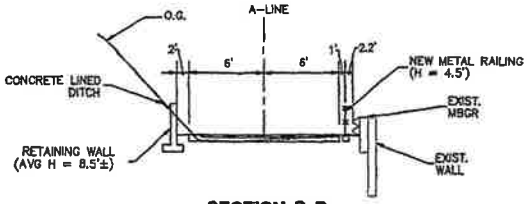
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
OFF STREET ALIGNMENT
ROYER PARK TO FOLSOM ROAD
CITY OF ROSEVILLE CALIFORNIA

2 OF 11





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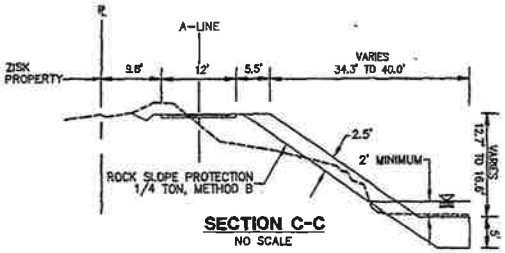

SECTION C-C
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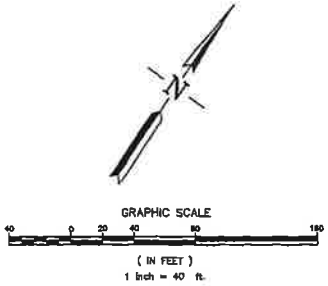

NO.	REVISIONS	BY	DATE
1			
2			
3			
4			
5			
6	UPDATES TO PROJECT	CHR	8/00
7	UPDATES TO PROJECT	CHR	10/97

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : 1"=40'
DATE : 12/01/00
PROJ NO. : N300007076

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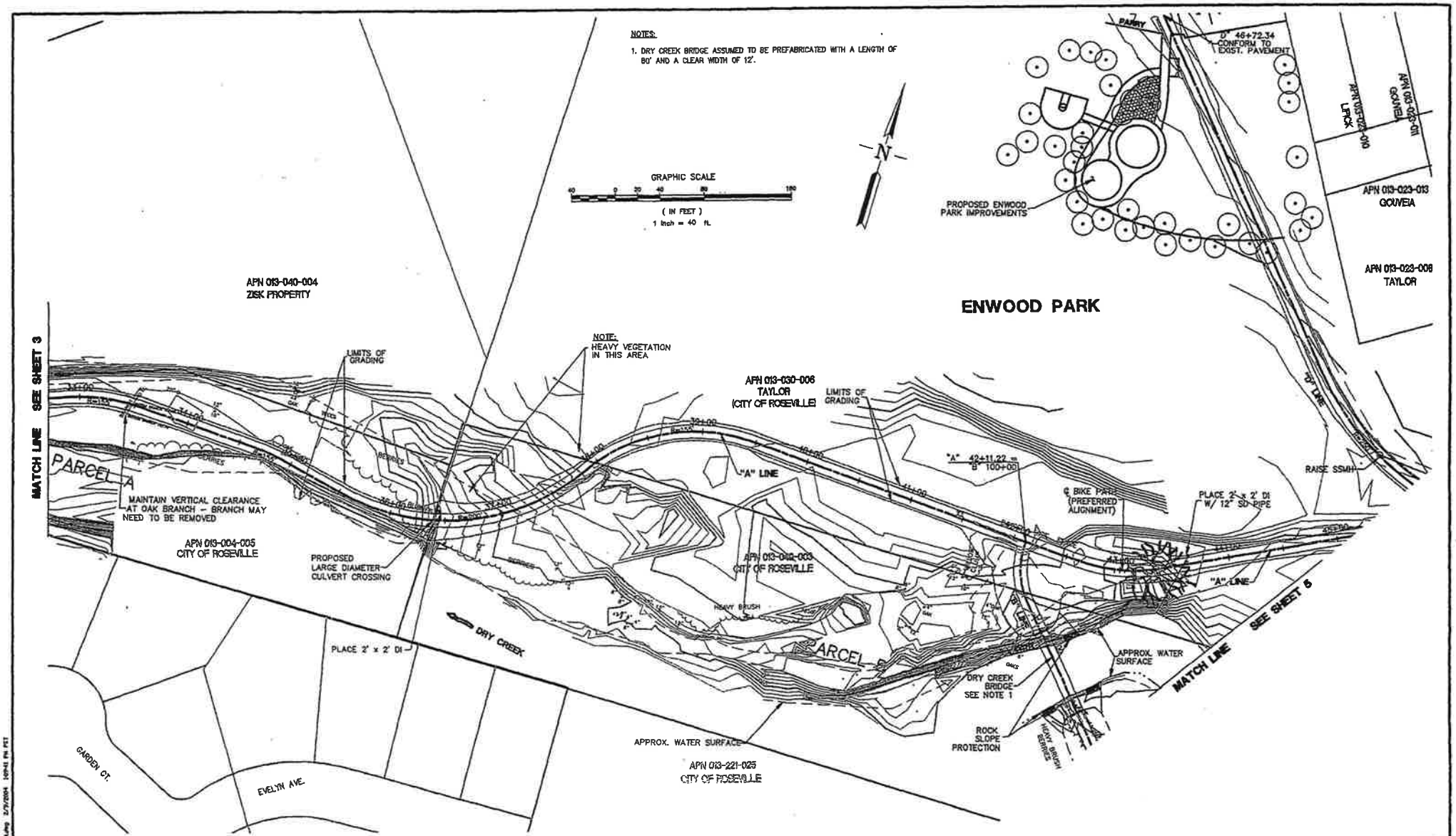
CITY OF ROSEVILLE
TRADITION-PRIDE-PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
OFF-STREET ALIGNMENT
FOLSOM ROAD TO ZISK PROPERTY
CITY OF ROSEVILLE CALIFORNIA

3 OF 11



NO.	REVISIONS	BY	DATE
2	UPDATES TO PROJECT	CHR	8/00
1	UPDATES TO PROJECT	CHR	10/97

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : 1"=40'
DATE : 12/01/00
PROJ NO. : H300007076

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PLANS APPROVAL DATE

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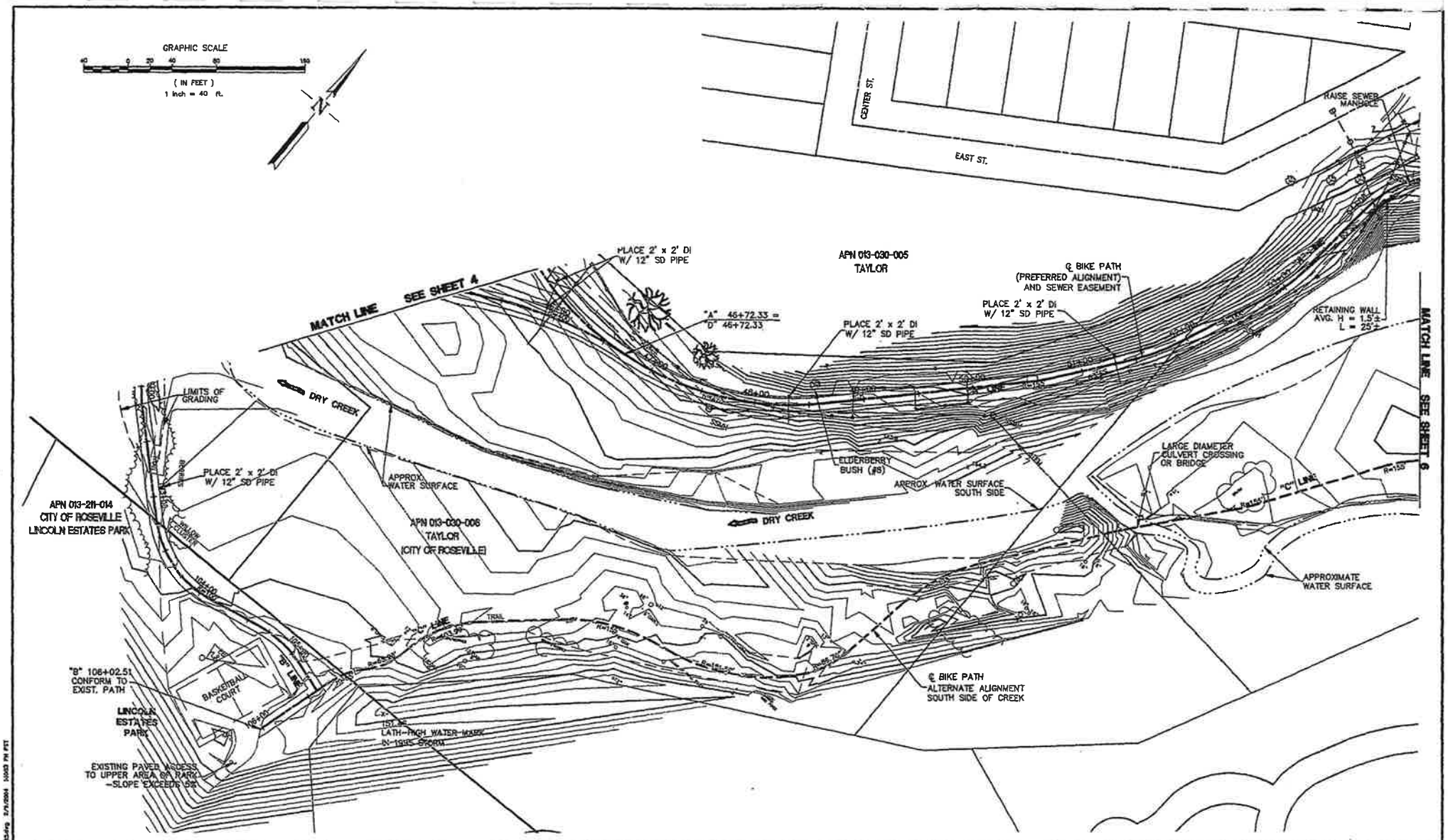
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
OFF-STREET ALIGNMENT
ZISK PROPERTY TO ENWOOD PARK
CITY OF ROSEVILLE CALIFORNIA

4 of 11



NO.	REVISIONS	BY	DATE
1			
2			
3			
4			
5			
6	UPDATES TO PROJECT	CHR	8/00
7	UPDATES TO PROJECT	CHR	10/97

BENCH MARK
ELEVATION _____ DATUM _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : 1"=40'
DATE : 12/01/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA

URS
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ROSEVILLE, CA 95661 (916) 784-3900

CITY OF ROSEVILLE
TRADITION-PRIDE-PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL

CONCEPT PLANS
OFF-STREET ALIGNMENT
ENWOOD PARK TO EAST STREET

CITY OF ROSEVILLE CALIFORNIA

5 of 11

NOTE:

1. ANTELOPE CREEK BRIDGE ASSUMED TO BE PREFABRICATED WITH A LENGTH OF 53'± AND A CLEAR WIDTH OF 12'.

NO.	REVISIONS	BY	DATE
2	UPDATES TO PROJECT	CHR	8/00
1	UPDATES TO PROJECT	CHR	10/97

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : 1"=40'
DATE : 12/01/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

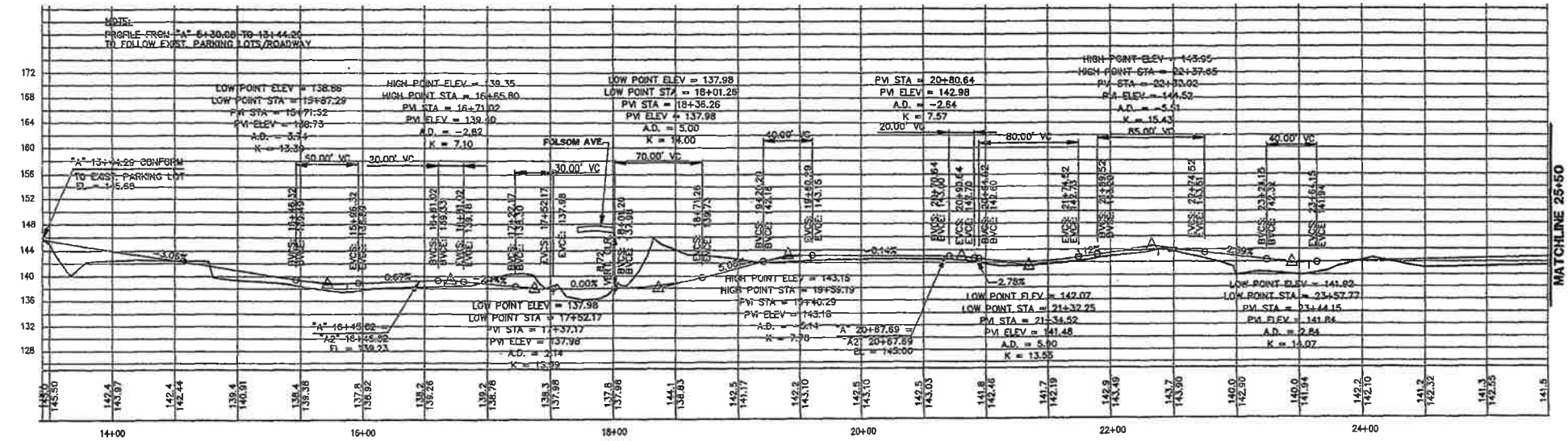
REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA

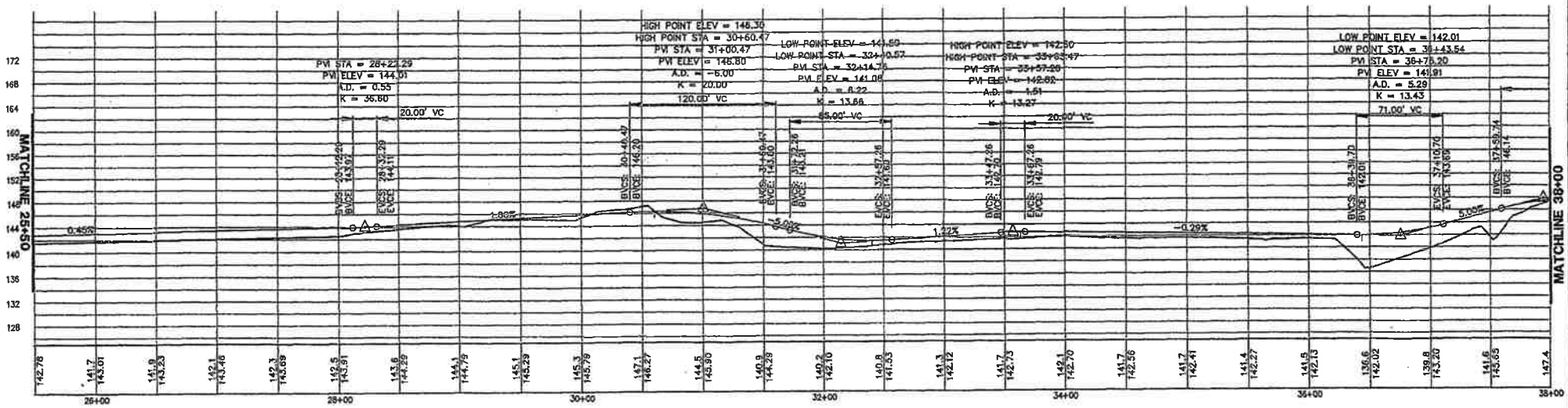
URS
ENGINEERING • PLANNING • SURVEYING
1380 LEAD HILL BLVD, SUITE 100
ROSEVILLE, CA 95661 (916) 784-3900

CITY OF ROSEVILLE
TRADITION·PRIDE·PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
OFF-STREET ALIGNMENT
EAST STREET TO HARDING BLVD.
CITY OF ROSEVILLE CALIFORNIA

6 of 11





NO.	REVISIONS	BY	DATE

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : H:1"=40', V: 1"=4'
DATE : 12/01/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — STATE OF CALIFORNIA

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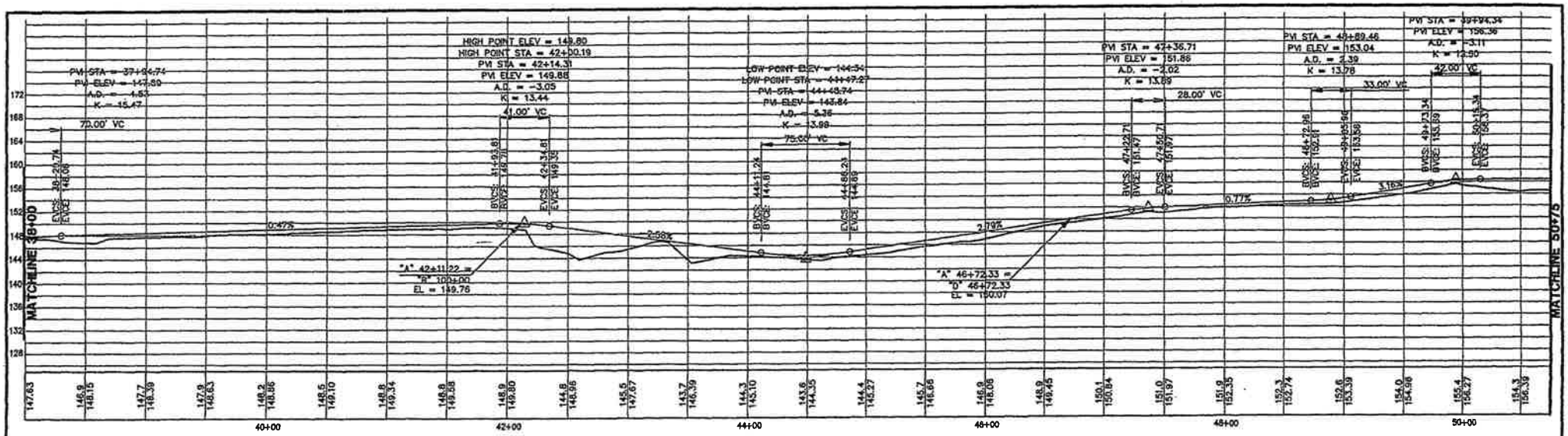
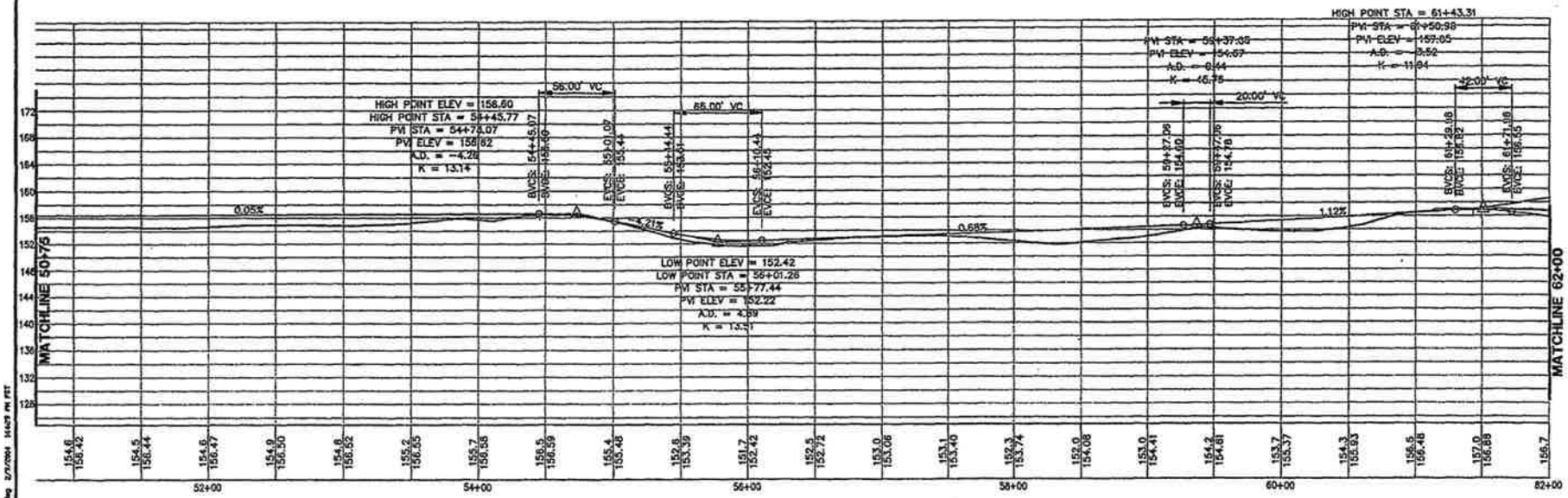
ROSEVILLE, CA 95661 (916) 794-3900

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
"A" LINE PROFILE
STA 13+44.29 TO 38+00
CITY OF ROSEVILLE CALIFORNIA

7 of 11





NO.	REVISIONS	BY	DATE

BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : H: 1"=40', V: 1"=4'
DATE : 12/01/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — CIVIL — STATE OF CALIFORNIA

URS
ENGINEERING • PLANNING • SURVEYING
1350 LEAD HILL BLVD. SUITE 100
ROSEVILLE, CA 95661 (916) 784-3900

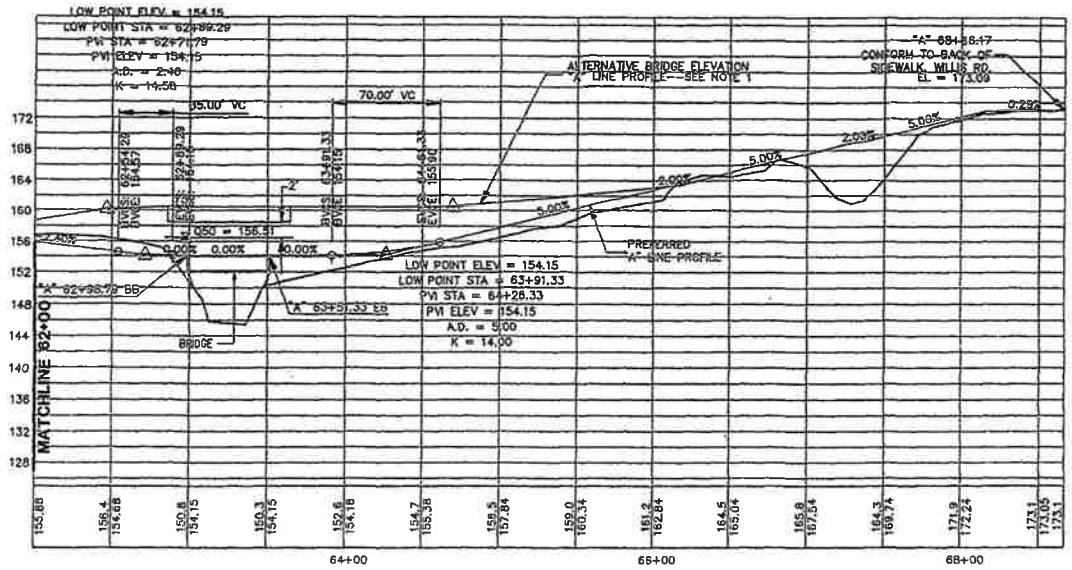
CITY OF ROSEVILLE
TRADITION-PRIDE-PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL

CONCEPT PLANS
"A" LINE PROFILE
STA 38+00 TO 62+00

CITY OF ROSEVILLE CALIFORNIA

8 of 11



NOTES:

1. ALTERNATIVE BRIDGE PROFILE MEETS CALTRANS REQUIREMENTS FOR BRIDGE SOFFIT TWO FEET ABOVE Q50 WATER SURFACE ELEVATION.

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BENCH MARK
ELEVATION _____ DATUM _____
DESCRIPTION _____

DESIGN BY : CHR, MB
DRAWN BY : MB
CHECKED BY : CHR
SCALE : H: 1"=40', V: 1"=4'
DATE : 12/01/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER

REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA

PLANS APPROVAL DATE

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1360 LEAD HILL BLVD. SUITE 100
ROSEVILLE, CA 95661 (916) 784-3900

CITY OF ROSEVILLE
TRADITION-PRIDE-PROGRESS

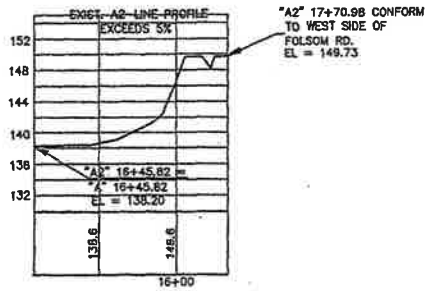
HARDING BLVD. TO ROYER PARK BIKE TRAIL

"A" LINE PROFILE
STA 62+00 TO 68+66.17
STA 62+00 TO 68+66.17

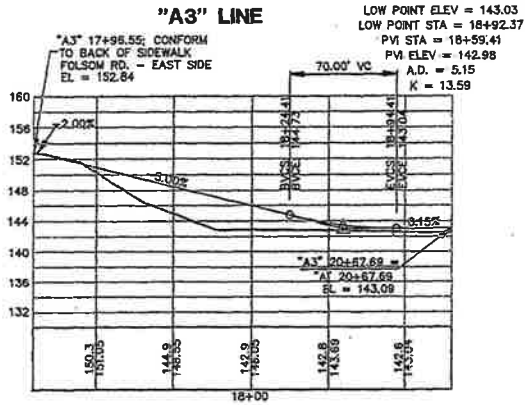
CITY OF ROSEVILLE CALIFORNIA

9 of 11

"A2" LINE



"A3" LINE



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BENCH MARK
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DRAWN BY : MB
CHECKED BY : CHR
SCALE : H: 1"=40', V: 1"=4'
DATE : 12/01/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — CIVIL — STATE OF CALIFORNIA

URS
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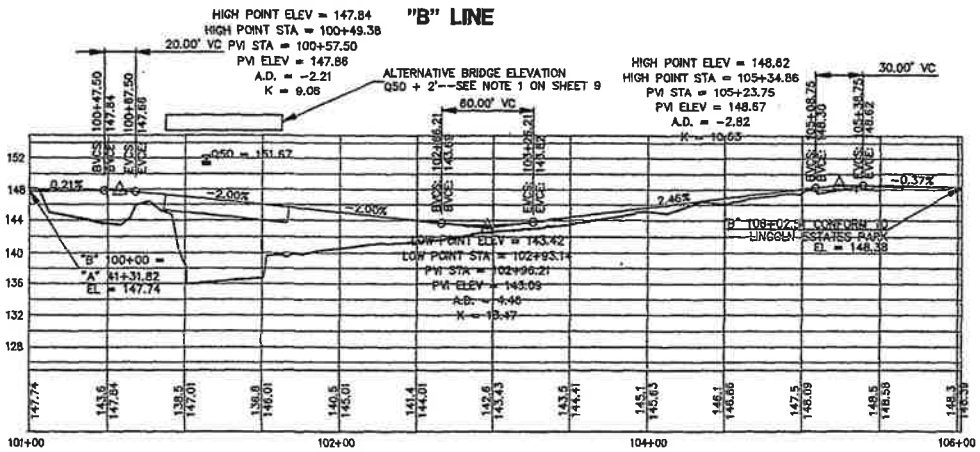
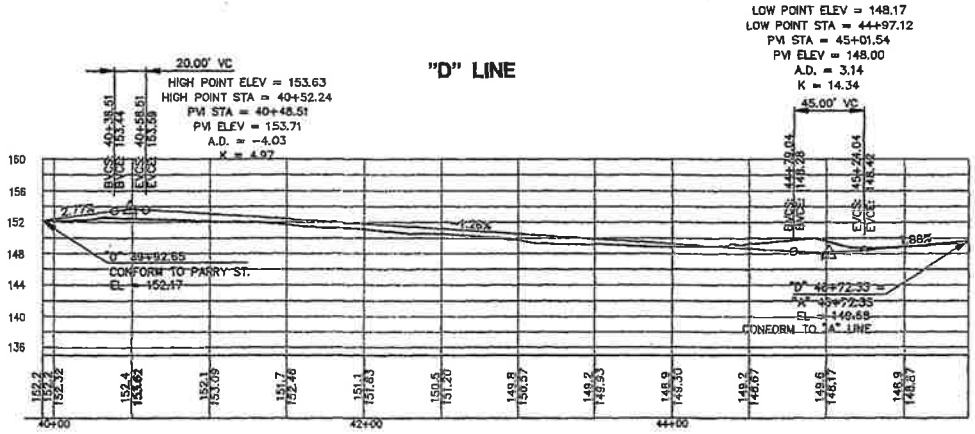
1380 LEAD HILL BLVD, SUITE 100
ROSEVILLE, CA 95661 (916) 784-9900

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
"A2" LINE & "A3" LINE PROFILES
CITY OF ROSEVILLE CALIFORNIA





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BENCH MARK
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DESIGN BY : CHR, MB
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PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA

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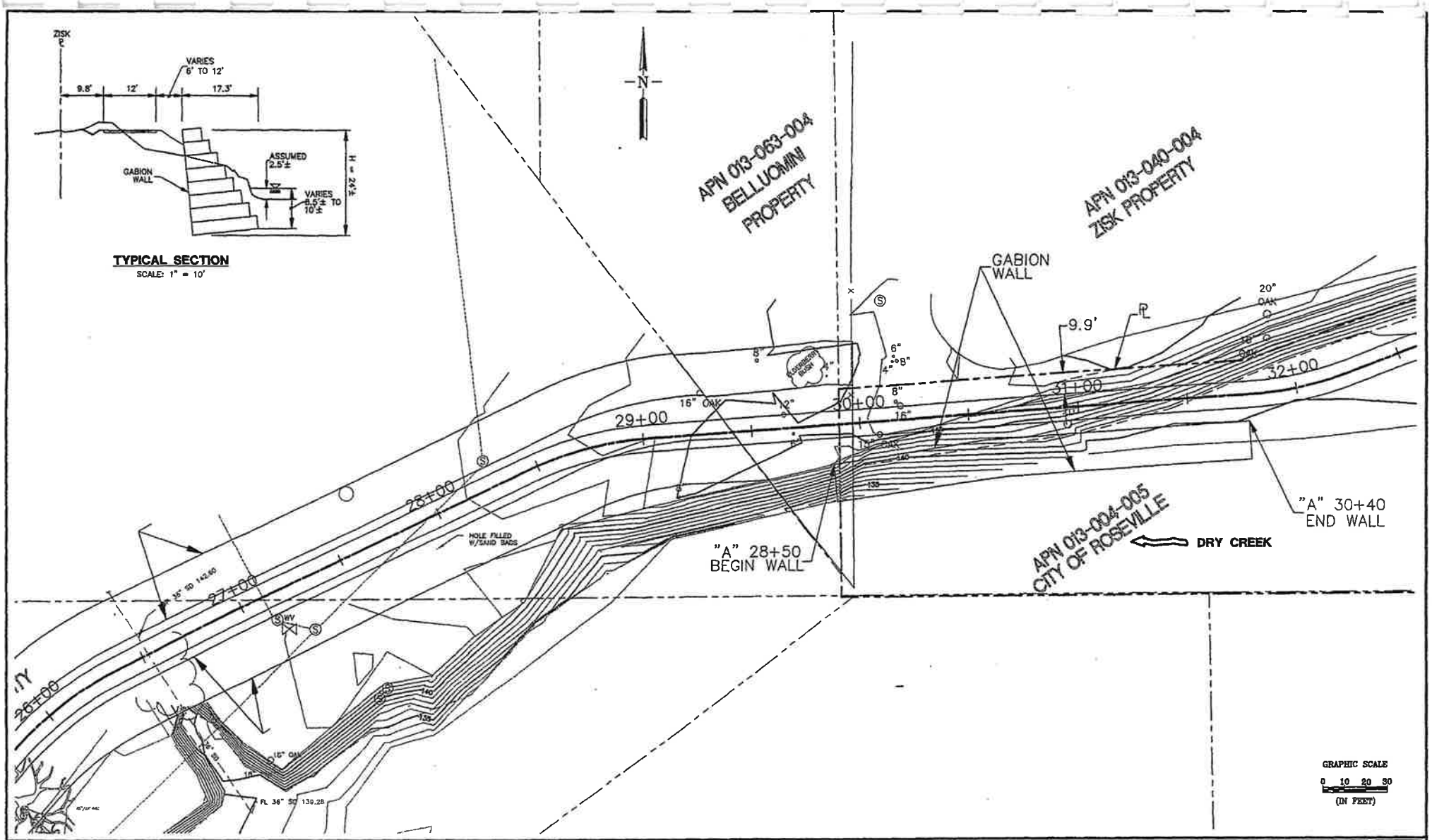
ROSEVILLE, CA 95661 (916) 784-3900

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL
CONCEPT PLANS
"B" LINE & "D" LINE PROFILES
CITY OF ROSEVILLE CALIFORNIA

11 of 11



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BENCH MARK
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SCALE : 1"=20'
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PROJ NO. : H300007076

SR. PROJECT ENGINEER

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — No. — Exp. — CIVIL — STATE OF CALIFORNIA

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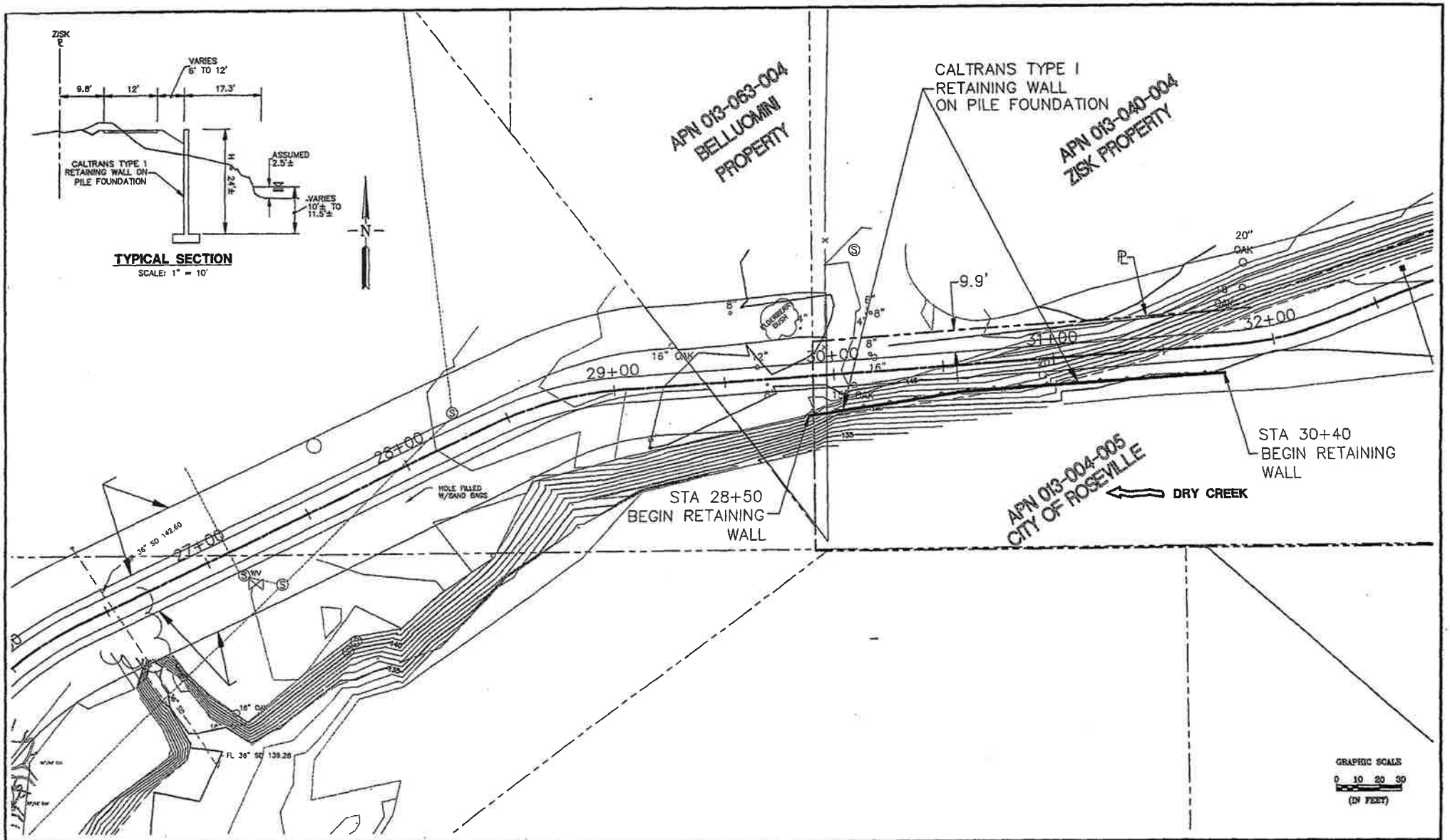
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL

DESIGN VARIATION 1
GABION WALL

CITY OF ROSEVILLE CALIFORNIA

1 of 4



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BENCH MARK
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SCALE : 1"=20'
DATE : 10/11/00
PROJ NO. : H300007076

SR. PROJECT ENGINEER
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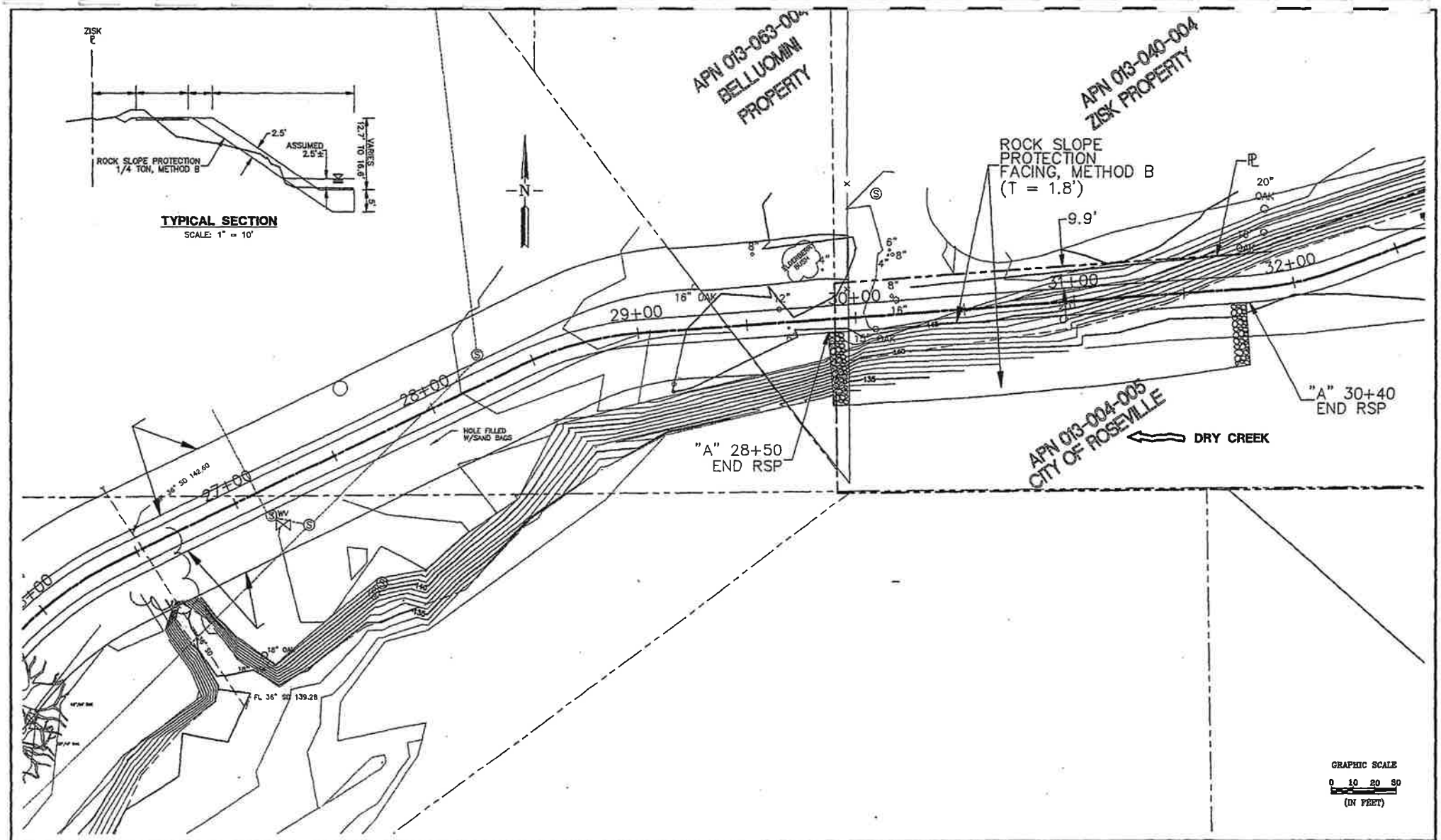
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL

DESIGN VARIATION 2
GABION WALL

CITY OF ROSEVILLE CALIFORNIA

2 OF 4



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PROJ NO. : H300007076

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER No. Exp. STATE OF CALIFORNIA

URS
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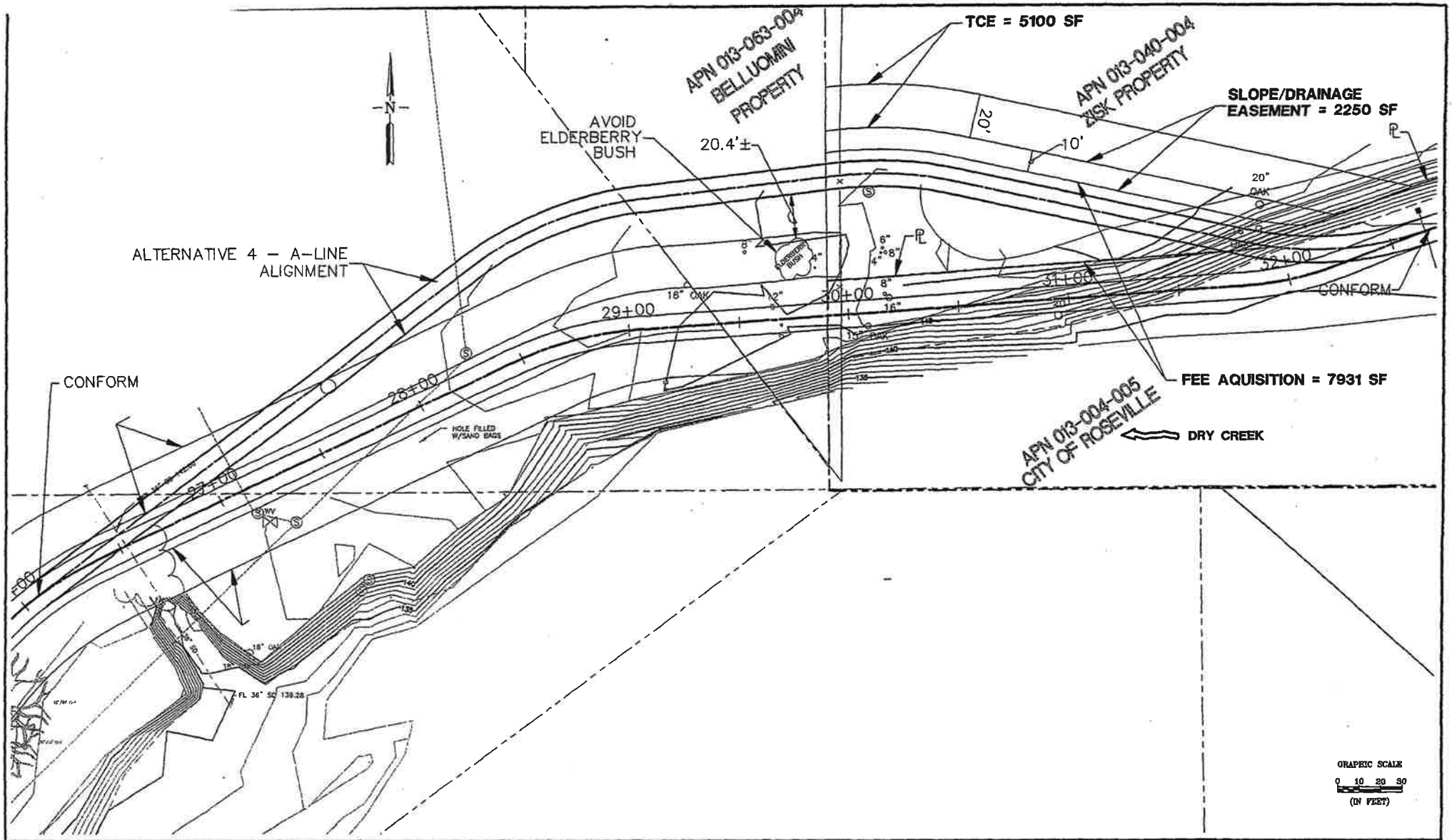
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL

DESIGN VARIATION 3
GABION WALL

CITY OF ROSEVILLE CALIFORNIA

3 of 4



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BENCH MARK
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CHECKED BY : CHR
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DATE : 10/11/00
PROJ NO. : H30000707G

SR. PROJECT ENGINEER
PLANS APPROVAL DATE

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CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

HARDING BLVD. TO ROYER PARK BIKE TRAIL

DESIGN VARIATION 4
GABION WALL

CITY OF ROSEVILLE CALIFORNIA

4 OF 4

APPENDIX J. MITIGATION MONITORING PLAN

Mitigation Monitoring Plan

The City of Roseville, as the lead agency under the California Environmental Quality Act (CEQA), has developed a mitigation monitoring plan (MMP) for the Harding Boulevard to Royer Park Bikeway Project. This MMP is designed to ensure that the mitigation measures identified in the environmental impact report for the project are implemented.

Table MMP-1 represents the MMP. For each mitigation measure, Table MMP-1 identifies:

- the particular entity responsible for implementation,
- the timing of implementation,
- the monitoring agency/entity and monitoring action, and
- a field for sign-off verifying completed implementation.

The City of Roseville (or its designees) is responsible for implementing the measures listed in the MMP.

Table MMP-1. Mitigation Monitoring Plan for the Harding Boulevard to Royer Park Bikeway Project

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Completion Sign-Off Date
GEOLOGY					
BMP EIR MMP [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures. During the design phase of individual Class I bikeway projects, the City shall conduct a site-specific geotechnical study to ensure that bikeways are designed to minimize geologic impacts and erosion impacts on the surrounding habitats and waterways. The geotechnical study shall address, at a minimum, the following issues: • fill control, • expansive soils, • differential settlement, • slope and foundation instability, • streambank protection, and • other significant geologic characteristics pertinent to development of the project site. The study shall provide grading and design recommendations to address potential slope and foundation instability. The study shall also determine which soil types must be tested for shrink-swell potential to identify load-bearing and strength concerns. Requirements of the City's improvement standards shall be implemented. As part of the process for	City Public Works Department	Prior to approval of any grading or improvement plans for a specific Class I bikeway	The Public Works Department, Engineering Division shall review results of all studies and verify that all findings have been incorporated into final plans.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
obtaining a grading permit, the City must prepare a site-specific geotechnical study and improvement or grading plans along with a site-specific erosion and sedimentation control plan. The requirements for submittal of each of these documents are detailed in Section 11, "Grading", of the City's improvement standards and in Chapter 16.20 of the Roseville Municipal Code. An NPDES permit will be required by the SWRCB if grading would affect 1 acre or more on a given bikeway route. If this permit is required, the City shall prepare an SWPPP. The objectives of the SWPPP would be to identify sources of sediment and other pollutants that affect the quality of stormwater discharges and to ensure implementation of practices to reduce sediment and other pollutants in stormwater discharges. The SWPPP must identify source reduction measures such as temporary silt fences, temporary sedimentation basins, mulching, and diversion ditches.					
BMP EIR MMP [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. The City shall comply with the following requirements regarding impacts on stormwater runoff and water quality to minimize impacts on area waterways resulting from bikeway construction: (a) City improvement standards: An erosion control plan shall be prepared and implemented as part of the City's improvement standards. The erosion control plan must contain a description of the project site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls. Improvements must be constructed in compliance with the specifications of the PCFCWCD's Storm Water Management Manual requirements. (b) SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable: If a particular project would disturb more than 1 acre, or after the State of California adopts its revised general construction activity permit, the City will be required to obtain a general construction activity stormwater permit under the NPDES. Under this permit, the City shall prepare an SWPPP that includes compliance with SWRCB best management practices. These practices include schedules of activities, prohibitions of practices, management practices, and maintenance procedures (i.e., straw bales, dikes, silt fences, sediment traps, or similar methods) to prevent or reduce pollution. In areas where the risk of flooding or erosion and sedimentation is found to be high, structural measures could include perimeter controls, diversion channels, sedimentation collection systems, and soil stabilization. Operational measures may include maintaining landscaping to reduce nutrients, pesticides, and insecticides, and conveying stormwater using grassed swales.	City Public Works Department	Before and during construction	The Public Works Department shall prepare and implement an erosion control plan. The Public Works Department shall obtain the required permit, as necessary, from the SWRCB. As part of this process, the City or contractor will prepare a SWPPP and identify appropriate BMPs. The Public Works Department will require in plans and specifications that the contractor implement BMPs, GMPs, and water quality protection measures identified in the SWPPP.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks. The City and its contractors shall comply with improvement standards for preparation and implementation of rough and final grading plans, which would include erosion control measures such as those identified in SWRCB's Storm Water Best Management Practices Handbook. In addition, drainage structures for Class I bikeways along creeks and in open space areas shall be designed so that changes in drainage patterns do not substantially change the overall drainage patterns of the surrounding area.	City Public Works Department	Concurrent with approval of grading / improvement plans or building permit for development in or adjacent to drainages	The Public Works Department shall review design of facilities in floodplain.		
AIR QUALITY					
Mitigation Measure 3.4-1: Comply with each of the mitigation measures recommended by the Placer County Air Pollution Control District for reducing construction-related impacts to the maximum extent possible. The Placer County APCD has recommended implementation of several standard measures that can be used to reduce fugitive dust. These measures include the following: • Water the site twice a day. • Spread soil binders on the site, unpaved roads, and parking areas. • Apply approved cellulose-based soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas that remain undisturbed for 96 hours). • Reestablish ground cover on the construction site through seeding and watering. • Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares. • Reduce traffic speeds on all unpaved road surfaces to 15 miles per hour or less. • Suspend all grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour. • Wash off trucks leaving the site.	City Public Works Department	During construction	The Public Works Department shall monitor implementation of the emissions / dust control plan approved for the project by the Placer County APCD.		
BIOLOGICAL RESOURCES					
Mitigation Measure 3.5-1: Retain an environmental monitor (recommended). The City will retain a biologist to monitor construction activities in sensitive biological resource areas. The biologist will be responsible for determining the placement of orange barrier fencing, maintaining fences, providing environmental briefings to instruct construction crews on impact avoidance measures, ensuring compliance with permit requirements, removing wildlife that enter the construction zone, and providing status reports to the City, permitting agencies, and other resource agencies.	City Public Works and Planning Departments	Before and during construction	The Planning and Public Works Departments shall hire a qualified biological resources specialist to conduct training, monitoring, reporting, and agency coordination related to biological resources affected by the project.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
Mitigation Measure 3.5-2: Minimize impacts on sensitive biological resources during project design. Impacts on riparian forest and scrub habitat and special-status species habitat will be minimized to the extent possible during the project design phase by making minor adjustments to the route to avoid elderberry shrubs, high-quality riparian habitat, and large native trees. A qualified biologist will work with the City environmental staff and project engineer to make minor revisions to the route alignment that will reduce impacts on sensitive biological resources where possible.	City Public Works and Planning Departments	Before construction	The Planning and Public Works Departments shall hire a qualified biological resources specialist to collaborate with City engineering and planning staff during final design.		
Mitigation Measure 3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction. Sensitive biological resources located adjacent to the construction corridor will be protected by placing orange construction barrier fencing or stakes and flags (where appropriate and depending on the type of resource). Adjacent resources that may require protection include oak trees, riparian vegetation, elderberry shrubs, and seasonal wetlands. Staking will be placed at least 25 feet (or, in the case of valley elderberry longhorn beetle, the maximum feasible distance) from the outer dripline of elderberry shrubs. The locations of sensitive resources will be clearly identified on the construction drawings and marked in the field by the environmental monitor. Fencing or other barriers will remain in place until all construction and restoration work that involves heavy equipment is complete. In cases where woody riparian vegetation must be cleared, the vegetation will be trimmed rather than uprooted, where possible, to allow resprouting.	City Public Works and Planning Departments	Before and during construction	The Planning and Public Works Departments shall hire a qualified biological resources specialist to field-locate sensitive biological resources present within the area affected by all project activities. The biological specialist shall conduct or provide direction for placement of protective barriers or markers. The biological specialist shall provide environmental monitoring during construction to ensure protection of identified resources and appropriate trimming of riparian vegetation.		
Mitigation Measure 3.5-4: Compensate for permanent impacts on woody riparian vegetation. The City will compensate for the loss of any riparian habitat by enhancing or replacing similar habitat near Dry Creek in the project area and vicinity. The compensation ratio will be 3:1 (3 acres created or enhanced for every 1 acre removed). This mitigation ratio was established on the basis of communications with DFG (Pereze pers. comm.) and is consistent with the ratio recommended by NMFS. Potential mitigation sites in the Dry Creek and Antelope Creek corridors that could be used to create or enhance riparian habitat include riparian areas that currently support nonnative species (e.g., tree of heaven, Sesbania, and giant reed) that could be removed and replanted with native riparian species,	City Public Works and Planning Departments	Before, during, and after construction	The Planning and Public Works Departments shall hire a qualified restoration ecologist to prepare a habitat mitigation plan for the replacement or enhancement of		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
and sparsely vegetated or degraded riparian areas that could be enhanced through planting of native woody species. Such locations will be identified and prioritized in the City's creek and riparian management and restoration plan (currently under development). Another option for the City would be to purchase mitigation credits from a local mitigation bank (e.g., Orchard Creek mitigation bank in Placer County). Potential mitigation sites must be evaluated as part of a formal habitat mitigation plan, as described in the BMP update EIR and as discussed in the soon-to-be-completed creek and riparian management and restoration plan, before the suitability of these sites to sustain riparian plantings can be determined. The following factors would be assessed as part of this mitigation plan: soils, hydrology (including groundwater levels and surface inundation), land use, potential disturbances, habitat functions, costs associated with maintaining the plantings, and overall potential for survival. The City will retain a restoration ecologist to develop a mitigation plan that identifies erosion control, habitat replacement, and maintenance and enhancement of habitat as the primary mitigation goals. The habitat mitigation plan will include a list of recommended species, design specifications, an implementation plan, a maintenance program, and a monitoring program. A minimum of 5 years of monitoring (or longer if required as a condition of permits) will be conducted to document the degree of success or failure in achieving success criteria and to identify remedial actions. Annual monitoring reports will be submitted to DFG, USFWS, NOAA Fisheries, Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria described below, and discuss any remedial actions performed. After the 5-year monitoring period, the mitigation plan will be considered successful when the following criteria are met: • Establishment of a riparian habitat that is composed of a mix of native species similar to those present in the riparian corridor along Dry Creek or Antelope Creek; • Development of at least 75% absolute cover of native woody riparian vegetation in the mitigation area; • Growth of riparian species that rate good or excellent in vigor or growth (based on a qualitative comparison of leaf turgor, stem caliber, leaf color, and foliage density in the planted sites with individuals of the same species in the adjacent riparian areas); • determination that plantings at each site are self-sustaining without human support (e.g., weed control, rodent control, or irrigation); and • if success criteria are not being met, additional restoration measures will be developed and implemented. Additional reporting requirements that may be specified as permit conditions will be incorporated into the mitigation plan.			riparian habitat. The City's restoration ecologist shall manage the City's implementation of the riparian habitat mitigation plan, conduct annual performance monitoring of replacement or enhancement actions, prepare written reports of annual monitoring, and assess the degree of success for the mitigation actions after 5 years from mitigation work.		
BMP EIR MMP [1] AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas. In open space areas where riparian habitat would be removed during the construction of bikeways, the City shall replant using drought-tolerant native or compatible plant species to create a more natural visual environment, to provide potential habitat, and to reduce long-term water consumption.	City Public Works Department	Before construction	The Public Works Department shall replant in open space areas where riparian habitat was removed.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures. *(Repeated from Geology)* During the design phase of individual Class I bikeway projects, the City shall conduct a site-specific geotechnical study to ensure that bikeways are designed to minimize geologic impacts and erosion impacts on the surrounding habitats and waterways. The geotechnical study shall address, at a minimum, the following issues: • fill control, • expansive soils, • differential settlement, • slope and foundation instability, • streambank protection, and • other significant geologic characteristics pertinent to development of the project site. The study shall provide grading and design recommendations to address potential slope and foundation instability. The study shall also determine which soil types must be tested for shrink-swell potential to identify load-bearing and strength concerns. Requirements of the City's improvement standards shall be implemented. As part of the process for obtaining a grading permit, the City must prepare a site-specific geotechnical study and improvement or grading plans along with a site-specific erosion and sedimentation control plan. The requirements for submittal of each of these documents are detailed in Section 11, "Grading", of the City's improvement standards and in Chapter 16.20 of the Roseville Municipal Code. An NPDES permit will be required by the SWRCB if grading would affect 1 acre or more on a given bikeway route. If this permit is required, the City shall prepare an SWPPP. The objectives of the SWPPP would be to identify sources of sediment and other pollutants that affect the quality of stormwater discharges and to ensure implementation of practices to reduce sediment and other pollutants in stormwater discharges. The SWPPP must identify source reduction measures such as temporary silt fences, temporary sedimentation basins, mulching, and diversion ditches.	City Public Works Department	Prior to approval of any grading or improvement plans for a specific Class I bikeway	The Public Works Department, Engineering Division shall review results of all studies and verify that all findings have been incorporated into final plans.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
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BMP EIR MMP [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks. *(Repeated from Geology)* The City and its contractors shall comply with improvement standards for preparation and implementation of rough and final grading plans, which would include erosion control measures such as those identified in SWRCB's Storm Water Best Management Practices Handbook. In addition, drainage structures for Class I bikeways along creeks and in open space areas shall be designed so that changes in drainage patterns do not substantially change the overall drainage patterns of the surrounding area.	City Public Works Department	Concurrent with approval of grading / improvement plans or building permit for development in or adjacent to drainages	The Public Works Department shall review design of facilities in floodplain.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] B-1: Provide for no net loss of wetlands. The City shall be required to obtain a Section 404 permit from the Corps before beginning any construction activity on bikeway routes that would affect jurisdictional waters of the United States, as determined through field surveys and a verified wetland delineation. A Section 1601 streambed alteration agreement could also be required for work in, along, and over streams and associated riparian habitat. Compliance with Corps and USFWS permit requirements for no net loss of wetland habitat value and acreage would ensure that the impacts of bikeway construction and operation on wetlands are reduced to less-than-significant levels. Under CEQA, compliance with Corps and USFWS requirements is recognized as adequate mitigation to offset the loss of wetland areas. State and federal regulations state that, preferably, project-related impacts shall be avoided to the fullest extent feasible first, and then remaining unavoidable impacts shall be minimized to the extent feasible. To compensate for unavoidable impacts, the City shall implement one or more of the following to ensure that there is no net loss of wetlands and wetland habitat: • Restore and/or enhance affected habitats in the project area, • Acquire for preservation or restore and enhance similar habitats elsewhere at an approved compensation ratio, or • Purchase credits in a certified mitigation bank. USFWS requires participation in certified mitigation banks. Such mitigation banks are recognized by the federal government as acceptable mitigation tools. If the City chooses to use a certified mitigation bank to mitigate impacts, the City shall acquire credits for the types of habitats and area specified in the permit conditions in direct proportion to wetland losses as determined by a verified wetland delineation.	City's Biologist	Before approval of a grading permit or FEP for bikeway routes or segments that would affect jurisdictional waters of the United States.	The City shall obtain a Section 401 permit from the Corps. As Section 1601 agreement with DFG may also be necessary. The City shall implement one or more of the following: restore and/or enhance affected habitats in the project area; acquire for preservation or restore and enhance similar habitats elsewhere at an approved compensation ratio; or purchase credits in a certified mitigation bank.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] B-2: Implement construction protocols. The City shall implement appropriate construction protocols to minimize the disturbance of wildlife and surrounding land uses during construction. These protocols shall include the following: (a) Restrict construction activities to areas away from preserved oak and riparian habitat. Contractors shall minimize construction activities near oak trees. Laydown, staging, refueling, and parking areas shall not be located next to previously undisturbed open space oak or riparian zones. Construction activities that, by necessity, occur near oak woodlands and riparian zones to be preserved shall be supervised onsite by a responsible compliance officer designated by the City (preferably a qualified biologist). Encroachments or damage that have not been authorized by a tree permit are prohibited, and measures to prevent damage to trees near construction activities shall be implemented as detailed in the Tree Preservation Chapter of the Roseville Zoning Ordinance and in Mitigation Measure B-5. (b) Erect temporary barrier fencing to delimit protected areas. Temporary fencing, consisting of 5-foot-tall orange construction drift fence, flagging, signs, or other markings, shall be erected around open space areas and restricted areas and shall be maintained for the duration of construction to prevent inadvertent damage to natural resources. Fencing shall be maintained and shall be the responsibility of an onsite compliance officer designated by the City. (c) Identify and implement dust suppression measures to avoid generating substantial particulate matter. The City shall implement dust suppression measures identified in the construction emissions/dust control plan approved by the Placer County APCD. (See Mitigation Measure AQ-1 in Section 3.2 of this EIR for a more detailed description of this plan.) (d) Prepare and implement an erosion and sediment control plan to avoid excessive offsite runoff and sediment transport to nearby waterways. The City shall require contractors to prepare and implement an erosion and sediment control plan as required under the City's improvement standards.	City Public Works Department	Before and during construction	Contractors shall minimize construction activities near oak trees. The Community Development Department shall designate an onsite compliance officer to maintain temporary fencing. The Community Development Department shall implement dust suppression measures. The Public Works Department shall require contractors to prepare and implement an erosion and sediment control plan.		
BMP EIR MMP [1] B-5: Implement construction protocols for stream activities. For construction involving stream activities the City will: • Restrict construction to the dry season (June 1 until September 30) to avoid steelhead; • Ensure no excessive turbidity or sedimentation to creeks; • Avoid restricting stream flow and thereby fish passages; and • Ensure that no hazardous waste products enter the creeks.	City's Biologist	During construction	The Community Development Department and Engineering Department shall implement construction protocols for stream activities.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success. The City shall comply with requirements of its tree preservation ordinance to avoid, minimize, or compensate for the removal or disturbance of native oak trees greater than 6 inches d.b.h. during construction. If native oak trees will be affected by a project, a tree mitigation plan shall be prepared that identifies trees that qualify for protection on specific bikeway routes and specifies mitigation for impacts. Where possible, trees shall be avoided completely by rerouting during the final design phase. For any oak trees that would be removed, the City shall either replace the habitat on an inch-by-inch basis as required by the ordinance (plant one 5-gallon tree per inch d.b.h. removed), purchase land with previously unprotected oaks and protect those trees, or pay an in-lieu fee to a mitigation bank for the protection of an equivalent amount (in inches d.b.h.) of oak trees. The mitigation plan shall also identify success criteria for the survival of replacement trees, establish a monitoring program to ensure that appropriate levels of mitigation are reached, and provide for the replacement of mitigation trees. Where construction activities would take place adjacent to protected trees or involve impacts that fall short of complete removal, such as trimming or root cutting, a qualified arborist shall be retained to direct all construction activities involving trees, the installation of protective fencing around trees, and the monitoring of tree health following construction. Trees that require eventual removal due to construction-related damage shall be mitigated in the same manner as trees removed directly for construction, as described above.	City Public Works Department	During and after construction	The City will comply with the requirements of its tree preservation ordinance. Where applicable, a qualified arborist shall direct all construction activities involving trees.		
BMP EIR MMP [1] B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and compensate for loss of occupied burrows. To ensure that the possible impacts on western burrowing owls are less than significant, the City shall implement the following measures: (a) Before any ground disturbance related to construction activity, a qualified biologist shall conduct a pre-activity survey to identify any western burrowing owl or habitat features (e.g., burrows). The biologist shall evaluate use by burrowing owls, in accordance with DFG's current survey guidelines (California Department of Fish and Game 1995). Surveys shall be conducted by walking the proposed disturbance area and areas within 500 feet of the disturbance area where feasible. (i) For project activities occurring during the burrowing owl breeding season (February 1 through August 31), surveys shall be conducted during the breeding season and at most 30 days before construction. The purpose of the breeding-season surveys shall be to document whether burrowing owls are nesting on or directly next to any disturbance areas. (ii) For project activities occurring during the non-breeding season (September 1 through January 31), surveys shall be conducted during the non-breeding season and at most 30 days before construction. The purpose of the surveys shall be to document whether burrowing owls are using the area during the non-breeding season on or directly next to any disturbance area. If burrowing owls are found during the breeding or non-breeding season, measures (b), (c), and/or (d) shall be implemented. (b) If burrowing owls are found during the breeding season (February 1 through August 31), the City shall avoid all burrowing owl nest sites that could be disturbed by project construction during the breeding season or while the nest is occupied by adults or young. Avoidance shall include the establishment of a non-disturbance buffer zone up to 250 feet in diameter around the nest sites. The buffer zone shall be marked by highly visible, temporary construction fencing. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the nest site is no longer used by	City's Biologist	Before and during construction; surveys during breeding season (February 1 – August 31) and non-breeding season (September 1 – January 31) in the same calendar year that construction begins	A qualified biologist shall conduct surveys for nesting and roosting burrowing owls. If owls are found, the City shall notify DFG. For construction during the breeding season, the City shall require that the contractor avoid occupied nest sites and remain outside the 250-foot buffer zones established by the biologist at the site. Construction may occur at the site during the breeding season if the biologist determines that burrowing owls no longer use the site.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Completion Sign-Off Date
burrowing owls. (c) If burrowing owls are found during the non-breeding season (September 1 through January 31), the City will avoid the owls and their active burrows to the extent feasible. Avoidance shall include the establishment of a 160 foot-diameter non-disturbance buffer zone around the burrow(s) being used. The buffer zone shall be marked by highly visible, temporary construction fencing. If burrowing owls cannot be avoided, the City shall conduct passive relocation by installing one-way doors in burrow entrances that are used or may be used by the owls. After the one-way doors have been installed and owls are not using the burrows following a one week monitoring period, the burrows can be excavated to prevent reoccupation by owls. The one-way doors would collapse or degrade as a result of construction activities. This measure shall be implemented and monitored following DFG's recommendations (California Department of Fish and Game 1995).			For construction during the non-breeding season, the City shall require that the contractor have burrowing owls passively relocated from burrows that cannot be avoided.		
BMP EIR MMP [1] B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions. To ensure that unauthorized take of legally protected birds of prey does not occur during project construction as a result of direct nest removal or indirect disturbance (e.g., dust, noise, vibration), the City shall implement the following measures: (a) When feasible, all tree removal shall occur between August 30 and March 15 to avoid the breeding season of legally protected bird species that could use the area and to discourage birds from nesting near an upcoming construction area. This period may be modified if authorized by DFG. (b) If avoidance during the nesting season is not feasible (i.e., if construction activities must take place between March 15 and August 30), then before grading may begin, all trees within 350 feet of any grading or earthmoving activity shall be surveyed for active nests by a qualified biologist. If active nests are found within 350 feet of potential construction activity, a fence shall be erected around the nest at a distance of up to 350 feet, depending on the species, from the edge of the canopy to prevent disturbance from construction and intrusions on the nest area. The appropriate buffer width shall be determined by the City in consultation with DFG. (c) No construction vehicles shall be permitted within restricted areas unless directly related to the management or protection of the legally protected species. (d) If a nest is abandoned despite efforts to minimize disturbance, and if the nestlings are still alive, the City shall contact DFG and, subject to DFG approval, fund the recovery and hacking (controlled release of captive, reared young) of the nestlings. (e) If the nest of a legally protected species is located in a tree designated for removal, the removal shall be deferred until after August 30 or until the adults and young of the year are no longer dependent on the nest site, as determined by a qualified biologist.	City Public Works Department	Before and during construction	The City shall conduct pre-construction surveys for raptor nests or require that contractors construct outside of raptor nesting season. If construction activities must take place during nesting season, then a qualified biologist shall survey all trees within 350 feet for active nests.		

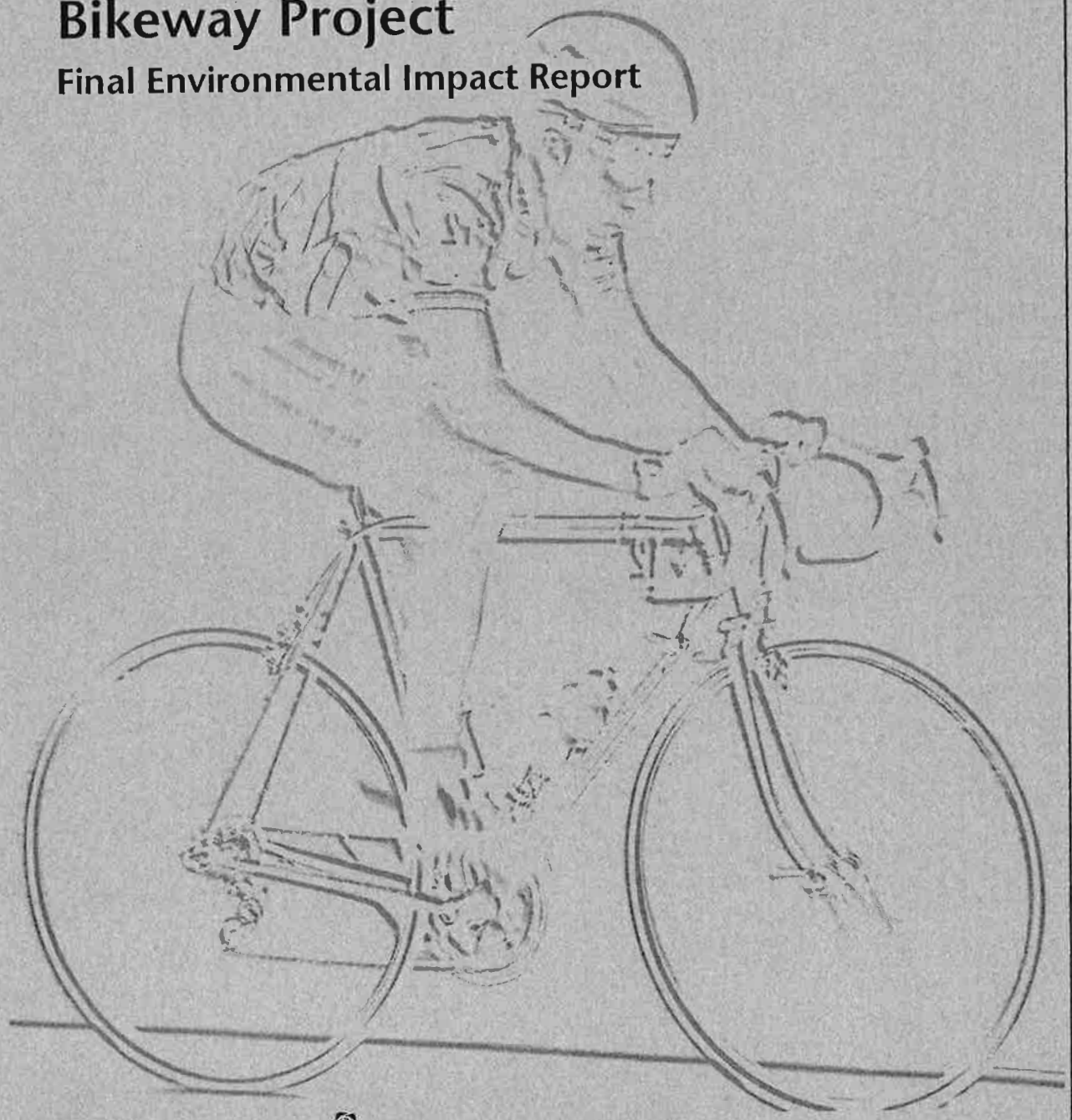
Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
TRAFFIC AND CIRCULATION					
BMP EIR MMP [1] T-1: Prepare and implement a traffic management plan. The City shall prepare a traffic management plan that would apply to the construction period of each individual bikeway project. The plan shall identify general methods by which construction could take place without substantial delay to traffic. Methods identified in the plan shall address the following topics: • Appropriate sequencing of activities (e.g., segment phasing, timing of grading, hours of construction), • Maintenance of traffic flow, • Maintenance of emergency access through the construction area, • Protection or separation of work zones, • Accommodation of pedestrian access, • Limitation of lane closures to off-peak traffic periods, and • Coordination with the press, schools and emergency service providers, and the community, including advance warning of construction activities and alternate routes. Contractors shall implement the construction methods identified in the plan as they pertain to individual bikeway projects.	City Public Works Department	Before and during construction	The Public Works Department shall prepare a traffic management plan that allows for construction without substantial delays to traffic. City contractors shall implement the plan.		
BMP EIR MMP [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections. As part of project implementation, stop signs and striping shall be installed on Class I bikeways at roadway approaches, and signs warning bicyclists of pedestrian crossings shall be installed at sidewalk crossings. Signing or markings on sidewalks to alert pedestrians of bikeway crossings shall also be installed. Project-specific implementation of this measure shall include installation of a stop sign and striping on the bikeway at the sidewalk approach and a sign warning bicyclists of a pedestrian crossing at Lincoln Street and Folsom Road. Signing or markings on the sidewalk to alert pedestrians of the bikeway crossing shall also be installed. The sidewalk area at the bikeway entrance should be ramped to encourage bicyclists to leave the sidewalk and enter the roadway on Folsom Road and Lincoln Street. Bollards will be installed at bikeway entrances to prevent access by unauthorized vehicles. Class III bike route signs that identify the Lincoln Street and Oak Street parking lots as part of a bike route will be posted to give motorists notice of the presence of the bike route.	City Public Works Department	During and after construction	The Public Works Department shall install signs and striping on Class I bikeways as appropriate.		
CULTURAL RESOURCES					
BMP EIR MMP [1] CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out. If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are discovered during ground-disturbing activities, contractors shall stop work within 100 feet of the find until a qualified cultural resource specialist can assess the significance of the find. If necessary, the specialist shall develop appropriate treatment measures in consultation with the SHPO and appropriate agencies. In the event that human remains of Native American origin are discovered during project construction, the City and contractors shall comply with state laws relating to the disposition of Native American burials. The disposition of such burials is in the jurisdiction of NAHC (Pub. Res. Code Section 5097). In the event that human remains are discovered or recognized in any location	City Public Works Department	Before and during construction	The Planning / Public Works contractor shall monitor all ground-disturbing activities and contact appropriate City personnel if cultural resources are found. A cultural resources		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie the human remains until: a) The coroner of the county has been informed and has determined that no investigation of the cause of death is required; and b) If the remains are of Native American origin, – The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or – NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (section 8100), and disturbance of Native American cemeteries is a felony (section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact NAHC. Resources found during construction activities shall be donated to the Maidu Park Cultural Center if appropriate.			specialist shall evaluate the find. If remains are found of Native American origin, the City and contractors shall comply with state laws relating to the disposition of Native American burials.		
NOISE					
Mitigation Measure 3.8-1: Implement measures to minimize noise impacts. The following measures shall be implemented to ensure that noise levels during bikeway construction are minimized: • Impact tools and equipment shall be equipped with intake and exhaust mufflers that are recommended by the equipment manufacturer. • Construction specifications shall conform with construction practices identified in Caltrans Standard Specifications, Section 7, "Sound Control Requirements". These specifications require the contractor to comply with local regulations and ordinances relating to construction noise and to equip all internal combustion engines with a manufacturer-recommended muffler. • Where feasible, stationary noise sources (e.g., generators and compressors) shall be located at least 300 feet from occupied residences, or contractors shall be required to provide appropriate noise-reducing engine housings. • Equipment warmup areas, water tanks, and equipment storage and staging areas shall be located as far away from existing residences as is feasible. • A noise complaint hotline shall be established for the project. The City shall be informed of any construction noise complaints and shall work with the contractor to identify and implement ways to minimize construction noise to address the complaint.	City Public Works Department	Before and during construction	The Public Works Department shall develop and implement a construction noise abatement program.		

Note:
1. BMP EIR MMP indicates measures that are required by the updated Bicycle Master Plan Environmental Impact Report Mitigation Monitoring Report.

Harding Boulevard to Royer Park Bikeway Project

Final Environmental Impact Report



Lead Agency: CITY OF ROSEVILLE TRADITION • PRIDE • PROGRESS

Environmental Consultant: Jones & Stokes

State Clearinghouse Number: 2000122078

June 2004

AGENDA ITEM # 51

Harding Boulevard to Royer Park Bikeway Project
Final Environmental Impact Report
State Clearinghouse Number 2000122078

Lead Agency:

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June 2004

Jones & Stokes. 2004. *Harding Boulevard to Royer Park bikeway project final environmental impact report.* June. (J&S 02-271.) Sacramento, CA. Prepared for City of Roseville Community Development Department, Roseville, CA.

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LIST OF ACRONYMS AND ABBREVIATIONS

BMP	Bicycle Master Plan
CEQA	California Environmental Quality Act
City	City of Roseville
dbh	diameter at breast height
EIR	environmental impact report
GIS	geographic information system
ISTEA	Intermodal Surface Transportation Efficiency Act
NEPA	National Environmental Policy Act
Plan	Sacramento Area Regional Ozone Attainment Plan
SACOG	Sacramento Area Council of Governments
VELB	valley elderberry longhorn beetle

1.0 INTRODUCTION

1.1 BACKGROUND

The City of Roseville (City) prepared the Harding Boulevard to Royer Park Bikeway Project Draft Environmental Impact Report (Draft EIR) to disclose the environmental impacts associated with the construction of a bikeway from Harding Boulevard to Royer Park in the City of Roseville, Placer County, California. Under the proposed project, the City's Public Works Department would provide a safe and feasible alternative for commuting and recreation that would be consistent with the City's *Bicycle Master Plan* (BMP). The Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA). Under CEQA, The City is the lead agency for the project.

1.2 PUBLIC REVIEW PROCESS

The Draft EIR was circulated to interested agencies and to the public for a 64-day review period, which began on February 18, 2004, and closed on April 20, 2004. Although the City had originally scheduled a 45-day comment period that would end on March 16, 2004, it extended the comment period to April 20, 2004, in response to a citizen request (see Appendix A). The City held a public hearing on the Draft EIR during the City of Roseville's Transportation Commission meeting of March 16, 2004, in the City of Roseville Council Chambers, and continued the public hearing before the Transportation Commission meeting held on April 20, 2004, in response to the citizen request. Appendix B contains documentation associated with the Transportation Commission Meetings, including staff reports and meeting minutes.

Individuals responded to the Draft EIR in writing throughout the comment period. Under CEQA, the lead agency (the City of Roseville) is required to respond to public and agency comments on the Draft EIR received during the review period. A list of all individuals who responded to the Draft EIR is presented in Chapter 2, followed by the City's response to each comment letter. Appendix C, "Individual Comment Letters (as Annotated for Response)," contains a copy of each letter the City received.

CEQA requires that a Final EIR consist of revisions to the Draft EIR; comments and recommendations received on the Draft EIR; a list of persons, organizations, and public agencies commenting on the Draft EIR; and the responses of the lead agency to significant environmental points raised in the review and consultation process. The content and format of this Final EIR were developed to meet the requirements of CEQA and the State CEQA Guidelines, and it incorporates information within the Draft EIR by reference.

1.3 CONTENTS OF THIS FINAL EIR

This Final EIR meets the requirements of CEQA and the State CEQA Guidelines as follows:

- Chapter 1, Introduction, describes the background of the project and gives an overview of the EIR process.

- Chapter 2, Comments and Responses, provides the following:
  - explains the methods used to respond to comments;
  - provides a "master response" to common concerns regarding the selection of a Northern or Southern Route between Harding Boulevard and Lincoln Estates Park;
  - includes the written comments of all individuals who provided comments on the Draft EIR
  - provides responses to all comments received; and
  - where appropriate, includes excerpts from the Draft EIR showing revisions or changes to the original document text.
- Chapter 3, List of Preparers, lists the people responsible for preparing this Final EIR.
- Appendix A presents documentation regarding the extension of the public comment period beyond March 16, 2004.
- Appendix B presents documentation associated with the Transportation Commission Meetings held on March 16, 2004, and April 20, 2004.
- Appendix C presents a copy of each letter received during the public comment period in response to the Draft EIR.
- Appendix D presents a cost estimate for each alternative.

2.0 COMMENTS AND RESPONSES

2.1 INTRODUCTION

The primary objective and purpose of the public review process is to obtain comments on the adequacy of the environmental impact analysis and the proposed mitigation measures presented in the Draft EIR. Copies of the comment letters received on the Draft EIR, as well as individual responses to each comment, are included in this chapter. CEQA requires that the City respond to all significant environmental comments at a level of detail appropriate to the comment (State CEQA Guidelines, Section 15088). Comments that do not directly relate to the analysis in this document (i.e., that are outside the scope of this document) are not given specific responses. However, all comments are included in this chapter so that the Roseville City Council will know the opinions of the commentors.

Many of the comments received during the public comment period focused on identifying which side of Dry Creek the section of the trail between Harding Boulevard and Taylor Park/Lincoln Estates Park should be located. Several of the written comments refer to similar issues or pose similar questions regarding this portion of the trail. For this reason, the City prepared a master response to these comments in a consistent and succinct way (see Section 2.4). Following the master response, additional comments and questions that are not addressed by the master responses are addressed individually. Individual responses are presented in Section 2.5, Individual Comments Received on the Draft EIR, and a copy of each commentor's correspondence is presented in Appendix C. If multiple comments are included in the comment letter, they are designated alphanumerically to correspond to the City's response.

Where changes to the Draft EIR are warranted, excerpts are shown, with additions indicated by <u>underlined text</u> and deletions indicated by ~~strikeout text.~~ These excerpts represent official revisions to the Draft EIR, and they are presented Section 2.2 of the Final EIR, None of the comments received on the Draft EIR required additional revisions to the document.

2.2 STAFF REVISIONS TO THE DRAFT EIR

The Roseville City Staff has made some editorial revisions to the Draft EIR. These changes primarily update setting information and ensure the internal consistency of the document. These are the only revisions made to the Draft EIR as part of the Final EIR process. Each revision is indicated by the section and page in which it appears in the Draft EIR.

<u>Section ES.2 Project Objectives</u>

The following change was made to provide consistency between the discussion of project objectives presented in section ES.2, Project Objectives (page ES-1), and the discussion presented in Section 1.1, Project Objectives (page 1-3). The following change and addition (copied from page 1-3) would be made to page ES-1:

> By implementing the proposed action, the City intends to fulfill ~~two~~ <u>three</u> main purposes or objectives:

Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.

Objective 2. Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

Objective 3. Seek the most effective and efficient balance of capital cost, operational and maintenance costs, environmental or community impacts, and public benefits when improving passive recreational access to the Dry Creek corridor and in pursuing the achievement of goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.

Section ES.5 Proposed Project Route

The second paragraph of Section ES.5 on page ES-2 was modified to reflect recent construction:

> The eastern end of the bikeway would begin at Harding Boulevard as a Class I route, connect with Miners Ravine bikeway (~~planned for construction in spring/summer~~ completed in 2003 between Harding Boulevard and Sculpture Park) near the upstream side of the Harding Boulevard bridge, and continue southward to a bridge crossing Antelope Creek.

Table ES-1 Summary of Impacts and Mitigation Measures

Two editorial changes were made to Table ES-1 to ensure consistency with the discussions in the draft EIR.

- Mitigation Measure 3.5-2 (page 3 of 6) was amended as follows: Avoid or minimize impacts on sensitive biological resources during project design.

- The Level of Significance associated with Impact 3.5-9 was revised as follows: ~~Less than significant~~ Potentially significant. This revision does not reflect a change to the finding recorded on page 3-46 of the Draft EIR, which indicated that the impact was potentially significant, but corrects an error in the table.

Section 3.1 Land Use

The discussion of "Fee and Easement Acquisition" presented on page 3-3 is supported by Figure 3.1-2, Parcels Affected by the Proposed Action, and Table 3.1-1 Approximate Acquisition Requirements for the Proposed Harding Boulevard to Royer Park Bikeway Project. Minor corrections were made to this supporting documentation for the Final EIR:

- Figure 3.1-2 was amended slightly to more accurately depict the location of the Route A with respect to parcels identified as No. 8 and No. 17 on the figure. (Route A was not altered.)

Table ES-1. Summary of Impacts and Mitigation Measures for the Proposed Harding Boulevard to Royer Park Bikeway Project (Route A)

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Land Use			
3.1-1: Consistency with general plan or BMP policies, goals, or objectives	Less than significant	None	Less than significant
3.1-2: Compatibility with adjacent land uses	Less than significant	None	Less than significant
Geology			
3.2-1: Potential increase in bank or slope instability from construction of the bikeway	Less than significant	BMP EIR [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures.	Less than significant
3.2-2: Potential siltation of Dry Creek from erosion of exposed soils	Potentially significant	BMP EIR [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.	Less than significant
Water Resources			
3.3-1: Potential water quality degradation during construction activities	Less than significant[2]	None	Less than significant
3.3-2: Increase in 100-year water surface elevations	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Air Quality			
3.4-1: Temporary generation of construction-related air pollutant emissions	Potentially significant	3.4-1: Comply with each of the mitigation measures recommended by the Placer County Air Pollution Control District for reducing construction-related impacts to the maximum extent possible.	Less than significant
Biological Resources			
3.5-1: Loss or disturbance of approximately 3.3 acres of ruderal grassland	Less than significant	None	Less than significant
3.5-2: Placement of approximately 0.044 acre of fill material into a water of the United States (Dry Creek)	Significant	BMP EIR [1] B-1: Provide for no net loss of wetlands. BMP EIR [1] B-5: Implement construction protocols for stream activities. BMP EIR [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.5-3: Loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat	Significant	3.5-1: Retain an environmental monitor (recommended). 3.5-2: Avoid or minimize impacts on sensitive biological resources during project design. 3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction. 3.5-4: Compensate for permanent impacts on woody riparian vegetation (as required in Corps and DFG permit conditions). BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas.	Less than significant [3]
3.5-4: Potential disturbance of and direct loss of approximately 13 native oak trees	Significant	BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success.	Less than significant [3]
3.5-5: Short-term disturbance of common wildlife species	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.5-6: Potential loss or disturbance of special-status and common raptors	Potentially significant	BMP EIR [1] B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and compensate for loss of occupied burrows. BMP EIR [1] B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions.	Less than significant
3.5-7: Temporary disturbance of habitat for northwestern pond turtle	Less than significant	None	Less than significant
3.5-8: Potential indirect impacts on habitat for valley elderberry longhorn beetle	Less than significant[2]	None	Less than significant
3.5-9: Disturbance to chinook salmon and steelhead habitat	~~Less than significant~~ Potentially significant	BMP EIR [1] B-1: Provide for no net loss of wetlands. BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] B-5: Implement construction protocols for stream activities.	Less than significant
Traffic and Circulation			
3.6-1: Potential bicycle-pedestrian conflicts at Lincoln Street and Folsom Road	Potentially significant	BMP EIR [1] T-1: Prepare and implement a traffic management plan. BMP EIR [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections.	Less than significant
3.6-2: Increased demand for parking	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.6-3: Potential bicyclist-motorist conflicts at the Lincoln Street and Oak Street parking lots	Less than significant	BMP EIR [1] T-1: Prepare and implement a traffic management plan. BMP EIR [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections.	Less than significant
Cultural Resources			
3.7-1: Potential damage to currently unknown cultural resources	Potentially significant	BMP EIR [1] CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out.	Less than significant
Noise			
3.8-1: Generation of temporary construction noise	Less than significant	3.8-1: Implement measures to minimize noise impacts.	Less than significant
3.8-2: Generation of operation-related noise	Less than significant	None	Less than significant
Hazardous Materials			
3.9-1: Risk of potential exposure to hazardous substances or conditions	Less than significant	None	Less than significant
Public Services and Safety			
3.10-1: Potential increase in the demand for police and fire protection services in the project area	Less than significant	None	Less than significant
3.10-2: Potential increase in maintenance costs and access coordination associated with the bikeway	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Aesthetics			
3.11-1: Changes in views of the project site from parks and roadways	Less than significant	None	Less than significant
3.11-2: Changes in views of the project site from adjacent residences	Less than significant	None	Less than significant
3.11-3: Changes in views from residences along the middle portion of the route	Less than significant	None	Less than significant

Notes:

[1] BMP EIR indicates measures that are required by the updated Bicycle Master Plan Environmental Impact Report Mitigation Monitoring Plan.

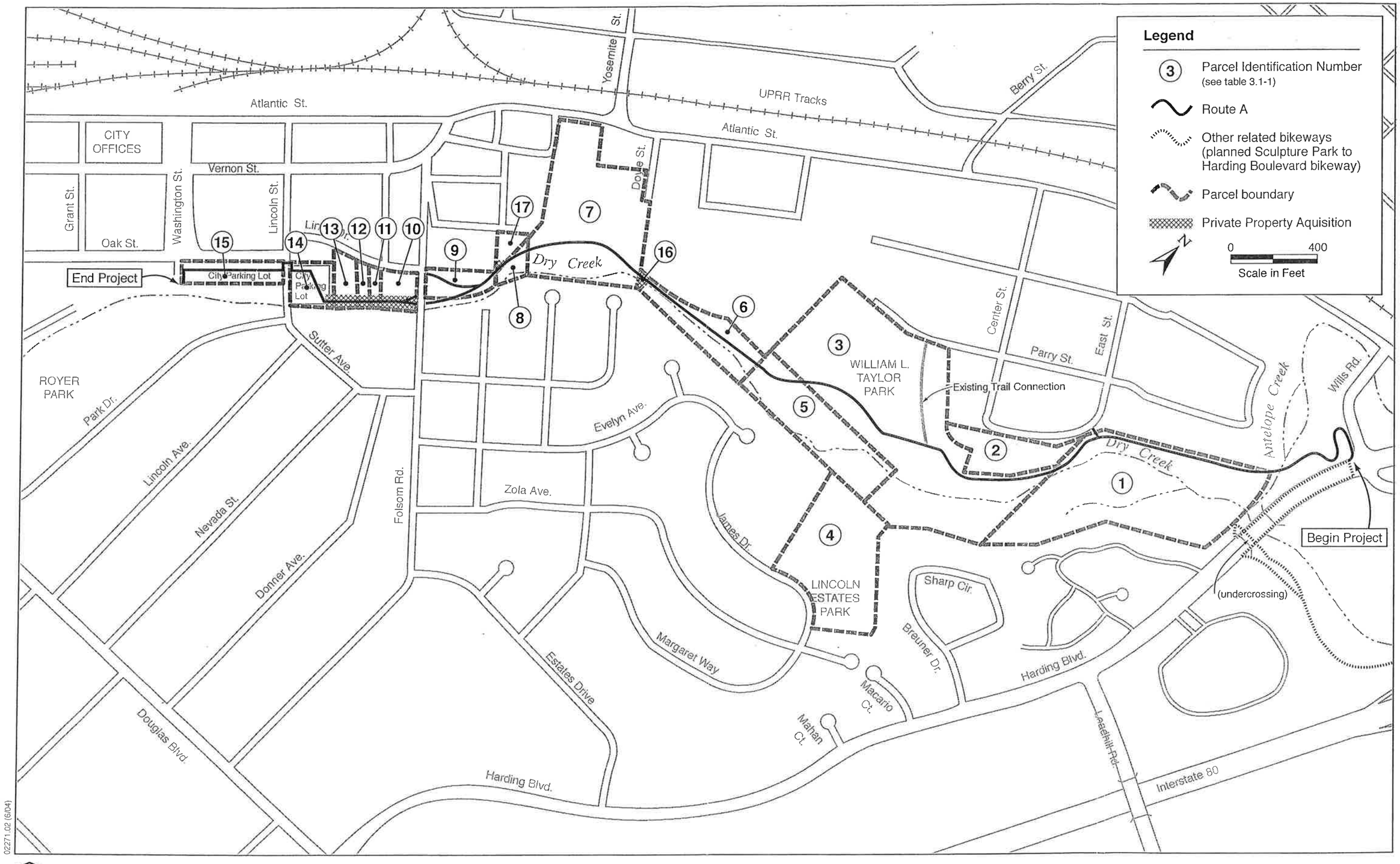
[2] Less than significant with implementation of identified adopted or required actions.

[3] This impact was identified in the BMP update EIR as a significant and unavoidable impact, or a cumulative impact for the bikeway system as a whole. Mitigation measures required by the BMP update EIR apply to this bikeway project as well.

Table 3.1-1. Approximate Acquisition Requirements for the Proposed Harding Boulevard to Royer Park Bikeway Project

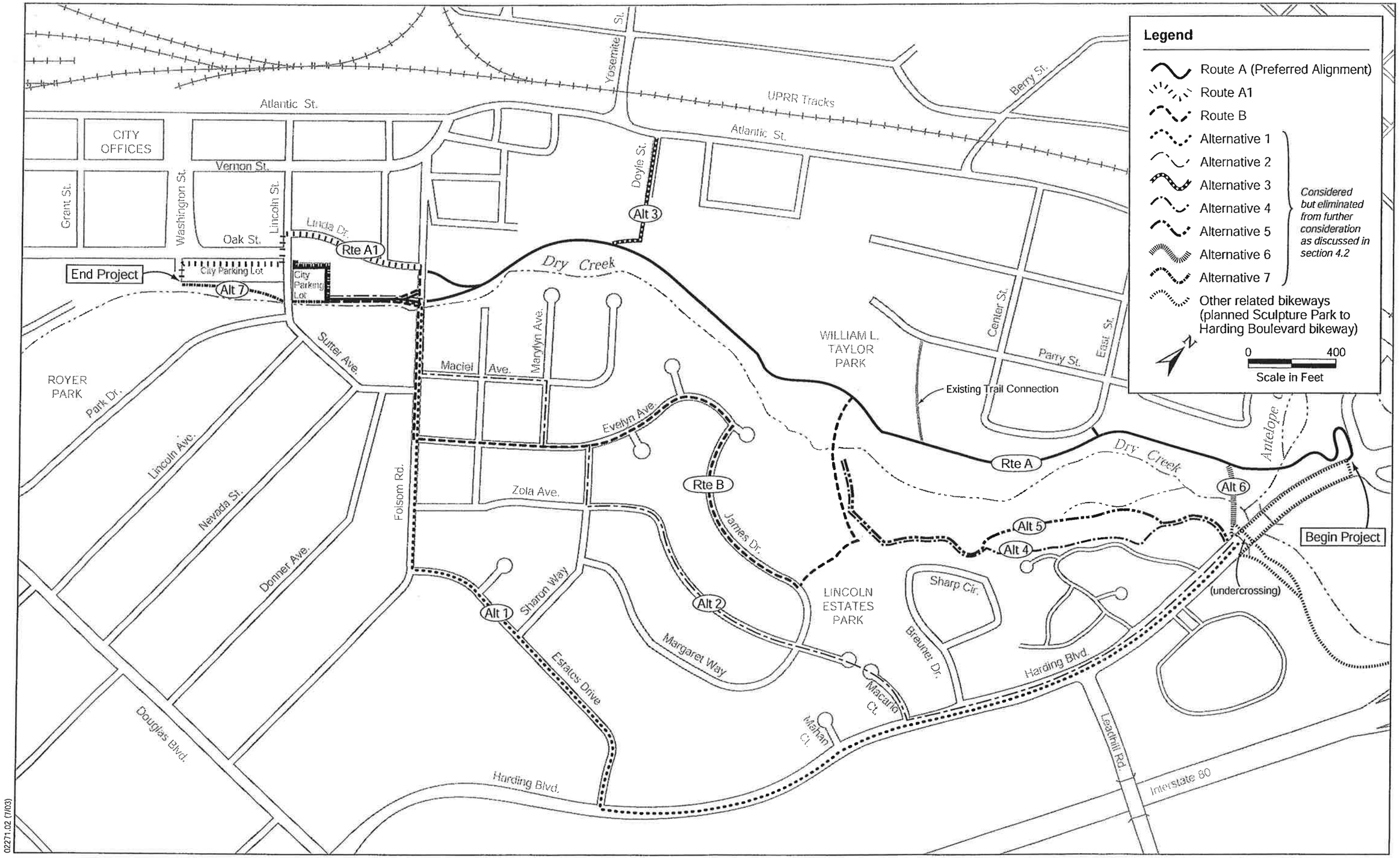
Parcel Identification Number*	Assessor Parcel Number	Owner	Fee Acquisition (square feet)	Easement Acquisition (Square Feet)
1	015-130-016	City	0	0
2	013-030-005	~~City~~ Private	0	0
3	013-030-006	City	0	0
4	013-211-014	City	0	0
5	013-040-003	City	0	0
6	013-040-005	City	0	0
7	013-062-009	School District	11,600	23,200
8	013-075-013	City	0	0
9	013-075-010	City	0	0
10	013-101-21	Private	5,875	3,250
11	013-101-04	Private	3,325	2,425
12	013-101-13	Private	1,475	1,150
13	013-101-14	Private	5,375	3,425
14	013-101-16	City	0	0
15	013-100-005	City	0	0
16	013-063-004	Private	3,175	1,525
17	013-075-012	Private	25	1,550
Total			30,850	36,525

*Corresponds to numbers in Figure 3.1-2.



Jones & Stokes

Figure 3.1-2
Parcels Affected by the Proposed Action



02271.02 (7/03)

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Figure 4.0-1
Alternatives to the Proposed Project and Alternatives Considered but Eliminated from Further Consideration

- Table 3.1-1 was revised to show that Parcel No. 2 (Assessor Parcel Number 013-030-005) is privately owned.

The paragraph preceding the discussion of Design Variations on page 3-5 was modified to reflect discussions at the Transportation Commission Hearing for the proposed project on March 16, 2004.

> Regarding privacy concerns, some residents have stated during public workshops that their privacy concerns cannot be mitigated. City staff intends to address these concerns, to the extent possible, during the final design phase of the project. However, design options are limited because much of the trail is located in the designated floodplain, which precludes the construction of fencing. Available design options could include planting screening vegetation and aligning the trail to maximize buffer opportunities. The City will also include signage and post and cable fence during final design to encourage trail users to stay on the trail and to discourage trespassing onto private property. This technique would only be used where private property exists adjacent to the trail and no fencing or other barrier currently exists. Even with incorporation of such design features, the introduced use and resulting privacy issues attributable to the project may be considered significant by adjacent residents. Although these impacts may be perceived as significant by adjacent landowners, such privacy concerns are not a part of the environmental analysis required under CEQA. Consequently, the finding for impact 3.1-2 remains "less than significant"; privacy concerns are summarized above for consideration by decision makers, and will continue to be addressed throughout the public input portion of the project approval process.

Section 3.2 Geology

The following change was made to the item (b) under BMP EIR HY-1 on page 3-11, to reflect a recent change in legislation:

> (b) SWRCB general construction activity stormwater discharge permit requirements and best management practices:~~, if applicable: If a particular project would disturb more than 1 acre, or after the State of California adopts its revised general construction activity permit,~~ Based upon the State of California's recently adopted revised general construction activity permit, which applies to all sites greater than 1 acre, the City will be required to obtain a general construction activity stormwater permit under the NPDES. Under this permit, the City shall prepare an SWPPP that includes compliance with SWRCB best management practices. These practices include schedules of activities, prohibitions of practices, management practices, and maintenance procedures (i.e., straw bales, dikes, silt fences, sediment traps, or similar methods) to prevent or reduce pollution.

Section 3.4 Air Quality

The following changes were made to the Local Air Quality Management discussion presented on page 3-19 of the Draft EIR:

> **Local Air Quality Management.** In 1994, the Air Resources Board, in cooperation with the Sacramento Area Council of Governments (SACOG) and the five air districts of the Sacramento nonattainment area fulfilled the 1990 Clean Air Act Amendment's specific planning requirement by preparing the Sacramento Area Regional Ozone Attainment Plan (Plan). The Plan was adopted by the five air districts, including the Placer County APCD. The subsequently approved

Plan became part of the overall 1994 SIP. The Plan was required to identify a detailed comprehensive strategy for reducing emissions to the level needed for attainment and show how the area would make expeditious progress toward meeting this goal. The Plan set "rate-of-progress" or "milestones" emission reduction targets and dates to gauge whether the nonattainment area was making reasonable further progress toward reaching the goal of attainment. The SIP consists of adopted measures, commitments to adopt new measures, emission inventories, air quality modeling results, contingency measures, and a demonstration of emission reductions sufficient for attainment and rate-of-progress milestones.

The new measures proposed in the ~~plan~~ SIP build on the existing state and local air quality programs. Milestone reports were to be prepared starting in 1996 and every 3 years thereafter until the attainment deadline. That milestone plan, which was prepared to fulfill the requirements of the federal Clean Air Act, was submitted to EPA on November 15, 1994, as part of California's SIP. State and district measures in the SIP were intended to replace the FIP measures. In 1996, the EPA rescinded the Federal Implementation Plan and approved the SIP.

The 1999 Milestone Report evaluated the planned control measures committed to in the 1994 SIP. The milestone analysis determined the Sacramento nonattainment area has achieved the necessary emission reductions for meeting the 1999 rate-of-progress targets and demonstrated reasonable further progress toward attainment. Note that the air districts are now in attainment for carbon monoxide and PM10 and have requested attainment status.

In 2002, another milestone report ~~will be~~ was prepared to determine whether the Sacramento area ~~is~~ was on schedule to reach attainment of the 1-hour ozone standard in 2005. The year 2003 ~~will~~ marked the beginning of a three-year period during which attainment of the standard ~~needs~~ needed to be demonstrated. If it ~~can~~ could be shown that attainment would be achieved by year 2005, ~~we have achieved attainment,~~ a maintenance plan ~~will be~~ would have been submitted. ~~If attainment cannot be demonstrated by year 2005, the nonattainment area has the option of applying for a one-year extension to the attainment deadline provided the following conditions are met.~~

- ~~The nonattainment area has complied with all SIP requirements and commitments, and~~
- ~~No more than one exceedance of the ozone standard has occurred in the preceding year.~~
- ~~A nonattainment area may obtain a maximum of two one-year extensions.~~

Based on the results of the last milestone plan, the Sacramento Region received a new attainment date of 2013 for the 8-hour ozone standard, because attainment would not be possible by 2005. The Sacramento Region and its surrounding communities are preparing plans to reduce ground-level ozone.

Section 3.5 Biological Resources

Three staff changes were made to Section 3.5 of the Draft EIR to address updated regulations or to present editorial changes.

The following change was made to the second paragraph of the discussion of the Valley Elderberry Longhorn Beetle (VELB) on page 3-31.

~~Three~~ Five elderberry shrubs that could provide habitat for VELB were located in the project area. One additional shrub occurs on the south side of Dry Creek, along the alternative bike path alignment. The locations of these shrubs are shown in ~~Appendix G~~ Figure 3.5-1.

The following change was made to the mitigation measures cited in the paragraph preceding Impact 3.5-7 on page 3-44:

The analysis conducted for the BMP update EIR found that citywide implementation of bicycle facility improvements would result in potentially significant impact on nesting Swainson's hawk and burrowing owls, and other legally protected birds of prey. Mitigation Measures ~~B-7,~~ B-8~~,~~ and B-9 in the BMP update EIR provide detailed direction and performance standards for avoiding or minimizing impacts on raptors. Implementation of these measures would reduce the potential impacts on special-status and common raptors to a less-than-significant level. No additional mitigation is required.

The following addition was made to fully describe BMP EIR B-8, which appears on pages 3-52 and 3-53, which includes only items (a) through (c) of the mitigation measure:

(d) Artificial burrows will be created to compensate for owl displacement and the loss of occupied burrows. The number and location of artificial burrows shall be determined in consultation with DFG.

(e) Compensation for the loss of occupied foraging and burrow habitat (i.e., occupied grassland habitat) may be required by DFG; the City shall determine the appropriate level of compensation in consultation with DFG.

Section 3.6 Traffic and Circulation

The following change was made to the last paragraph of Section 3.6 on page 3-58, which describes the project-specific implementation of mitigation measure BMP EIR T-2: Install appropriate signing and Striping at sidewalk and roadway sections.

Project-specific implementation of this measure shall include installation of a stop sign and striping on the bikeway at the sidewalk approach and a sign warning bicyclists of a pedestrian crossing at Lincoln Street and Folsom Road. Signing or markings on the sidewalk to alert pedestrians of the bikeway crossing shall also be installed. The sidewalk area at the bikeway entrance should be ramped to encourage bicyclists to leave the sidewalk and enter the roadway on Folsom Road and Lincoln Street. ~~Bollards~~ Removable bollards will be installed at bikeway entrances to prevent access by unauthorized vehicles and to facilitate the access of emergency and maintenance vehicles. Class III bike route signs that identify the Lincoln Street and Oak Street parking lots as part of a bike route will be posted to give motorists notice of the presence of the bike route.

Section 4.4 Environmentally Superior Alternative

The comparison of environmental impacts presented in Section 4.3 for Route B refers only to potential environmental impacts associated with the on-street segment of the alternative. The discussion of alternatives in Section 4.4 clarifies the environmental impacts of Route B in its entirety, not merely the portion associated with the on-stream segment.

Each of the route alternatives described in this EIR would have the same environmental effects for the section of the route extending upstream from the proposed bridge crossing in Lincoln Estates Park. For the portions of the route alternatives downstream from the park, the effects vary somewhat. Route A1 is very similar to the proposed project downstream to Folsom Road. At this point, it becomes a circuitous on-street route to avoid design constraints associated with the Folsom Road and Lincoln Street Bridges. The environmental effects associated with Route A1 are comparable to those of the proposed project with the exception of bicycle-motorist conflicts at two places along the route.

Route B would ~~avoids~~ reduce the overall impacts on riparian habitat for the portion of the route that extends downstream from the proposed stream crossing to Folsom Road, but it would not eliminate such impacts, and the impacts on riparian habitat associated with other portions of Route B (segments 4 and 5) would create substantially greater impacts to riparian habitat. In addition, the construction of a bridge over Dry Creek would require the clearing of a substantial amount of vegetation in Lincoln Estates Park between the route's deviation from Route A and its connection to James Drive. Construction vehicles would be required to gain access to the proposed bridge location, and the area would have to be cleared sufficiently to support larger construction equipment and to transport the prefabricated bridge to its location. Also, potential impacts to water quality could result from the disturbance associated with bridge construction. Although hydraulic studies indicate that the bridge over Dry Creek near Lincoln Estates Park would have fewer hydraulic impacts than the bridge over Antelope Creek, a much longer bridge will be required to prevent such impacts.

Route B would also avoid privacy concerns for property owners downstream of William L. Taylor Park. However, Route B also causes a bicyclist-motorist conflict point on Folsom Road at Evelyn Avenue and is much less direct. In addition, the construction of Route B does not fulfill the City's objectives of "Improving access for passive recreation along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited access," which is discussed in Section 1 of the Draft EIR.

Although Route B minimizes some impacts on riparian areas, the proposed project (Route A) has the following benefits over Route B:

- It provides the most direct route between Harding Boulevard and Royer Park;
- It has environmental impacts comparable to Route B along most of the route;
- It minimizes potential safety issues involving bicyclists and motorists or pedestrians;
- It meets more of the project objectives than any of the alternative routes; and
- Mitigation is available to reduce all environmental resource impacts to less-than-significant levels.

For these reasons, the proposed project (Route A) would be considered the environmentally superior alternative.

2.3 CITY OF ROSEVILLE TRANSPORTATION COMMISSION MEETINGS

The proposed project was discussed at City of Roseville Transportation Commission meetings held on March 16, 2004, and April 20, 2004. The following paragraphs summarize the meetings.

2.3.1 Transportation Commission Meeting of March 16, 2004

Mr. Michael Wixon, Transportation and Bikeway Manager, presented the commission with an overview of the project background and objectives. Mr. Mark Morse, Environmental Coordinator, provided an overview of the proposed project and alternatives and summarized environmental impacts as documented in the Draft EIR. Based on public comments received at the meeting of March 16, 2004, he also recommended that the Commission extend the public comment period to April 20, 2004, as documented in Appendix A.

Eleven citizens of the City of Roseville provided comments during the public hearing portion opened by Commissioner Aplass. Their comments and appropriate responses are summarized in Table 2-1.

Table 2-1
Harding to Royer Park Bike Trail
Comments Received during Public Hearing
March 16, 2004

Name	Comment	Response
Wylla Taylor 415 East Street	Concerns over species loss. Submitted a written statement.	Please refer to the City's response to Ms. Taylor, presented in Section 2.5, letter No. 5.
Tom Hawthorne 77 Columbia Avenue	Supports preferred alternative.	No response required.
John Applebaum 44 Celestial Court	Supports preferred alternative.	No response required.
Barbara Kraft 301 Center Street	Supports proposed project.	No response required.
Brianna Kidwell 301 East Street	Supports proposed project.	No response required.
Mike McTigue 72 Bernice Avenue	Questions regarding potential safety hazards associated with traffic volumes on Harding Boulevard during evening and weekends.	The Commission requested that traffic projections for Harding Boulevard Crossing be provided to the public and Transportation Commission for the meeting of April 20, 2004. (Please refer to Appendix B.2, Attachment 6.)
	Requested that staff address privacy and security concerns for some properties.	As noted the discussion of Land Use presented in Section 2.2 of this Final EIR, the City will provide signs and post and cable fence along adjacent private property to ensure privacy and discourage users from trespassing. Refer also to Section 2.5 of this Final EIR, response to Comment 1c.

Name	Comment	Response
Sherry Bleiweiss 5065 Green Grove	Supports proposed project.	No response required.
Ernie McPherson 528 Alola Street	Presented habitat concerns and supported selection of Alternative B or the "Southern Route."	Mr. McPherson's concerns are documented in two letters presented to the City. Please refer Section 2.5, response to letter nos. 6 and 7.
Bob Kraft 301 Center Street	Supports proposed project.	No response required.
Mary Cunningham 267 Sharp Circle	Supports project, but opposes use of Harding Boulevard Bridge.	The Commission requested that traffic projections for the Harding Boulevard Crossing be provided to the public and to the Transportation Commission for the meeting of April 20, 2004. (Please refer to Appendix B.2, Attachment 6.)
	Suggested construction of a bridge to avoid safety hazards.	The City will consider the construction of an additional bridge by reconsidering Alternative 6 during the meeting of April 20, 2004.
William Zisk 205 Thomas Street	Requested a 30-day extension of the public comment periods. Opposes Route A, the Preferred Alignment ("Northern Route"). Requested clarification regarding erosion on south side of creek.	The Commission agreed to extend the public comment period until April 20, 2004 (see Appendix A). Refer to the Master Response in Section 2.4 for a comparative discussion of the Northern and Southern Route alternatives. Clarification regarding erosion on the south side of the creek is presented in Section 2.5, response to comment 2d.

The Commission agreed to extend the public comment period, and requested the following information:

- Clarification of the legal ownership of William Zisk's property and the south side alignment;
- Projected costs for the proposed and alternative bridge crossings so that the costs associated with the alternatives can be compared; and
- Traffic projections for the Harding Boulevard crossing.

All data were provided to the Commission for the meeting of April 20, 2004, as discussed in Section 2.3.2

2.3.2 Transportation Commission Meeting of April 20, 2004

Mr. Michael Wixon reiterated the project's background and goals, and addressed the Commission's requests for information from the meeting of March 16, 2004. Mr. Wixon addressed the following:

- Clarified the legal ownership of William Zisk's property and the Southern Route alignment (Refer to the following portions of the Final EIR: Table 3.1-1, Approximate Acquisition Requirements, Figure 3.1-2, Parcels Affected by the Proposed Action, and Appendix B.2, Special Presentation Report, Attachment 3);

- Provided costs for the proposed and alternative bridge crossings for comparison (see Appendix D, Cost Comparison); and

- Provided traffic projections for the Harding Boulevard crossing (see Appendix B.2, Special Presentation Report, Attachment 6).

Mr. Mark Morse introduced Ms. Susan Bushnell of Jones & Stokes, who discussed the biological impacts of the various routes under consideration. Mr. Jorge Aguilar of URS Corporation addressed the Commission's questions associated with the 100-year floodplain.

Six citizens of the City of Roseville provided comments during the public hearing portion opened by Commissioner Aplass. Their comments and appropriate responses are summarized in Table 2-2.

Table 2-2. Harding to Royer Park Bike Trail
Comments Received during Public Hearing
April 20, 2004

Name	Comment	Response
Tom Hawthorne 77 Columbia Avenue	Supports preferred alternative.	No response required.
Barbara Kraft 301 Center Street	Supports preferred alternative.	No response required.
Paul McIntyre 627 Reardon Court	Supports preferred alternative.	No response required.
Bob Kraft 301 Center Street	Supports proposed project.	No response required.
Ernie McPherson 528 Alola Street	Prefers Southern Route.	See Master Response in Section 2.4.
William Zisk 205 Thomas Street	Opposes Route A, Preferred Alignment (Northern Route).	Refer to the Master Response in Section 2.4 for a comparative discussion of the Northern and Southern Route alternatives.
	Requested clarification regarding erosion on south side of creek.	Clarification regarding erosion on the south side of the creek is presented in Section 2.5, response to comment 2d.

Name	Comment	Response
	Expressed concerns regarding vandalism and property acquisition.	Clarification regarding property acquisition is provided in Table 3.1-1, Approximate Acquisition Requirements, Figure 3.1-2 Parcels Affected by the Proposed Action, (Draft EIR), and Appendix B.2, Special Presentation Report, Attachment 3, (Final EIR). Concerns regarding security are addressed in Section 2.5, comment 1c.

Following public discussion, the commission voted to close the public comment period for the Draft EIR and recommended that the City Council approve the Preferred Alignment (Route A) as shown in the Final EIR. The Commission also recommended that the City Council direct staff to further study the Alternative 6 bridge and consider the addition of this bridge to the Preferred Alignment (Route A). Inclusion of the bridge would eliminate the need to use the existing Harding Boulevard bridge while maintaining a Class I bike trail within the open space corridor.

2.4 MASTER RESPONSE: COMPARISON OF THE NORTHERN AND SOUTHERN ROUTE ALTERNATIVES

2.4.1 Background

For various reasons, several residents expressed a preference for locating the bike trail on either the north or south side of Dry Creek between Harding Boulevard and Taylor and Lincoln Estates Parks. This response provides a general overview of the concerns raised by residents living near this portion of the trail alignment as well as a comparison of the impacts that would result from the construction of a Class 1 bike trail using the Northern Route or Southern Route alternatives.

As presented in the Draft and Final EIR, Route A, the Preferred Alignment, proposes the construction of a Class 1 bikeway on the north side of Dry Creek from Harding Boulevard to Royer Park. For purposes of the Final EIR and this response, the term "Northern Route" and "Route A" are used interchangeably and refer to the Preferred Alignment. Section 4.0 of the Draft EIR, Description and Analysis of Alternatives to the Proposed Project, also presented several alternatives to the Northern Route. For purposes of the Final EIR and this response, these alternatives are referred to as "Southern Routes." The Draft EIR illustrated these routes on Figure 4.0-1, Alternatives to the Proposed Project and Alternatives Eliminated from Further Consideration. A copy of this figure from the Draft EIR has been included at the end of this discussion for reference.

In response to public comments received on the Draft EIR, the City developed additional engineering details to allow for a more concise comparison of the costs and environmental impacts associated with the Northern Route and Southern Route alternatives. Therefore, this effort focuses on:

- Alternatives 4 and 5 as described in the Draft EIR.

- Alternative 6, which provides another bridge just west of Harding Boulevard rather than an at-grade crossing at Harding Boulevard to access the north side of Dry Creek. (The Transportation Commission recommended that this option be studied further.)

- A "hybrid" variation of Route B, which was suggested as part of a comment received on the Draft EIR.

2.4.2 Relative Comparison of Northern and Southern Routes

The public raised the following issues regarding the Northern and Southern Routes were during Transportation Commission meetings held on March 16, 2004, and April 20, 2004, and in written comments received during the public review period:

- Biological resource impacts,

- Hydrologic and flooding impacts,

- Construction and maintenance costs,

- Recreational experience, and

- Safety

The last two issues, recreational experience and safety, were primarily discussed with respect to Alternative 6, for which a new bridge would be constructed over Dry Creek immediately downstream of the existing Harding Boulevard Bridge. Although this alternative was dismissed from further consideration in the Draft EIR based primarily on feasibility reasons, the Transportation Commission asked that it be re-evaluated in the Final EIR because it would eliminate the need to for trail users to cross Dry Creek using the existing Harding Boulevard Bridge. Members of the Commission and the public posed concerns about the use of the Harding Boulevard Bridge based on the potential for vehicle/bicycle/pedestrian safety conflicts and its potential to detract from the recreational trail experience.

The following paragraphs present a comparison of the Northern and Southern Routes. The discussion provides an analysis of each alternative's ability to fulfill the project goals, which generally include seeking the most effective and efficient balance of costs and potential environmental effects while improving passive recreational access to the Dry Creek corridor. (Project objectives are more fully described in Section 1, of the Draft EIR and Section 2.2 of the Final EIR.)

Table 2-3 provides a summary of the relative impacts for key issues. As shown, the Northern Route, or Preferred Alignment, presents the fewest environmental impacts while achieving all project objectives.

Table 2-3
Comparison of Relative Impacts
Harding Boulevard to Royer Park Bikeway Project

Alternative	Cost (millions)	Riparian Habitat Impact	Oak Tree Impact	Hydraulic Impact	Maintenance Cost	Project Objectives
Northern Route						
Route A: Preferred Alignment	$2.58M	Minimal	Minimal	Minimal	Minimal	Meets All Objectives
Southern Routes						
Alternative 4	$3.4M	Severe	Severe	Moderate	Moderate	Meets Most Objectives
Alternative 5	$5.25M	Severe	Moderate	High	High	Meets Most Objectives
Route B	$1.9M	Moderate	Moderate	Minimal	Minimal	Meets Fewest Objectives
Harding Boulevard Bridge Alternative						
Alternative 6: New Bridge Downstream of Harding Blvd.	$2.98M	Minimal	Minimal	Minimal	Minimal	Meets Most Objectives

Biological Resources

The City developed conceptual cross-sections for Alternatives 4 and 5 to better estimate the construction footprint and compare biological impacts. Because these alternatives are located at a lower elevation within the floodplain, a fill prism is required to elevate the trail in accordance with City standards and thereby reduce long-term maintenance costs.

Riparian Impacts. Route A, or the Northern Route, was considered to have a minimal riparian impact resulting in the loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat.

Based upon analysis presented in the Draft EIR and subsequent cross-section analysis, Alternatives 4 and 5 were considered to have high to severe riparian impacts. Alternative 4 would impact approximately 1.9 acres of riparian habitat. This acreage consists primarily of mixed riparian forest and several mature valley oak and interior live oak trees. Alternative 5 would impact approximately 2.4 acres of riparian habitat. This acreage includes mixed riparian forest and willow scrub (sandbar willow is colonizing the "island" that occurs between the branch in Dry Creek).

Route B would create moderate riparian impacts, because it would also require bridge construction between Lincoln Estates Park and William L. Taylor Park. This structure would be rather large to ensure minimal hydraulic impact on Dry Creek.

The Alternative 6 Bridge would result in some minimal riparian impact to accommodate the bridge landings. However, under this alternative, the Route A bridge over Antelope Creek could be eliminated from the Preferred Alignment, thereby offsetting many environmental impacts.

Oak Tree Impacts. The potential for oak tree impacts associated with the various alternatives was also re-evaluated for the Final EIR. Route A and Alternative 6 would have minimal oak tree impacts, while Alternative 4 would have severe oak tree impacts. Alternative B would also affect a greater number of oak trees than Alternative A.

Biological Impacts. In addition to the analysis presented in Table 2-3, the project biologist presented the following observations:

- Route A would clearly result in the fewest impacts to riparian habitat, which is considered to be the most diverse and most valuable wildlife habitat within the project boundaries.

- Southern Route alternatives require additional creek crossings. (Alternative 5 requires three additional crossings, and Alternative 4 requires one additional crossing.)

- Permit and compensatory mitigation costs associated with construction of a Southern Route alternative would be higher than those associated with the Northern Route, and the required state and federal permits would be more difficult to obtain. Resource agencies would likely question why the "least damaging practicable alternative" was not selected (a permitting criterion). The involved permitting agencies would be less likely to question or deny the loss or disturbance of annual grassland habitat over the loss of riparian habitat, and might even *require* the City to chose the Northern Route alternative.

- Southern Route construction has the potential to increase the spread of non-native, invasive species that occur along the proposed alignments (species observed were rattlebox, Chinese tree of heaven, fig, and mulberry).

- The Southern Route alternatives have a grater potential to disturb nesting raptors and migratory birds.

- The Southern Route alternatives would provide a natural tendency for the public to establish footpaths from the trail down to the creek. This would be difficult to control and result in additional disturbance to the riparian habitat.

Hydraulics/Flooding

As noted in the Draft EIR, the impacts to the 100-year water surface elevations for the Northern Route alignment were modeled and identified as less than significant. As such, the hydraulic impact was considered minimal.

The cross-section analysis associated with Alternatives 4 and 5 indicates that the hydraulic impacts would be significantly greater than Route A, because a large amount of floodplain storage

would be displaced by the required elevation of the Southern Route alignments. The hydraulic impacts associated with Alternatives 4 and 5 were considered moderate and high.

The hydraulic impacts of Route B would be similar to Route A (minimal), but the construction costs associated with achieving minimal hydraulic impacts would be greater for Route B. Bridge construction costs would be significantly higher for Route B, because the bridge design would be elevated and longer to prevent flow impacts. This construction would also cause greater biological impacts as discussed above.

Alternative 6 was identified to have a minimal hydraulic impact to the 100-year water surface elevation, because the bridge landing pads would be placed at the outside edges of the 100-year water surface elevation. In addition, the bridge span and pier supports could be placed so that they would have a minimal impact on stream flow during a 100-year storm event. If necessary, hydraulic improvements along the creek bank could most likely be constructed to mitigate any adverse flooding effects due to bridge construction. These details would be addressed as part of the Flood Encroachment Permit process required for the project.

Construction and Maintenance Costs

Estimated construction costs were updated for inclusion in the final EIR (see Table 2-3). Appendix D, Cost Comparison, includes the estimated cost for each alignment. Maintenance costs were estimated using the cost of normal or routine maintenance of existing bike trails. Maintenance costs are related to the soil conditions and floodplain elevation.

Route A is generally located on the highest ground and on the most stable soils. Therefore, maintenance costs were considered minimal for Route A.

As noted in the Draft EIR, the soils underlying the Southern Routes (Alternatives 4 and 5) include loose, unconsolidated materials that could easily fail during a flood event. As a result, construction of either Alternative 4 or 5 would require the importation and placement of a substantial amount of fill to elevate the trail in accordance with City standards. These construction techniques should substantially reduce the potential for catastrophic failure during high flows, but due to the low-lying floodplain elevation of Alternatives 4 and 5, the fill side slopes would require moderate to high maintenance costs.

Because Route B is composed of an on-street variation to Route A, trail maintenance costs were considered minimal. Route B would require a new bridge over Dry Creek, but bridge maintenance costs appear to be minimal based on a review of costs for similar bridges, such as the bike bridge at Linda Creek and Sierra Gardens Elementary School. For these same reasons, Alternative 6 bridge maintenance costs are also considered minimal.

Project Objectives

As presented in the Draft and Final EIR, the project objectives are as follows:

- Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.

- Objective 2. Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

- Objective 3. Seek the most effective and efficient balance of capital cost, operational and maintenance costs, environmental or community impacts, and public benefits when improving passive recreational access to the Dry Creek corridor and in pursuing the achievement of goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.

Route A would achieve all project objectives, because it provides for a creekside trail consistent with goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, as well as the City of Roseville Bikeway Master Plan. The Preferred Alternative facilitates alternative transportation and improves access to public open space along the entire route.

Southern Route Alternatives 4 and 5 would meet most project objectives, but each would cause greater resource impacts and incur higher capital and maintenance costs compared to Route A.

Although Route B would incur the smallest construction and maintenance costs, it would not fulfill project objectives. Route B would not provide a creekside trail along approximately 25 percent of the route, nor would it improve access to these public open space areas. Route B would not reduce the potential for vehicle conflicts. These omissions would be inconsistent with policies contained in the Roseville General Plan Open Space and Conservation Element, and inconsistent with the City of Roseville Bikeway Master Plan.

The Alternative 6 bridge was found to meet most project objectives because it would allow for a continuous Class 1 (off-street) trail, and it would eliminate the need to use Harding Boulevard as a bridge crossing over Dry Creek.

2.4.3 Conclusions

Conclusion for Northern Routes

Route A. As shown in Table 2-3, Comparison of Relative Impacts, the selection of Route A as a standalone alternative would cause the fewest environmental impacts. One bridge would be constructed over Antelope Creek near Harding Boulevard. Although some effects to hydrology and riparian habitat would be associated with trail construction, all effects can be mitigated and would be significantly less than those associated with the other alternatives. Route A provides the most direct route between the Existing Miners Ravine Bike Trail and Royer Park,

and it also minimizes safety concerns. For these reasons, Route A continues to be identified as the Preferred Alternative.

Route A and Alternative 6. Although Alternative 6 was dismissed from further consideration in the Draft EIR based upon its cost, the Transportation Commission recommended that Alternative 6 be reconsidered in an effort to address traffic and safety considerations associated with the existing Harding Boulevard bridge to the north side of Dry Creek. As shown on Table 2-3, Comparison of Relative Impacts, the environmental impacts associated with Alternative 6 are expected to be minimal with the construction of a bridge that would sufficiently pass flood flows. The addition of Alternative 6 to Route A would allow for a continuous Class 1 trail, which would improve upon the Preferred Alternative and remain consistent with project objectives.

The City Council will determine whether to include the Alternative 6 Bridge as part of the proposed project. It should be noted that if the Alternative 6 Bridge were added to Route A, the portion of the trail between Harding Boulevard and the point where the Alternative 6 bridge crosses to the north side of Dry Creek could be eliminated from the project. This would eliminate the need to construct a bridge over Antelope Creek and provide a cost savings. This factor and other comparative cost information will be included in the staff report presented to the City Council for the Final EIR.

Conclusion for Southern Route

Some citizens preferred the selection of a Southern Route, which would incorporate the use of Alternative 4 or 5 east of Lincoln Estates Park and Route B west of Lincoln Estates Park. A second option would be to use Route A for the eastern portion (beginning as a Northern Route), and follow Route B westward from William B. Taylor Park.

Alternatives 4 and 5. The Final EIR indicates that each alternative would create greater environmental impacts compared to the Northern Route. Therefore, these routes are dismissed from further consideration as is consistent with the Draft EIR.

Route B. The construction of a bridge over Dry Creek between William L. Taylor Park and Lincoln Estates Park would be required for the implementation of Route B. A substantial amount of vegetation would be removed to accommodate the construction of a properly designed bridge to avoid flooding at this location. Regardless of these environmental considerations, this alternative was rejected because it would not provide recreational Class 1 bike trail linkage or meet project objectives regarding commuting options.

Conclusion for Route B "Hybrid" Alternative

The City received a comment on the Draft EIR that requested the consideration of a Route B hybrid alternative. The hybrid Alternative would begin at Harding Boulevard and follow Alternative 4 as a Southern Route alternative to Lincoln Estates Park. At the park, the route would continue west as an off-street Class 1 trail and emerge onto the ramped end of Evelyn Avenue. From that point, the hybrid route would follow a modified form of on-street Route B, turning right onto Marilyn Avenue and left at an alley past Maciel Avenue. The trail

would transition back to a Class 1 facility, cross an empty lot on Columbia Avenue, and follow the south bank to cross under Sutter Street into Royer Park.

As described, the hybrid alternative would be less effective than Route A in achieving the project objectives, because it would neither provide for a recreational creekside trail nor improve access to public open space. The hybrid alternative would also pose a greater risk of potential vehicle conflicts, because it relies on surface streets rather than a graded-separated Class 1 bike trail. In addition, this less direct route does not facilitate commuting. Because the Southern Route alignments are located at lower elevations in the floodplain, the direct impact associated with implementing Alternative 4 would be much greater than the impacts associated with the Northern Route.

As previously discussed, the construction of Alternative 4 requires a substantial amount of fill. The construction techniques required to elevate a southern route trail would also incur a much higher cost compared to Route A, which would be constructed mostly at grade. The hybrid would also traverse riparian habitat as it climbs the side slope to merge with Evelyn Avenue. In addition, the mitigation costs associated with riparian impacts would be substantially greater for this alternative. The proposed hybrid route would also pass through a potentially sensitive cultural resource area. Additional archaeological field tests would be required to determine whether significant impacts would occur and whether mitigation would be required. For these reasons, the hybrid alternative was dismissed. It should be noted that as described in the draft EIR, several other alternatives were considered and dismissed for the same reasons.

2.5 INDIVIDUAL COMMENTS RECEIVED ON THE DRAFT EIR

The individuals who submitted comments on the Draft EIR through April 20, 2004, are listed and numbered in Table 2-4. A copy of each comment letter is presented in Appendix C. If a letter contains more than one topic for which a response is required, the responses are broken down alphanumerically for each topic (i.e., if the first letter contained three pertinent comments, three responses would follow as 1a, 1b, 1c).

Table 2-4. Individual Comments Received on the Draft EIR

Number	Date Received	Commentor Name
1	April 12, 2004	Kevin S. McCurry, DDS
2	March 16, 2004	Beth A. Sunflower Gouveia
3	March 26, 2004	Beth A. Sunflower Gouveia
4	March 29, 2004	Lisa Humphrey
5	March 16, 2004	Wylla Taylor
6	April 12, 2004	Ernie McPherson
7	April 16, 2004	Ernie McPherson
8	April 29, 2004	William J. Zisk
9	March 17, 2004	Mark and Lily Kraft
10	March 22, 2004	Andrew Thomasen
11	March 30, 2004	Melissa R. Rooker
12	March 30, 2004	Ginger Foster, Ray Jellison, and Myles Jellison
13	April 1, 2004	Don Menisking
14	March 15, 2004	Kathleen Benitez
15	March 15, 2004	Rose Sharp
16	March 15, 2004	Hilde Delize
17	March 15, 2004	Lisa B. Aguilar
18	March 15, 2004	Justin Bridges
19	March 15, 2004	John Aguilar
20	March 11, 2004	Denise LaFazia
21	March 11, 2004	Tara Edon
22	March 9, 2004	Bob Kraft
23	March 9, 2004	Dorothy Warnock
24	March 9, 2004	John and Marianne Appelbaum
25	March 8, 2004	Duane Hunter
26	March 5, 2004	Paul McIntyre
27	April 20, 2004	Tom and Virginia Hawthorn
28	March 4, 2004	Tom and Virginia Hawthorn
29	March 9, 2004	Barbara Kraft
30	March 18, 2004	The Preszler Family

Of the 30 letters the City received, eight letters presented questions, opposition, or support of an alternative route (see responses to letters 1 through 8). The remaining 22 letters presented project support and do not require a response from the City. Comment letters received after close of the public comment period will be attached to the staff report (Council

Communication) prepared for this project, so that they can be considered by the City Council prior to deliberations and decision making related to final EIR certification and project approval.

Response to Letter 1, from Kevin S. McCurry, DDS

Response to Comment 1a: Liability to adjacent landowners. As stated in Section 3.1, Land Use, of the Draft EIR, the City understands that issues of concern to adjacent landowners include concerns over liability relating to possible injuries to bicyclists and pedestrians. To address such concerns, the City will construct the bicycle trail exclusively on City-owned property or property acquired specifically for the bicycle trail. To eliminate potential liability issues for accidents that may occur on the trail, the City has indicated that it typically purchases for fee and title any private property within the preferred route to a width of 20 feet rather than merely obtain an easement for its use. (Please refer to the discussion of "Fee and Easement Acquisition" that appears Section 3-1, Land Use of the Draft EIR, page 3-3.) The City will include signage and a post and cable fence to discourage trail users from entering adjacent private property.

Response to Comment 1b: Potential degradation of Dry Creek. Section 3.3, Water Resources and Section 3.5, Biological Resources, of the Draft EIR describe how the City evaluated the potential environmental impacts to Dry Creek as a result of the proposed project using applicable federal, state, and local regulations and guidance. The discussions identify several mitigation measures for preventing impacts to water quality, water surface elevations, aquatic habitats, and riparian habitats during construction and operation of the proposed project. All potential impacts were identified as less than significant with appropriate mitigation measures.

As described in Section 2.2, Project Design Characteristics, the proposed Class I bikeway would be constructed in accordance with City standards, which call for a 10-foot-wide paved trail with 2-foot shoulders, but this standard is flexible to allow for a reduced width to accommodate environmental or other constraints. As discussed in Draft EIR Section 2.3, Proposed Project, certain locations along the banks of Dry Creek will require excavation and reinforcement through the use of a gabion wall, retaining wall, or rock slope protection to address erosion or slope issues. Approximately 0.04 acre would be impacted along Dry Creek for these improvements. The impact of this fill was considered as part of the flood modeling conducted for the proposed project. Similar bank protection and/or stabilization techniques may be necessary on the north side of Dry Creek between Folsom Road and Lincoln Street to accommodate Route A and continued use of the existing ramp from Folsom Road that provides access to the rear portion of properties that front the south side of Linda Drive. The details of this design will be closely coordinated with the adjacent property owners, including Mr. McCurry. Any changes to the bank geometry required for implementation of the proposed project would be evaluated using the City's flood model, and it would be subject to the flood encroachment permit process. If additional CEQA review is required, it would be conducted at that time.

Response to Comment 1c: Patrol of the proposed trail. The City acknowledges that issues of concern to adjacent landowners include safety issues and the potential for an increased incidence of vandalism and illicit activities in previously inaccessible areas, including the

presence of the homeless in the project area. As described in Section 3.10 of the Draft EIR, Public Services and Safety, the Roseville Police Department serves as the primary security force for parks, open space, and floodway areas, including bikeways, and the department assigns officers to patrol these areas as needed. The City's existing Class I bike trail system is patrolled regularly with officers using bicycles and an off-road motorcycle acquired specifically for patrolling Class I bicycle trails. In addition, the trail will be accessible to emergency vehicles.

The Roseville Police Department has indicated that the new trail segment will be patrolled regularly with its existing staff levels. The Police Department estimates that it currently patrols such areas for a total of 6 to 7 hours per week. The Police Department cannot guarantee a certain number of patrols a day, because emergencies can divert personnel, but it estimates that it can usually patrol the new section of the trail once or twice per day during dry months and respond anytime a problem is reported.

Response to Comment 1d: Loss of two redwood trees across from Folsom Road. As discussed in Sections 3.5, Biological Resources, and Section 3.11, Aesthetics, approximately 0.05 acre of riparian forest and scrub would be removed as a result of the proposed project, and this loss includes the removal of two redwood trees on the upland portion of the north bank of Dry Creek. The trees must be removed to construct a retaining wall for the bridge underpass at Folsom Road. Although the loss of these trees will reduce the overall height and bulk of the existing dense vegetation, the results of the visual impact analysis indicate that it will not substantially degrade the visual character or quality of the site or degrade the overall aesthetic value of the site. Therefore, these losses were considered less than significant under CEQA.

Response to Comment 1e: Trail alignment at Folsom Road and Linda Drive and potential conflicts between pedestrians/cyclists and commercial trucks. As described in Draft EIR Section 2.3, Proposed Project – Route A, the Preferred Alignment would pass under Folsom Road and continue west through three commercial properties and one apartment complex on Linda Drive. However, the implementation of this alignment would require the acquisition of right-of-way and temporary construction easements from the affected property owners, including Mr. McCurry. The alignment would also need to accommodate the existing access road and a Class 1 bike trail between Mr. McCurry's office building and Dry Creek.

The City performed additional design work to confirm the "constructability" of the trail and to address the concerns associated with the existing access road. The design work demonstrated that a Class 1 bike trail can be constructed through this area through the use of retaining walls on the upslope side and some bank stabilization work on the creek side, and it can continue to accommodate an access road. The final design details will be developed in consultation with the affected property owners.

Response to Letter 2, from Beth A. Sunflower Gouveia

Response to Comment 2a: Selection of a Southern Route alternative would cause fewer impacts to wildlife and habitat. As described in Section 3.5, Biological Resources, of the Draft EIR, the City evaluated potential wildlife and habitat impacts using CEQA criteria. Based upon this analysis, the project-related effects of implementing Route A (the Preferred Alignment presented in the Draft EIR) were identified as less than significant with the use of

appropriate mitigation measures. Please refer to Section 2.4, Master Response: Comparison of the Northern and Southern Route Alternatives, for more details.

Although the letter states that Route A, the Preferred Alignment, appears to cut through a greater swath of riparian habitat between Harding Boulevard and Lincoln Estates Park, the trail actually passes primarily through upland/non-native grasslands. It also follows an existing dirt access road that is used for sewer maintenance, and it would result in very minimal habitat losses. In comparison, the Southern Route alternatives would pass through and directly impact riparian habitat, which is widely recognized as having higher biological value compared to the north side upland/grasslands. Furthermore, because the south side alternatives are located at lower floodplain elevations compared to the north side, a pathway constructed on the south side would need to be elevated and constructed on a fill prism that would result in a greater direct impact footprint compared to the same reach on the north side. Because of the need to elevate south side alternatives, the width of the construction footprint on the south side would increase significantly compared to the width of the footprint on the north side.

While the commentor's opinion is noted for the record, the project biologist identified that greater biological impacts would result from trail construction on the south side of Dry Creek between Harding Boulevard and Lincoln Estates Park when compared to the construction of Route A, the Preferred Alignment. Refer also to comment response No. 6 for details regarding habitat islands and corridors.

Response to Comment 2b: A Southern Route alternative would be less expensive. As discussed in the response to comment 2a, the construction of the Southern Route alternative would require special construction techniques to elevate the trail and the construction of an additional bridge over Dry Creek. The cost of this design variation and the additional bridge would more than offset the difference between the cost of the additional paving associated with the preferred alternative.

The cost-effectiveness of the proposed project is not a physical environmental issue that requires analysis under CEQA. However, when considering project approval, the City will take into account the anticipated benefits, the costs, and the significant environmental effects of the project in order to make a balanced decision that meets the project objectives (goals) and is beneficial to the community.

Response to Comment 2c: Fewer people will have access to the preferred alternative than to the Southern Route. The proposed trail segment is considered an infill project that will link existing bicycle trails on each end as noted in the City's Bicycle Master Plan. Because the proposed segment will be part of the larger trail system, it is expected that the majority of trail users will not necessarily be from the immediately surrounding area. Bikeway construction will include installation of appropriate signs to identify the location of trail access points on both sides of Dry Creek. South side trail access points would include Harding Boulevard, Folsom Road and Lincoln Street within the project area. On the north side of Dry Creek, the trail would be accessible from these same locations as well as from East Street and William L. Taylor Park. The Lincoln Estates area may be more densely populated than the opposite (north) side of Dry Creek, but considering the regional nature of this infill trail segment, the location of the bike trail

(northern or southern side of the creek) is not expected to have a major effect on trail use. Refer to the response to comment 4a with regard to parking issues.

Response to Comment 2d: Erosion in Dry Creek along portions of the northern route. As discussed in Section 2.2, Project Description, rock slope protection would likely be used at some locations to prevent bank erosion. Rock slope protection will be used at the Folsom Road undercrossing and at the portion along the preferred route adjacent to the Zisk property mentioned in the comment letter. Retaining walls would also be used at locations where slope cuts are required to accommodate trail construction at two locations: at the Folsom Road undercrossing and at a location approximately 350 feet upstream of Folsom Road. Additional locations in which rock slope protection or retaining walls would be necessary may be identified during the final design process. Refer also to Section 2.4, Master Response: Comparison of Northern and Southern Route Alternatives, for discussion regarding potential final design changes downstream of Folsom Road.

Response to Comment 2e: Carefully consider the consequences of placing the trail on the northern side of Dry Creek. As the project sponsor and lead agency pursuant to the California Environmental Quality Act, the City has performed a thorough review of the proposed project pursuant to all appropriate federal, state, and local regulations and guidelines as described in the Draft and Final EIR. All potential impacts associated with the preferred alternative were determined to be less than significant with the use of appropriate mitigation measures. The City Council will carefully consider all of the information contained in the project record before making a decision regarding a final route selection.

Response to Letter 3, from Beth A. Sunflower Gouveia

Response to Comments 3a: Selection of a Southern Route alternative would cause fewer impacts to wildlife and habitat. Please refer to the response to comment 2a.

Response to Comment 3b: A Southern Route alternative would be less expensive. Please refer to the response to comment 2b.

Response to Comment 3c: Fewer people will have access to the preferred alternative than to the southern route. Please refer to the response to comment 2c.

Response to Comment 3d: Erosion in Dry Creek along portions of the northern route. Please refer to the response to comment 2d.

Response to Comment 3e: Carefully consider the consequences of placing the trail on the northern side of Dry Creek. Please refer to the response to comment 2e.

Response to Letter 4, from Lisa Humphrey

Response to Comment 4a: Construction of the proposed trail will compound existing parking problems along Parry Street. As stated in Section 3.6, Traffic and Circulation, of the Draft EIR, bike trail construction may increase the demand for parking at William L. Taylor Park. However, the potential increased demand for parking was found to be

less than significant. The City acknowledges Ms. Humphrey's comments and photographs and has forwarded this parking complaint to the Roseville Police Department and Public Works Department for additional follow up. This parking condition is considered an existing problem that results from park users ignoring posted "No Parking" signs. The Public Works Department is reviewing the existing width of Parry Street and assessing the costs and alternatives associated with street widening. Should the City decide to widen the one-lane portion of Parry Street, it would be undertaken as a separate project with its own project-level environmental review.

Response to Comment 4b: Emergency vehicles will be unable to access the street in the event of an emergency. As stated in the response to comment 4a, the City is further investigating existing ongoing parking violations and the condition of vehicle access to Parry Street.

Response to Letter 5, from Wylla Taylor

Response to Comment 5a: The proposed asphalt bike trail will cause further changes in the area's habitat. Section 3.3, Water Resources and Section 3.5, Biological Resources, of the Draft EIR describe how the City evaluated the potential environmental impacts to Dry Creek as a result of the proposed project using applicable federal, state, and local regulations and guidance. The discussions identify several mitigation measures to prevent impacts to water quality, water surface elevations, aquatic habitats, and riparian habitats during construction and operation of the proposed project. All potential impacts were identified as less than significant with appropriate mitigation measures.

Response to Comment 5b: Keeping the trail on the south side of Dry Creek would not require bridge construction or cause concern over high water in winter months. The alternatives south of Dry Creek are at lower floodplain elevations compared to the Northern Route (Route A). In addition, Alternatives 4 and 5 would still require the construction of a bridge near Lincoln Estates Park (see figure 4.0-1 of the Draft EIR, Alternatives to the Proposed Project and Alternatives Eliminated from Further Consideration). Please refer to Section 2.4, Master Response: Comparison of Northern and Southern Route Alternatives.

Response to Letter 6, from Ernie McPherson

Response to Letter 6: The Harding Boulevard to Royer Park Bicycle Trail is located within a habitat island that extends from Interstate 80 West to Folsom Road and to the edges of undeveloped property in Roseville, California. The proposed project would bisect the habitat island. Consider the treasured Enwood habitat (i.e., the portion of the habitat island within the project area). In preparation of the final EIR, the City recognized all of the species Mr. McPherson has listed as either currently or historically reported from the study area, and analyzed project impacts and mitigation measures for six of the sensitive special-status wildlife species with potential or known to occur on site. The City also considered the short-term disturbance from construction activities on common wildlife species. It concluded that this impact is less than significant, because the bikeway corridor is surrounded by development and public use is already occurring. In addition, the common wildlife species are locally and regionally abundant and sufficient habitat is available in the project vicinity.

A substantial number of species on the list are no longer expected to occur because there is no suitable habitat (e.g., foothill yellow-legged frog, California red-legged frog, California tiger salamander, vernal pool fairy shrimp). In addition, almost all, if not all, of the species listed as present at Enwood but not at Sculpture Park are common throughout the Central Valley, some of which are thriving in urban landscapes (e.g., mallard, red-winged blackbird, western toad, Anna's hummingbird, and house finch). Enwood and adjacent urban landscapes provide habitat for special-status and common wildlife species. However, it would be more appropriate to say that the study area provides a habitat corridor for wildlife species occurring throughout the Roseville area linked by the creeks and in some cases urban landscapes. Finally, it should be noted that the Northern Route would primarily impact non-native grassland, while the Southern Route would impact riparian habitat, which is considered to have greater biological value.

Response to Letter 7, from Ernie McPherson

Response to Comment 7a: What are the goals of the Harding to Royer Park Bicycle Trail? As stated in Section 1.0 of the Draft EIR, the City intends to fulfill three main purposes or objectives:

- Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.

- Objective 2. Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

- Objective 3. Seek the most effective and efficient balance of capital cost, operational and maintenance costs, environmental or community impacts, and public benefits when improving passive recreational access to the Dry Creek corridor and in pursuing the achievement of goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.

As described in Section 2.4, Master Response for Selection of the Preferred Alternative, the City selected Route A because it fulfills all three goals.

Response to Comment 7b: A hybrid route composed of Route A and Alternative 4 or 5 would be shorter, serve a greater number of people, and require less new pavement. The proposed project will be designed as one segment of the City's Bicycle Master Plan, which serves all cyclists, not only those who reside in the neighborhoods through which it passes. Access to the trail would be provided from several public locations such as Harding Boulevard, William L Taylor Park, Folsom Road, Sutter Avenue, Royer Park, or the City Parking Lot just south of Linda Drive.

The City considered the hybrid alternative proposed by the commentor. As described, the hybrid alternative would be less effective than Route A in achieving project objectives, which call for a recreational creekside trail and improving access to public open space. The hybrid

alternative would also pose a greater risk of potential vehicle conflicts, because it relies on surface streets rather than a separate bike trail. In addition, this less direct route does not facilitate commuting. Because any southern route alternative would need to be developed at a lower elevation, the direct impact associated with the footprint of Alternative 4 or 5 would be much greater than the impacts associated with the northern route. The construction of either Alternative 4 or 5 would require a substantial amount of fill, based on the need to create prism side slopes. The construction techniques required to elevate a southern route trail would also incur a much higher cost compared to Route A, which would be constructed mostly at grade. The proposed hybrid route would also pass through a sensitive cultural resource area. Additional archaeological field tests would be required to determine whether related impacts would be significant and the need for mitigation. For these reasons, the hybrid alternative was rejected. It should be noted that as described in the draft EIR, several other alternatives were considered and rejected for these same reasons. Please refer to Section 2.4, Master Response: Comparison of the Northern and Southern Route Alternatives.

Response to Comment 7c: The cost savings associated with the hybrid trail route would mitigate the drawbacks to a southern trail, finance other trail segments on the list, and reduce the amount of paved surface. The proposed hybrid trail could incur lower pavement costs, because it would use existing surface streets for approximately one fourth of the trail length, thereby achieving a significant reduction in pavement costs compared to the proposed alignment. However, the use of surface streets is inconsistent with project objectives that call for a creekside trial and improving public access for passive recreation along Dry Creek. Additionally, the hybrid proposal would not provide a Class 1 bike trail connection to Adelante High School, which would be provided under Route A, the Preferred Alternative.

A southern route trail would also require special construction techniques to elevate the trail to meet City standards to reduce the frequency of the trail being inundated. This requires construction of a fill prism, a wider construction footprint with increased construction costs, and a greater loss of riparian habitat. The cost to mitigate riparian habitat can be significant; the California Department of Fish and Game typically requires mitigation at a ratio of 3:1 for riparian impacts. The project biologist has estimated that the cost of riparian mitigation associated with a Southern Route could be substantial.

Although project cost is not typically an issue evaluated in CEQA documents, the City has prepared more detailed cost estimates to assist the Council with route selection. This additional information will be presented in the City Council staff report prepared for the project. Consequently, project costs will be considered by the City Council as part of the overall decision-making process. One issue to be considered is cost savings that could be realized by compromising certain project objectives, such as maintaining a creekside trail. As described in both Section 4 of the Draft EIR and Section 2.4 of the Final EIR, Master Response: Comparison of the Northern and Southern Route Alternatives, Route A (the Preferred Alignment) will create fewer environmental impacts and meet more of the project objectives than the proposed hybrid alternative.

Response to Comment 7d: Traffic on Harding Boulevard will pose hazards to cyclists who might not cross the road at the location of the proposed signalized crosswalk. The Harding Boulevard Bridge over Dry Creek is a four-lane arterial road with striped Class 2

(on-street) bike lanes and sidewalks on both sides of the road. The roadway design and striping plan are consistent with the Caltrans Highway Design manual and the City of Roseville Bikeway Master Plan. The use of Class 2 bike lanes on this section of Harding Boulevard is not unlike other arterial roads in the City. In fact, the use of Class 2 bike lanes on arterial roads is common practice throughout the state. Similarly, the use of pedestrian crosswalks at signalized arterial road intersections is common practice and, other than a grade-separated crossing, is considered to be the safest alternative available. Consequently, Harding Boulevard was designed for use by vehicles, bicyclists, and pedestrians using commonly accepted safety guidelines. The City cannot take responsibility for citizens that may chose not to follow vehicle and/or pedestrian traffic laws. In addition, there would be no incentive for bicyclists to cross Harding Boulevard mid-block (at the existing trail heads), since doing so would provide no benefit. Connecting Route A to Harding Boulevard as proposed will provide a natural incentive for trail users to cross Harding Boulevard at the existing signal at Wills Road.

Traffic volumes on Harding Boulevard and related safety considerations were discussed at length at two Transportation Commission meetings. At the meeting of March 16, 2004, the Commission asked for more information regarding Harding Boulevard traffic conditions (trip volumes, speed, and existing bike lane and intersection crosswalk striping). The Commission was provided with this data for use during its meeting of April 20, 2004. Based on this information, the Transportation Commission recommended that the City Council direct staff to add the Alternative 6 bridge to the project in part to address issues raised by this comment. The other reason the Commission chose to pursue the Alternative 6 bridge was to maintain a Class 1 trail through the entire project area in an effort to enhance the recreational experience for trail users. The City Council will determine whether to include the Alternative 6 Bridge. It should be noted that from a cost standpoint, should the Alternative 6 Bridge be added to the project, the segment of bike Preferred Alignment between Harding Boulevard and the point where the Alternative 6 bridge crosses to the north side of Dry Creek could be deleted from the project. (This would eliminate the need to construct a bridge over Antelope Creek.) This factor and other comparative cost information were presented in the staff report to the City Council for the Final EIR.

Response to Comment 7e. The proposed alternative will bisect a habitat island. Please refer to the response to Comment 6.

Response to Comment 7f. Vegetation on the north side is richer and has greater potential than vegetation on the south side of Dry creek. As discussed in Section 2.4, Master Response for the Northern and Southern Route Alternatives, and the response to Comment 6, construction of a trail on the South Side would create significantly greater impacts to riparian vegetation.

Response to Comment 7g. The north side of Dry Creek, soon after it is joined by Antelope Creek, looks like it could be of concern with a higher bank being cut along the outside curve. This is especially ominous where it cuts closest to the curve in East Street. As discussed in Section 3.2, Geology, of the Draft EIR, the proposed bikeway would be constructed primarily along the terraced areas above the stream channel. The Dry Creek stream channel varies considerably in width and depth throughout the project area. The primary channel near Harding Boulevard shifts its alignment regularly following periods of high stream flows.

Retaining walls would be used at locations where slope cuts are required to accommodate trail construction, and they are anticipated for use at a minimum of two locations.

The City evaluated geologic and hydraulic conditions during preparation of the Draft EIR, and it determined that the potential increase in bank or slope stability from construction of the proposed bikeway is less than significant. However, the geologic impacts associated with a Southern Route alternative would likely be greater than those associated with the Preferred Alignment. Unconsolidated soil and gravel are present in some locations and subject to failure without the use of specialized construction techniques, and a Southern Route would likely incur greater maintenance costs. The City has agreed to conduct further site-specific geologic and soil studies prior to final design to comply with City improvement standards, including erosion control measures.

Response to Comment 7h. The southern route could disentangle Roseville from some of its legal issues with William Zisk. Comment noted.

Response to Comment 7i. We need a design that answers more transportation and other needs and skirts the unique island allowing enjoyment of a richer preserved habitat. Please refer to Section 2.4, Master Response for Selection of the Preferred Alternative, and the response to Comment 6.

Response to Letter 8, from William J. Zisk

Response to Comment 8a: Comment noted.

Response to Comment 8b: As the lead agency, the City has a conflict of interest in completing the preparation of the CEQA/NEPA requirements. The City, as the state lead agency undertaking the project, is required to prepare an appropriate environmental document, in this case an EIR under the California Environmental Quality Act (CEQA), to disclose the environmental effects associated with the proposed construction and operation of the proposed bikeway. Compliance with the National Environmental Policy Act (NEPA) was also required because funds for preliminary engineering and environmental assessment were provided in part under the Intermodal Surface Transportation Efficiency Act (ISTEA). The Federal Highway Administration, as the federal lead agency under NEPA, evaluated the proposed project and prepared a Categorical Exclusion to complete project compliance with NEPA on May 21, 2003.

Response to Comment 8c: The City's Draft EIR does not discuss the City's 30-year history of conflict with Zisk family and significant impacts. The definition of cumulative effects under CEQA refers only to past, present, or future actions that would result in physical changes to the environment. Comment noted.

Response to Comment 8d: The Draft EIR does not address the history of uncertainties regarding the physical boundaries between City property and property boundaries associated with the Zisk property and the former Taylor property (Parcel nos. 013-040-003 and 13-040-004). Comment noted.

Response to Comment 8e: The photographic mapping used in the DEIR does not depict accurate topography of the centerline of Dry Creek and adjacent land conditions. As presented in Appendix E of the Draft EIR, hydraulic modeling was performed by Ayres Associates in May 2003 in support of the proposed project, which includes an aerial photograph of the proposed project area. The location of the centerline of Dry Creek, the centerline of the Bike Path, and cross section locations were overlaid upon the aerial photo to aid the reader in the identification of field reference points. Although the centerlines were superimposed upon the aerial photo using GIS locations, their placement is not exact because aerial photographs can become slightly distorted by the curvature of the camera lens. The overlaid aerial photograph is included in the Ayres Report to aid the reader in the identification of modeling locations and their relationship to identifiable field conditions; it was included for illustrative purposes only, and does not affect the model input, assumptions, or results.

The City performed hydraulic modeling in May 2003 to update and supplement previous analysis performed in the project area in January 1998, and several additional cross sections were analyzed near the Zisk Property to evaluate recent changes in the bank geometry. The City performed the additional modeling to ensure that accurate data would be included in its EIR. Any subsequent changes to the stream channel would be considered during the development of final design drawings.

Response to Comment 8f: The Draft EIR does not address the natural drainage swale that exists on the Zisk property and exits into Dry Creek. Appendix I of the Draft EIR presents preliminary design plans for the proposed project, and the drainage swale is illustrated on page 4 of 11 of the plan set. As shown, drainage at this location would be conveyed under the proposed bike trail using a large-diameter culvert.

Response to Comment 8g: The Draft EIR does not address the Zisk's domestic and riparian water rights on parcel nos. 013-040-003, -004, and -005. Construction and operation of the proposed trail in the area near the Zisk property (parcel No. 013-040-004) does not require any additional property acquisition and, therefore, would not change the existing relationship of the Zisk property to nearby riparian or potable water resources. As such, project implementation would not impact or alter any existing water rights (riparian, potable or otherwise); therefore, the issue was not addressed in the Draft EIR.

Response to Comment 8h: The Draft EIR does not address potential effects of bike trail construction on an oak tree, the Valley Elderberry Long-horned Beetle (VELB) and flooding at the west end of parcels 013-040-005 and 013-040-004 as a result of cutting, grading and filling of a steep embankment. As described in Section 2.2 of the Draft EIR, Project Design Characteristics, the project area contains two locations in which rock slope protection will be incorporated, one of which is occurs at the western end of parcel 013-040-005 (see figure 2.1-2 and 3.1-1).

Section 3.3, Water Resources and Section 3.5, Biological Resources, of the Draft EIR describe how the City evaluated the potential environmental impacts associated with the proposed project using applicable federal, state, and local regulations and guidance. The discussions identify several mitigation measures to prevent impacts to water quality, water surface elevations, and riparian habitats during construction and operation of the proposed

project. All potential impacts were identified as less than significant with appropriate mitigation measures.

Response to Comment 8i: The Draft EIR does not describe the 30-year conflict regarding property ownership between the City and the Zisk family with regard to parcels 013-040-003 and 013-040-005 and does not respond to past present and future significant cumulative effects under CEQA/NEPA. The Draft EIR was prepared to fulfill CEQA requirements; the definition of cumulative effects under CEQA refers only to past, present, or future actions that would result in physical changes to the environment. Refer to Appendix B.2, Transportation Commission Meeting, April 20, 2004, of the Final EIR, Attachment 3, for the City's position with respect to the ownership of parcel nos. 013-040-003 and 013-040-005. Comment noted.

Response to Comment 8j: The only logical and feasible alternative is to continue from the recently completed alignment of phase one on the south side of Miners Ravine Creek and continue beneath the Harding Boulevard bridge to the south side of Dry Creek to Lincoln Estates Park. As previously stated, the City considered five alternative alignments south of Dry Creek, but did not identify either alignment as environmentally superior or effective at fulfilling project goals. Please refer to Section 2.4, Master Response for the Northern and Southern Route Alternatives, and the response to comment No. 6 and No. 7b.

Response to Letter 9, from Mark and Lily Kraft

Letter of support; no response required.

Response to Letter 10, from Andrew Thomasen

Letter of support; no response required.

Response to Letter 11, from Melissa R. Rooker

Letter of support; no response required.

Response to Letter 12, from Ginger Foster, Ray Jellison, and Myles Jellison

Letter of support; no response required.

Response to Letter 13, from Don Menisking

Letter of support; no response required.

Response to Letter 14, from Kathleen Benitez

Letter of support noted; no response required.

Response to Letter 15, from Rose Sharp

Letter of support noted; no response required.

Response to Letter 16, from Hilde Delize

Letter of support noted; no response required.

Response to Letter 17, from Lisa Aguilar

Letter of support noted; no response required.

Response to Letter 18, from Justin Bridges

Letter of support noted; no response required.

Response to Letter 19, from John Aguilar

Letter of support noted; no response required.

Response to Letter 20, from Denise LaFazia

Letter of support noted; no response required.

Response to Letter 21, from Tara Edon

Letter of support noted; no response required.

Response to Letter 22, from Bob Kraft

Letter of support noted; no response required.

Response to Letter 23, from Dorothy Warnock

Letter of support noted; no response required.

Response to Letter 24, from Joun and Marianne Appelbaum

Letter of support noted; no response required.

Response to Letter 25, from Duane Hunter

Letter of support noted; no response required.

Response to Letter 26, from Paul McIntyre

Letter of support noted; no response required.

Response to Letters 27 and 28, from Tom and Virginia Hawthorn

Letters of support noted; no response required.

Response to Letter 29, from Barbara Kraft

Letter of support noted; no response required.

Response to Letter 30, from the Preszler Family

Letter of support noted; no response required.

3.0 LIST OF PREPARERS

The following people contributed to the preparation of this Final EIR:

3.1 CITY OF ROSEVILLE

Mark Morse	Environmental Coordinator Community Development
Mike Wixon	Transportation Manager Public Works Department
Garth Gaylord	Associate Civil Engineer Public Works Department

3.2 JONES & STOKES ASSOCIATES

Brian Bergfalk	Project Director
David Shpak, AICP	Project Manager
Susan Bushnell	Project Biologist and Wetland Scientist
Lisa Harmon	Environmental Impact Analyst
Tim Messick	Graphic Artist
Ryman Simangan	Air Quality Specialist
Chris Small	Technical Editor
Lynn Wall	Regulatory Specialist

APPENDIX A. EXTENSION OF PUBLIC COMMENT PERIOD TO APRIL 20, 2004

William J. Zisk
205 Thomas Street
Roseville, California 95678

Telephone: (916) 782-2233
Fax: (916) 783-3408

RECEIVED
MAR 16 2004
Community Development Dept.

March 16, 2004

Mark Morse
City of Roseville Community Development Department
311 Vernon Street
Roseville, CA 95678

RE: Draft Environmental Impact Report (EIR) for the Harding Boulevard to Royer Park Bikeway Project.

Subject: Request Written Comment Period Extension and Transportation Commission Public Hearing Continuance

Mr. Mark Morse:

This letter will confirm our brief telephone conversation this morning, whereby I am requesting a thirty-one (31) day extension of the written comment period, from April 2, 2004 to May 3, 2004, for the Draft Environmental Impact Report (EIR) for the Harding Boulevard to Royer Park Bikeway Project. I am also requesting a thirty (30) day continuance of the public hearing before the Transportation Commission, which is tentatively scheduled for March 16, 2004 at 7pm.

Due to my age (74) and prior, current, and future pending medical appointment commitments, I have been unable to adequately review and respond to the Draft EIR. This issue is extremely important to me as it has been ongoing during the course of the past 30 years.

Thank you for your courtesy.

Sincerely

William J Zisk

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Jan Boel
Acting Deputy Director

RECEIVED
MAR 30 2004
Community Development Dept.

Memorandum

Date: March 25, 2004

To: All Reviewing Agencies

From: Scott Morgan, Senior Planner

Re: SCH # 2000122078
Harding Boulevard to Royer Park Bikeway Project

Pursuant to the attached letter, the Lead Agency has extended the review period for the above referenced project to April 20, 2004 to accommodate the review process. All other project information remains the same.

cc: Mark Morse
City of Roseville Community Development Dept.
311 Vernon Street
Roseville, CA 95678

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
(916)445-0613 FAX(916)323-3018 www.opr.ca.gov

RECEIVED
STATE CLEARING HOUSE

Sch # 2004042078

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

Community Development Department
311 Vernon Street • Roseville, CA 95678
916.774.5334 • FAX 916.774.5195

DATE: March 24, 2004

TO: Interested Parties

FROM: City of Roseville Community Development Department

SUBJECT: Draft Environmental Impact Report (EIR) for the Harding Boulevard to Royer Park Bikeway Project –PUBLIC COMMENT PERIOD EXTENSION

Comment Period Extension: As directed by the City of Roseville Transportation Commission, the Harding Boulevard to Royer Park Bikeway Project draft EIR public comment period has been extended from April 2nd to **April 20, 2004.** The public comment period will close following the City of Roseville Transportation Commission Meeting scheduled for April 20th at 7:00 P.M. in the Roseville Council Chambers.

Public Hearing: A continued public hearing on the draft EIR will be held before the City of Roseville Transportation Commission on April 20, 2004. Transportation Commission meetings start at 7:00 p.m. in the Roseville Council Chambers, 311 Vernon Street. Interested parties should call the Roseville Public Works Department to confirm the meeting agenda, time, and date (746-1300).

Project Location and Description: A draft environmental impact report (DEIR) for the proposed bikeway, extending from Harding Boulevard to Royer Park, was made available for public review beginning February 18, 2004. The proposed bike trail alignment follows the Dry Creek corridor along the north side of the creek, from Harding Boulevard to Royer Park. The project area encompasses the riparian corridor along Dry Creek and various surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

Significant Effects: The DEIR identifies the following potentially significant impacts that could occur if the proposed project is implemented however mitigation measures included in the DEIR would reduce the impacts to a less-than-significant level: Geology, Air Quality, Biological Resources, Traffic and Circulation, and Cultural Resources.

Draft EIR Availability: The DEIR is available for public review at the following locations, or may be purchased for $10 at the Roseville Permit Center:

- The City of Roseville Permit Center, 311 Vernon Street, Roseville, CA 95678 (8:00 A.M. to 5:00 P.M., Monday through Friday).
- The Roseville Main Library (225 Taylor Street) and the Maidu Branch Library (1530 Maidu Drive) during normal operating hours.

Contact: Written comments should be directed to:
Mark Morse, Environmental Coordinator
City of Roseville Community Development Department
311 Vernon Street, Roseville CA 95678
(916/774-5334)

CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

FAXED 9:25 AM 3/25/04

FAX TRANSMITTAL

To:	OPR State Clearinghouse 916/323-3018
No. Pages: **(Inc. Cover)**	2
From:	Terri Shirhall City of Roseville Community Development Dept.
Date:	March 25, 2004
Re:	**SCH# 2000122078: Draft EIR for the Harding Boulevard to Royer Park Bikeway Project – PUBLIC COMMENT PERIOD EXTENSION**

Please see the attached notice regarding an extension of the public comment period for the subject project, and distribute as necessary.

If there are any problems with this transmittal please call me directly at 916/774-5422.

Terri Shirhall

Terri Shirhall

ROSEVILLE

FAX TRANSMITTAL

To:	OPR State Clearinghouse 916/323-3018
No. Pages: **(Inc. Cover)**	2
From:	Terri Shirhall City of Roseville Community Development Dept.
Date:	March 25, 2004
Re:	**SCH# 2000122078: Draft EIR for the Harding Boulevard to Royer Park Bikeway Project – PUBLIC COMMENT PERIOD EXTENSION**

Please see the attached notice regarding an extension of the public comment period for the subject project, and distribute as necessary.

If there are any problems with this transmittal please call me directly at 916/774-5422.

Terri Shirhall

Terri Shirhall

Form A

Notice of Completion and Environmental Document Transmittal

SCH # 2000122078

Mail to: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044 916/445-0613

Project Title: Harding Boulevard to Royer Park Bikeway Project
Lead Agency: City of Roseville — **Contact Person:** Mark Morse, Environmental Coordinator
Street Address: 311 Vernon Street — **Telephone:** 916/774-5334
City: Roseville — **Zip Code:** 95678 — **County:** Placer

Project Location:
County: Placer — City/Nearest Community: Roseville
Cross Streets: Harding Boulevard, Folsom Road — Zip Code: 95678 — Total Acres:
Assessor's Parcel No. — Section: 35 — Twp. 11N. — Range: East — Base:
Within 2 Miles: State Hwy #: 80 — Waterways: Dry Creek
Airports: N/A — Railways: Union Pacific — Schools: Adelante H.S.

Document Type:
CEQA: ☐ NOP ☐ Supplement/Subsequent EIR ☐ Early Cons (Prior SCH No.) ☐ Neg Dec ☐ Other ☒ Draft EIR
NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI
Other: ☐ Joint Document ☐ Final Document ☐ Other

RECEIVED FEB 18 2004 STATE CLEARINGHOUSE

Local Action Type:
☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan
☐ Rezone ☐ Prezone ☐ Use Permit ☐ Land Division (Subdivision, etc.)
☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☐ Other:

Development Type:
☐ Residential: Units ___ Acres ___
☐ Office: Sq.ft. ___ Acres ___ Employees ___
☐ Commercial: Sq.ft. ___ Acres ___ Employees ___
☐ Industrial: Sq.ft. ___ Acres ___ Employees ___
☐ Educational:
☐ Recreational:
☐ Water Facilities: Type ___ MGD ___
☒ Transportation: Type Bike Trail
☐ Mining: Mineral
☐ Power: Type ___ Watts ___
☐ Waste Treatment: Type
☐ Hazardous Waste: Type
☐ Other:

Funding (approximate): Federal $ 200,000 — State $ – — Total $ 200,000

Project Issues Discussed in Document:
☒ Aesthetic/Visual
☐ Agricultural Land
☒ Air Quality
☒ Archeological/Historical
☐ Coastal Zone
☐ Drainage/Absorption
☐ Economic/Jobs
☐ Fiscal
☐ Flood Plain/Flooding
☐ Forest Land/Fire Hazard
☒ Geologic/Seismic
☐ Minerals
☐ Noise
☐ Population/Housing Balance
☐ Public Services/Facilities
☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☐ Soil Erosion/Compaction/Grading
☐ Solid Waste
☐ Toxic/Hazardous
☒ Traffic/Circulation
☒ Vegetation
☐ Water Quality
☐ Water Supply/Groundwater
☒ Wetland/Riparian
☒ Wildlife
☐ Growth Inducing
☐ Land Use
☐ Cumulative Effects
☐ Other

Present Land Use/Zoning/General Plan Designation:
Open Space/Flood Plain/Floodway Fringe

Project Description:
The proposed bike trail alignment follows the Dry Creek corridor along the north side of the creek, from Harding Boulevard to Royer Park. The project area encompasses the riparian corridor along Dry Creek and various surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

State Clearinghouse Contact: (916) 445-0613

State Review Began: 2-18-2004

SCH COMPLIANCE 4-20-2004

extended review

Please note State Clearinghouse Number (SCH#) on all Comments
SCH#: 2000122078
Please forward late comments directly to the Lead Agency

AQMD/APCD 24

(Resources: 2, 21)

Project Sent to the following State Agencies

X Resources
___ Boating & Waterways
___ Coastal Comm
___ Colorado Rvr Bd
___ Conservation
X Fish & Game # 2
___ Delta Protection Comm
___ Forestry & Fire Prot
___ Historic Preservation
X Parks & Rec
X Reclamation Board
___ Bay Cons & Dev Comm
X DWR
___ OES (Emergency Svcs)

Bus Transp Hous
___ Aeronautics
___ CHP
X Caltrans # 3
___ Trans Planning
___ Housing & Com Dev
___ Food & Agriculture
___ Health Services

State/Consumer Svcs
___ General Services

Cal EPA
___ ARB – Airport Projects
___ ARB – Transportation Projects
___ ARB – Major Industrial Projects
___ Integrated Waste Mgmt Bd
___ SWRCB: Clean Wtr Prog
___ SWRCB: Wtr Quality
___ SWRCB: Wtr Rights
X Reg. WQCB # 5S
___ Toxic Sub Ctrl-CTC

Yth/Adlt Corrections
___ Corrections

Independent Comm
___ Energy Commission
X NAHC
___ Public Utilities Comm
___ Santa Monica Mtns
___ State Lands Comm
___ Tahoe Rgl Plan Agency

___ Other:

APPENDIX B. TRANSPORTATION COMMISSION MEETINGS: APPROVED MINUTES AND STAFF REPORTS

Appendix B.1

Transportation Commission Meeting
March 16, 2004

APPROVED
4/20/04

CITY OF ROSEVILLE
TRADITION·PRIDE·PROGRESS

TRANSPORTATION COMMISSION MEETING

Minutes

for

March 16, 2004

1. ROLL CALL:

Meeting started at 7:00pm

Commissioners Present: Jerry Aplass *(Chair)*, William Hoey *(Vice Chair)*, Richard Hipkins, Kirpal Singh

Commissioners Absent: Werner Kuehn (excused)

Staff Present: Michael Wixon, Transportation and Bikeway Manager
Mark Morse, Environmental Coordinator
Loraine Browning, Administrative Analyst
Fran Campbell, Parts and Service Supervisor
Dana Hutty, Recording Secretary

2. MEETING MINUTES :

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hoey, to approve the minutes for the meeting of February 17, 2004.

The motion was approved unanimously.

3. ORAL COMMUNICATIONS:

Jerry Irkstein, 1615 Dana Way, representing the Meadow Oaks Neighborhood Association, requested to extend the paved pathway behind the Sierra Gardens Elementary School on the north end of the bridge out to Rocky Ridge Rd. and on the south side to the entrance on Blue Jay Ct.

Mike Barnbaum, 10030 Foothills Blvd., #'850, Roseville 95747, updated the Commission on a number of regional transportation events.

4. CONSENT CALENDAR:

A. Highland Pointe Transportation System Management (TSM) Plan

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hoey, to approve the Consent Calendar with Item A as listed above.

The motion was approved unanimously.

B. Arbor View Transportation System Management (TSM) Plan

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hoey, to approve the Consent Calendar with Item B as listed above.

The motion was approved unanimously.

5. SPECIAL PRESENTATIONS/REPORTS:

A. Harding Boulevard to Royer Park Draft Environmental Impact Report

Mr. Wixon presented the commission with the background of the project, the purpose of the meeting, how the project evolved, and summarized the goals of the proposed project.

Mr. Morse presented the Commission with an overview of the project, a review of the project alternatives, and a summary of the environmental impacts listed in the Draft Environmental Impact Report.

Staff recommended the Commission grant the request to extend the Draft Environmental Impact Report comment period to the next Transportation Commission meeting, April 20, 2004.

A question and answer session between staff and the Commission ensued.

Commissioner Hoey requested that a color copy of the preliminary design plan be provided to the Commission at the next Transportation Commission Meeting.

Staff responded they would provide a color copy of the preliminary design plan to the Commission at the next Transportation Commission Meeting.

Commissioner Singh requested staff provide the commission with the cost to install a bridge across Dry Creek as shown in Alternative 1A.

Commissioner Aplass opened the public hearing.

Wylla Taylor, 415 East Street, Roseville 95678, expressed concerns with the loss of species caused by the disturbance to the natural state of the north side of Dry Creek. She recommended staying on the south side of Dry Creek. She submitted a written statement for the record.

Tom Hawthorne, 77 Columbia Ave., Roseville 95678, spoke in favor of Route A for the recreational benefits for bicyclist and walkers, and the aesthetic value of the project. He stated that he believes that privacy and security are not an issue with the proposed project.

John Applebaum, 44 Celestial Ct., Roseville 95678, spoke in support of Route A. Mr. Applebaum feels that this project will have no further impacts on the habitat in this area and believes it would be a tremendous asset to the City of Roseville.

Barbara Kraft, 301 Center St., Roseville 95678, spoke in favor of the project. Ms. Kraft read a statement recommending the addition of the Bike Trail as a safe, fun, and healthy activity for the children and families in the Enwood neighborhood.

Brianna Kidwell, 301 East St, Roseville 95678, spoke in favor of the project.

Mike Mctigue, 72 Bernice Av., Roseville 95678, spoke in support of the project. He requested staff look into the traffic volumes on Harding Blvd. during the weekend and evening hours for safety hazards. He also expressed concerns with constructing the trail on the south side because crossing Folsom Rd. may be hazardous. Mr. McTigue requested that staff mark those properties with concerns for privacy and security to highlight alternative solutions.

Sherry Bleiweiss, 5065 Green Grove, Roseville 95747, representing the Sun City Bicycle Club, spoke in support of the project. Ms. Bleiweiss stated she supports any extension of bike trails that would allow them to go further and stay within the City.

Ernie McPherson, 525 Alola St., Roseville 95678, supports the south side bike trail project to preserve the habitat island on the terminus of the Secret Ravine and Miners Ravine. Mr. McPherson suggested a number of benefits to constructing the trail on the south side and asked for comments from staff on the erosion of the south side of Dry Creek.

A question and answer session amongst staff and public ensued.

Robert Kraft, 301 Center St., Roseville 95678, spoke in favor of the project. Mr. Kraft stated that in his opinion there would be more environmental impacts with the construction of the trail on the south side of Dry Creek. Mr. Kraft read a statement in support of the trail for sustaining the surrounding nature.

Mary Cunningham, 267 Sharp Circle, Roseville 95678, spoke in opposition of the bike trail crossing the Harding Blvd. Bridge. Ms. Cunningham suggested constructing a bridge to avoid any safety hazards. She supports the extension of the trail to Royer Park and believes it would be a nice addition.

William Zisk, 205 Thomas Street, requested a 30-day extension of the Draft Environmental Impact Report comment period. Mr. Zisk expressed his opposition to the construction of the bike trail project on the north side of Dry Creek. He asked for clarification of the previous staff comments on the erosion on the south side of the creek.

A question and answer session amongst staff and the public ensued.

The Commission requested further information on the following items:

1. The projected cost for the hydraulic crossing at Miners Ravine and Harding Blvd.
2. Traffic projections for the safety on the Harding Blvd. crossing.
3. Clarification of the legal ownership of William Zisk's property and the south side alignment.

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hoey, to extend the Draft Environmental Impact Report comment period to April 20, 2004.

The motion was approved unanimously.

Commissioner Aplass called for a five-minute recess.

Meeting resumed.

B. 2003 Saturday Fixed Route Service Survey

Mrs. Browning updated the Commissioners with the results of the Saturday Fixed Route Onboard Survey taken on December 6, 2003.

A question and answer session between staff and the Commission ensued.

Commissioner Aplass opened the public hearing.

Mike Barnbaum, 10030 Foothills Blvd., #`850, Roseville 95747, stated he was pleased

with the survey results and requested extending service to Sunday's.

Stan Bicking, 8408 Honey Hill Ct., Antelope 95621, requested increasing the wages for the Roseville Transit bus drivers.

C. 2nd Quarter FY 03/03 Performance Report

Mr. Wixon presented the Commission with an overview of the 2nd Quarter FY 03/04 Performance Report.

MOTION

Commissioner Hoey made the motion, which was seconded by Commissioner Singh, to approve the 2nd Quarter FY 03/04 Performance Report.

The motion was approved unanimously.

D. 2003 Orion Bus update

Mr. Wixon introduced the Orion, Stewart Stephenson, and Detroit Diesel staff to the Commission.

Dave Canepa, representing Detroit Diesel, provided the Commission with an overview of the problems and resolutions associated with the Orion Buses. Mr. Canepa submitted a summary table to the record.

A questions and answer session amongst staff and commission ensued.

Fran Campbell, representing the City of Roseville Vehicle Maintenance Division, provided the commission with an overview of the actions taken by the Vehicle Maintenance Division on the Orion buses.

A questions and answer session amongst staff and commission ensued.

The Commission requested a report within three months of the spark plug testing projects completion.

6. STAFF AND/OR COMMISSION REPORTS/COMMENTS:

Mr. Wixon updated the Commission on the following subjects.

- Triennial Employee Transportation Survey
- Bikeway Master Plan Implementation
- TDA Audit
- MV Transportation General Manager

- MV Transportation computer based Dial-A-Ride reservation system
- Senior Commission Power Pointe presentation.
- Tall Order conference

General discussion ensued.

7. PENDING AGENDA

Items tentatively scheduled for the April 20 2004 Transportation Commission Meeting:

- No items noted at this time

8. ADJOURNMENT

MOTION

Commissioner Hipkins made the motion, which was seconded by Commissioner Singh, to adjourn the meeting.

The motion was approved unanimously.

The meeting was adjourned at 9:51 p.m.

Jerry Aplass, *Chair*

Dana Hutty, *Recording Secretary*

Transportation Commission Meeting
Special Presentations/Reports
March 16, 2004

Attachment #1

ITEM 5(a) ***HARDING BOULEVARD TO ROYER PARK DRAFT ENVIRONMENTAL IMPACT REPORT***

STAFF Mark Morse, Environmental Coordinator
Michael Wixon, Transportation Manager

REQUEST

Staff requests that the Transportation Commission take the following action:

1. Accept comments from the public regarding the project and related Draft Environmental Impact Report (DEIR) for the project;

2. Accept comments from Commission members regarding the project and the related Draft Environmental Impact Report (DEIR); and,

3. If the Transportation Commission finds it appropriate based upon the comments and public input received to date, recommend that the City Council adopt the preferred alignment, Route A, shown in the DEIR.

BACKGROUND

Bikeway Master Plan – The City first adopted its Bikeway Master Plan (BMP) in 1994 as an amendment to the General Plan. The extension of the Miner's Ravine Bike Trail from I-80 to Harding Boulevard was included in the BMP. A top priority of the 1994 BMP was the construction of the I-80 to Royer bike trail project. A copy of the existing and proposed bikeways from the current BMP are shown in Attachment 1.

I-80 to Royer Bikeway Project – In July of 1996, following the award of a grant, the City contracted with the firms of Jones and Stokes Associates and Greiner Inc., to complete environmental documents and preliminary plans for the I-80 to Royer Park Bikeway project. In July 1997, due to funding issues and complexities associated with alternative alignments downstream of Harding Boulevard, the project's environmental documentation was divided into two (2) phases. Phase 1 includes the bike trail section between Sculpture Park and Harding Boulevard, while Phase 2 included the section between Harding Boulevard and Royer Park. Subsequent to this decision, the City then adopted plans to construct Phase I of the bike trail, which included a Mitigated Negative Declaration. With funding secured, the construction of Phase I of the bike trail started in Spring 2004 and was officially opened to the public in November 2004. Phase 2 of this bike trail section then became the subject of a separate environmental document, which is the subject of this report.

Public Workshop #1 – In January 1997, a public workshop was conducted by the City to discuss the bikeway project, Phases I and 2, and to provide an opportunity for public input into the environmental process. During that meeting, an alternative bikeway route was suggested that consisted of an on-street segment alternative, which is now shown as Alternative B in the DEIR (see Exhibit A).

Public Workshop #2 – In March 2000, a subsequent public workshop was conducted focusing on the Harding Boulevard to Royer Park segment of the bike trail project, i.e. Phase 2. In December 2000, a Notice of Preparation of an EIR for this segment of the bike trail was issued, requesting comments on the scope of this environmental document. Responses to the NOP are included in the attachments within the DEIR.

Updated Bikeway Master Plan – In September 2002, the City updated its Bicycle Master Plan (BMP). The I-80 to Royer Park bike trail, Phases 1 and 2, still remained high on the priority list of projects for the City in the updated BMP. The City also adopted a Programmatic Environmental Impact Report (PEIR) to evaluate the environmental impacts of build-out of the bikeway system. The PEIR now serves as the first tier environmental review for bikeway projects that were included within the BMP Update, such as the Harding to Royer bike trail project. The PEIR also enabled the City to address cumulative impacts in a unified and effective way and provided an appropriate citywide mitigation that would not otherwise be possible with individual project-level analyses. All mitigation measures included in the BMP PEIR Mitigation Monitoring Program (MMP) were reviewed for the proposed project and applicable measures were incorporated into the DEIR for the Harding Boulevard to Royer Park bike trail project (see Exhibit A). Further, the BMP PEIR acknowledged the significant and unavoidable cumulative impacts that would result from Master Plan buildout.

EVALUATION

Project Description: Harding Boulevard to Royer Park Class I Bike Trail – The project would complete a Class I bike trail link between Harding Boulevard and Royer Park along the north side of Dry Creek; this is also referred to as Route A (Preferred Alignment) in the DEIR. The bike trail would provide an alternative mode of transportation and passive recreation opportunities in the open space areas along Dry Creek. The bike trail route has three distinct segments that are described below.

Segment 1 -- The route would start on the north side of Dry Creek, from the southwest corner of the intersection of Wills Road and Harding Boulevard, and travel over a bridge crossing of Antelope Creek, continue on the north side of Dry Creek until reaching Enwood Park. The bike trail would travel through Enwood Park and then continues further south and west. The bike trail in Segment 1 is predominantly located along an existing dirt road that closely follows a sewer easement and sewer line along the north side of Dry Creek. This segment of the bike trail would be entirely on city-owned land and would result in minimal impacts to existing riparian habitat.

Segment 2 -- The route would then continue on from Enwood Park south and west across city-owned property, one privately owned parcel, and one parcel owned by the Roseville Joint Union High School District, to Folsom Road. At the downstream end of this segment a fork in the trail is provided for those wishing to enter/exit at Folsom Road, while those wishing to continue further down stream along the creek bank would travel under the bridge. A large part of this Segment would continue to be located along an existing dirt road that closely follows the sewer easement, again minimizing the need habitat disruptions. Where necessary, small retaining walls and rock slope protection would be used to keep the bike trail within city-owned land (refer to draft EIR Figure 2.1-2 for the locations of these features).
Segment 3 – This final trail segment would then travel under Folsom Road along the north side of the creek, through the rear of four (4) privately owned lots to the City's parking lot at 60 Lincoln St. This segment would utilize an existing driveway that provides access to two of the four lots and would also require a short segment of rock slope protection immediately down stream of Folsom Road (Draft EIR Figure 2.1-2).

Project Objectives – Equally important to the project description are the project objectives included in the DEIR, Pages 1-1 thru 1-3. The objectives are paraphrased below:

1. Contribute to the achievement of the goals and policies of the Roseville General Plan, including the Bikeway Master Plan.

2. Improve access for passive recreation activities along Dry Creek.

3. See the most effective and efficient balance of costs and benefits when improving passive recreational access to Dry Creek and in pursuing the goals of the General Plan, including the Bikeway Master Plan.

A. ***CEQA Review*** – A complete discussion of the project's environmental impacts and recommended mitigation measures is contained in the Harding Boulevard to Royer Park Bikeway Project Draft Environmental Impact Report (EIR) (provided to commissioners at last month's meeting). Applicable excerpts from the draft EIR are included herewith as Exhibit A. A summary of project impacts and mitigation measures is presented in draft EIR Table ES-1 found on EIR page ES-5. The EIR identifies potentially significant impacts in the following areas:

Potentially Significant Impacts Subject to Mitigation	
Issue	Impact(s)
Geology	Temporary Erosion/Stream Sedimentation
Air Quality	Temporary Construction Related Emissions
Biological Resources	Loss of wetlands, riparian forest and scrub habitats; loss of approximately 13 native oak trees; possible disturbance to common and special status raptors; possible disturbance to chinook salmon and steelhead habitat; potential direct and indirect impacts to the Valley Elderberry longhorn beetle.
Traffic and Circulation	Potential bicycle-pedestrian conflicts at Lincoln Street and Folsom Road
Cultural Resources	Potential damage to unknown cultural resources

The EIR conclusion is that all potentially significant impacts identified can be reduced to less than significant levels by implementing mitigation measures recommended in the EIR.

The EIR finds that potentially significant impacts relating to geology, air quality and cultural resource issues can be reduced to less-than-significant with implementation of recommended standard construction phase mitigation measures. Bicycle-pedestrian conflicts would be mitigated by implementing a traffic management plan during construction and by installing signage and striping at sidewalk and roadway intersections. All habitat impacts would be mitigated consistent with permit requirements of state and federal resource agencies that exercise jurisdiction over natural resources affected by the project. As required by the federal Endangered Species Act, all endangered species issues have undergone section 7 consultation with the respective federal agencies (US Fish and Wildlife Service and NOAA Fisheries) and EIR mitigation requirements are designed to be consistent with the biological opinions issued by these agencies. As a result, all potentially significant impacts identified for the project would be mitigated to less than significant levels.

Public Comment: The draft EIR is currently undergoing a 45-day public review period that extends from February 18 to April 2, 2004. To date seven comment letters have been received, all in support of the bike trail (Attachment 2). In addition, the Community Development Department has received four phone

inquiries: two in support, one neutral, and one opposing the project. Project concerns identified in comments received to date include: loss of privacy and impacts to fish and wildlife habitat.

Steps Following the Transportation Commission Meeting and Public Comment Period –
Staff will accept all comments received up to the April 2, 2004 deadline and then proceed to prepare a final EIR for Council consideration and certification. If the preferred project alignment (Route A) is approved by Council, then staff would request that Council direct it to complete final design and right-of-way acquisition in anticipation of starting bikeway construction in FY 2005/06. Presently the City has been able to secure $269,000 for final design and property acquisition for the Harding to Royer Park bike trail project as part of a federal grant. Moreover, the City has requested the approval of a separate federal grant of $500,000 for the construction of the bikeway from Harding Boulevard to Royer Park. Although the total project cost would likely be greater than the sum of these two grants, staff is confident that the City would be able to secure additional funding if an environmental document is certified and a preferred alignment selected.

Attachments:
1. BMP Figure 4 – Regional Bikeway Connections
2. Comment letters received as of 3-8-04.

Exhibits
A. Excerpts from the Harding Boulevard to Royer Park Bikeway Project Draft Environmental Impact Report (DEIR)*:
   - Table ES-1: Summary of Impacts and Mitigation Measures
   - Figure 2.1-2: Proposed Harding Blvd. to Royer Park Bikeway Route
   - Figure 4.0-1: Alternatives to the Proposed Project Considered but Eliminated From Further Consideration

*A complete copy of the Project DEIR is available at the Roseville Permit Center, 311 Vernon St., and at the Roseville Main Library (225 Taylor St.) and Maidu Branch Library (1530 Maidu Dr.).

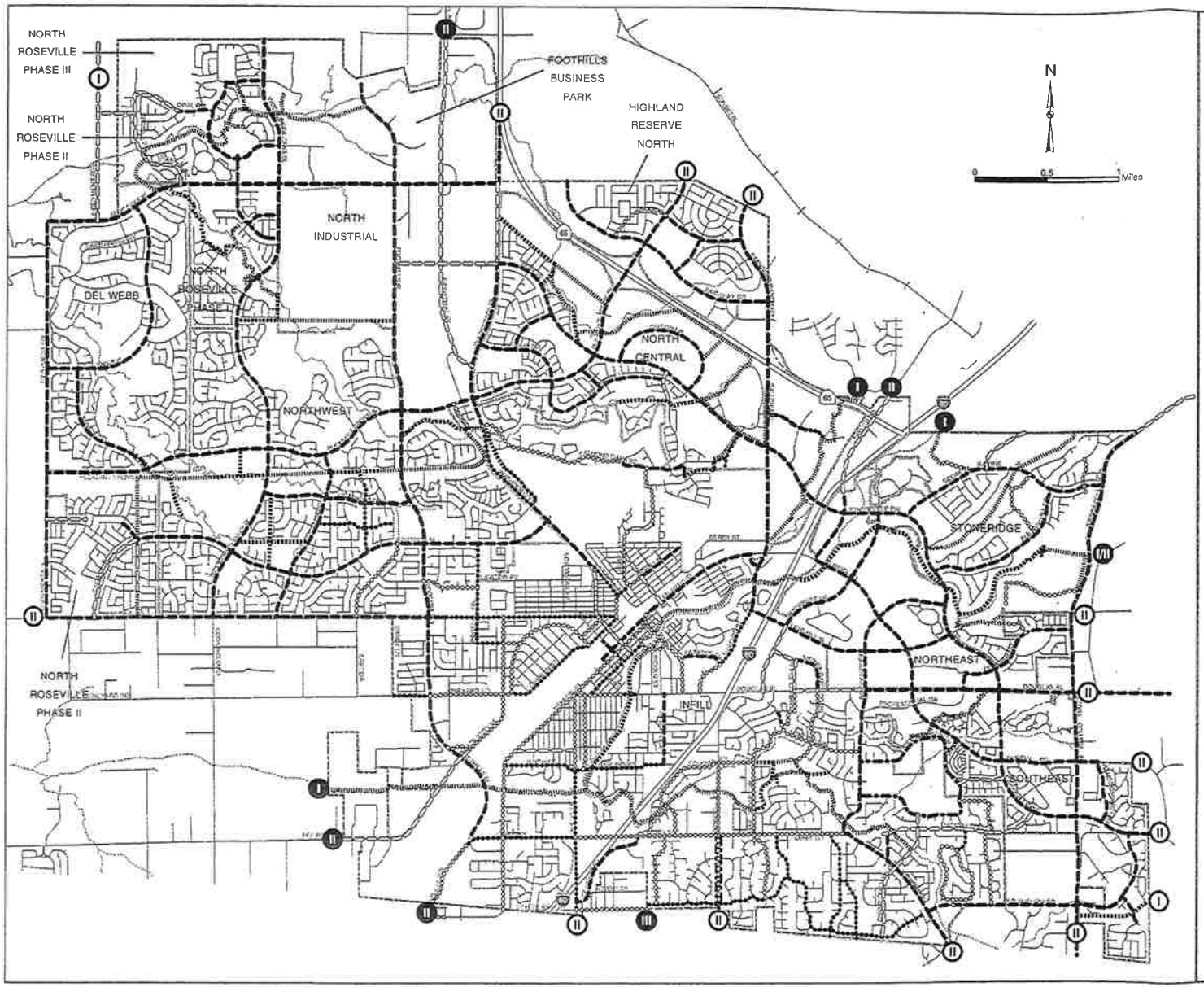

FIGURE 4
REGIONAL CONNECTIONS

Legend

- City Limits
- Specific Plan Boundaries
- City Street
- Creek

Existing Regional Connections

- Class I
- Class II
- Class III

Proposed Regional Connections

- Class I
- Class II
- Class III

Existing Bikeways

- Class I
- Class IA
- Class II
- Class III

Proposed Bikeways

- Class I *
- Class II
- Class III

* Precise locations of proposed Class I trails are subject to refinement during project-level engineering and CEQA review.

City of ROSEVILLE
ROSEVILLE GIS

Tom and Virginia Hawthorn
Hawthorn's Antique Audio
77 Columbia Avenue
Roseville, CA 95678 USA
Phone or Fax (916) 773-4727

RECEIVED
MAR 04 2004
Community Development Dept.

March 2, 2004

Mark Morse
Roseville Development Department
311 Vernon St.
Roseville, CA 95678

Dear Mr. Morse:

I heartily support the construction of the Harding Blvd. to Royer Park Bikeway project. This project will link together two excellent existing bike trails and provide walkers and cyclists with an unbroken path through some of the most scenic parts of Roseville.

My property is directly across from the planned route, and I feel that this project will definitely enhance the value of my home. I note that many of the recently developed properties adjacent to existing trails are those with "premium" homes built on them, indicating that these properties are among the most desirable. Private properties along the proposed trail will not only have the benefit of easy use of the trail, but should see some increase in their resale value.

The city of Roseville has an excellent record in maintaining the existing trails, and I'm sure the currently proposed trail would fall under the same maintenance program. I commend the city of Roseville for it's efforts in maintaining open space, but even more so I appreciate their efforts to make that space available to the residents of the city.

Please feel free to contact me if there is any way I can help with this worthwhile project.

Sincerely,

Tom Hawthorn

627 Reardon Court
Roseville, CA 95678
Phone: 916 783-8775
Fax: 916 783-8807

RECEIVED
MAR 0 5 2004
Community Development Dept.

PUBLIC RELATIONS • MARKETING • ADVERTISING

McINTYRE
MARKETING
COMMUNICATIONS

March 4, 2004

Mark Morris, Community Development
City of Roseville
311 Vernon Street
Roseville, CA 95678

Dear Mr. Morris:

As you consider the bike trail extension from Harding Boulevard to Royer Park, I would like to speak on behalf of my late father Myron McIntyre who donated 15 acres along the creek in that area to the City of Roseville.

Myron was a bicycle and creek-side lover and would like nothing more than to see the citizens of Roseville access the natural beauty of the creek area through this bike trail extension.

I'm confident he would also like to have the trail disturb as little foliage as possible, which probably makes the high ground on the north side the best choice.

I hope any detractors will back off their personal agendas so this thing can move forward. That creek is the greatest natural beauty Roseville has to offer and it should be enjoyed by everyone, not just reserved for a selfish few.

Sincerely,

Paul McIntyre

Paul McIntyre
paulmc@rcsis.com

COMMUNITY DEVELOPMENT.

MAR 6 2004

I'M WRITING THIS LETTER TO LET YOU KNOW I'M FOR THE BIKE + WALKING TRAIL ALONG DAY CREEK BETWEEN HARDING AND LINCOLN ST I LIVE AT 815 PARRY ST AND IT IS NICE FOR ME TO WALK NOW I HAVE TO GO UP TO ATLANTIC STREET SO I HOPE SOON YOU'LL START TO PROCEED ON THIS PROJECT

Sincerely
Duane Hunter

ADDRESS + PHONE NUMBER
DUANE HUNTER
815 PARRY ST.
ROSEVILLE CA 95678
PHONE (916) 7835490

RECEIVED
MAR 08 2004
Community Development Dept.

Subject: Proposed bike trail from Harding Blvd. to Boyer Park

The proposed bike trail from Harding to Boyer will be the best thing (outside of our Taylor Park) to happen for the Enwood Neighborhood. There are so many children who ride bikes in the neighborhood as well as some parents and grandparents. I being one of the grandparents who loves to bike ride and take my grandchildren on bike rides would love to have the trail so close to us; for, 8 of our ten grandchildren live in this neighborhood. I have taken these grandchildren on bike rides crossing busy streets, illegally riding on sidewalks instead of the bike lanes along the streets which can be very dangerous if kids get unsteady and could fall into on coming traffic. I'd have to yell at them to watch for cars backing out of driveways on residental streets. Bike rides were fun but also very nerve racking for me on the busy streets. Many times I'd pack the bikes into the back of our small pick-up truck (only could take my bike + 2 kids bikes at a time) and take them to Sun City where they have a golf cart lane where I would ride in and a wide bike lane close to the sidewalk where they would ride in. That was a lot of work packing + unpacking the bikes but Sun City was less busy with cars and had safer and wider lanes to

ride in. I've been taking 9 grandchildren either 1 at a time or groups of two or three at a time on bikes rides. In a few years our 2½ yr. old will be ready for a bike ride.

As you can see the kids and I and also grandpa would enjoy having a bike trail to enter on from our neighborhood.

Thank you,

Barbara Kraft
301 Center St.
Rsvl. Ca. 95678

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0 9 2004
Community Development Dept.

RECEIVED
MAR 0 9 2004
Community Development Dept.

Table ES-1. Summary of Impacts and Mitigation Measures for the Proposed Harding Boulevard to Royer Park Bikeway Project (Route A)

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Land Use			
3.1-1: Consistency with general plan or BMP policies, goals, or objectives	Less than significant	None	Less than significant
3.1-2: Compatibility with adjacent land uses	Less than significant	None	Less than significant
Geology			
3.2-1: Potential increase in bank or slope instability from construction of the bikeway	Less than significant	BMP EIR [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures.	Less than significant
3.2-2: Potential siltation of Dry Creek from erosion of exposed soils	Potentially significant	BMP EIR [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.	Less than significant
Water Resources			
3.3-1: Potential water quality degradation during construction activities	Less than significant[2]	None	Less than significant
3.3-2: Increase in 100-year water surface elevations	Less than significant	None	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Air Quality			
3.4-1: Temporary generation of construction-related air pollutant emissions	Potentially significant	3.4-1: Comply with each of the mitigation measures recommended by the Placer County Air Pollution Control District for reducing construction-related impacts to the maximum extent possible.	Less than significant
Biological Resources			
3.5-1: Loss or disturbance of approximately 3.3 acres of ruderal grassland	Less than significant	None	Less than significant
3.5-2: Placement of approximately 0.044 acre of fill material into a water of the United States (Dry Creek)	Significant	BMP EIR [1] B-1: Provide for no net loss of wetlands. BMP EIR [1] B-5: Implement construction protocols for stream activities. BMP EIR [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks.	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.5-3: Loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat	Significant	3.5-1: Retain an environmental monitor (recommended). 3.5-2: Minimize impacts on sensitive biological resources during project design. 3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction. 3.5-4: Compensate for permanent impacts on woody riparian vegetation (as required in Corps and DFG permit conditions). BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas.	Less than significant [3]
3.5-4: Potential disturbance of and direct loss of approximately 13 native oak trees	Significant	BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success.	Less than significant [3]
3.5-5: Short-term disturbance of common wildlife species	Less than significant	None	Less than significant
3.5-6: Potential loss or disturbance of special-status and common raptors	Potentially significant	BMP EIR [1] B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and	Less than significant

Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
		compensate for loss of occupied burrows. BMP EIR [1] B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions.	
3.5-7: Temporary disturbance of habitat for northwestern pond turtle	Less than significant	None	Less than significant
3.5-8: Potential indirect impacts on habitat for valley elderberry longhorn beetle	Less than significant[2]	None	Less than significant
3.5-9: Disturbance to chinook salmon and steelhead habitat	Less than significant	BMP EIR [1] B-1: Provide for no net loss of wetlands. BMP EIR [1] B-2: Implement construction protocols. BMP EIR [1] B-5: Implement construction protocols for stream activities.	Less than significant
Traffic and Circulation			
3.6-1: Potential bicycle-pedestrian conflicts at Lincoln Street and Folsom Road	Potentially significant	BMP EIR [1] T-1: Prepare and implement a traffic management plan. BMP EIR [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections.	Less than significant
3.6-2: Increased demand for parking	Less than significant	None	Less than significant

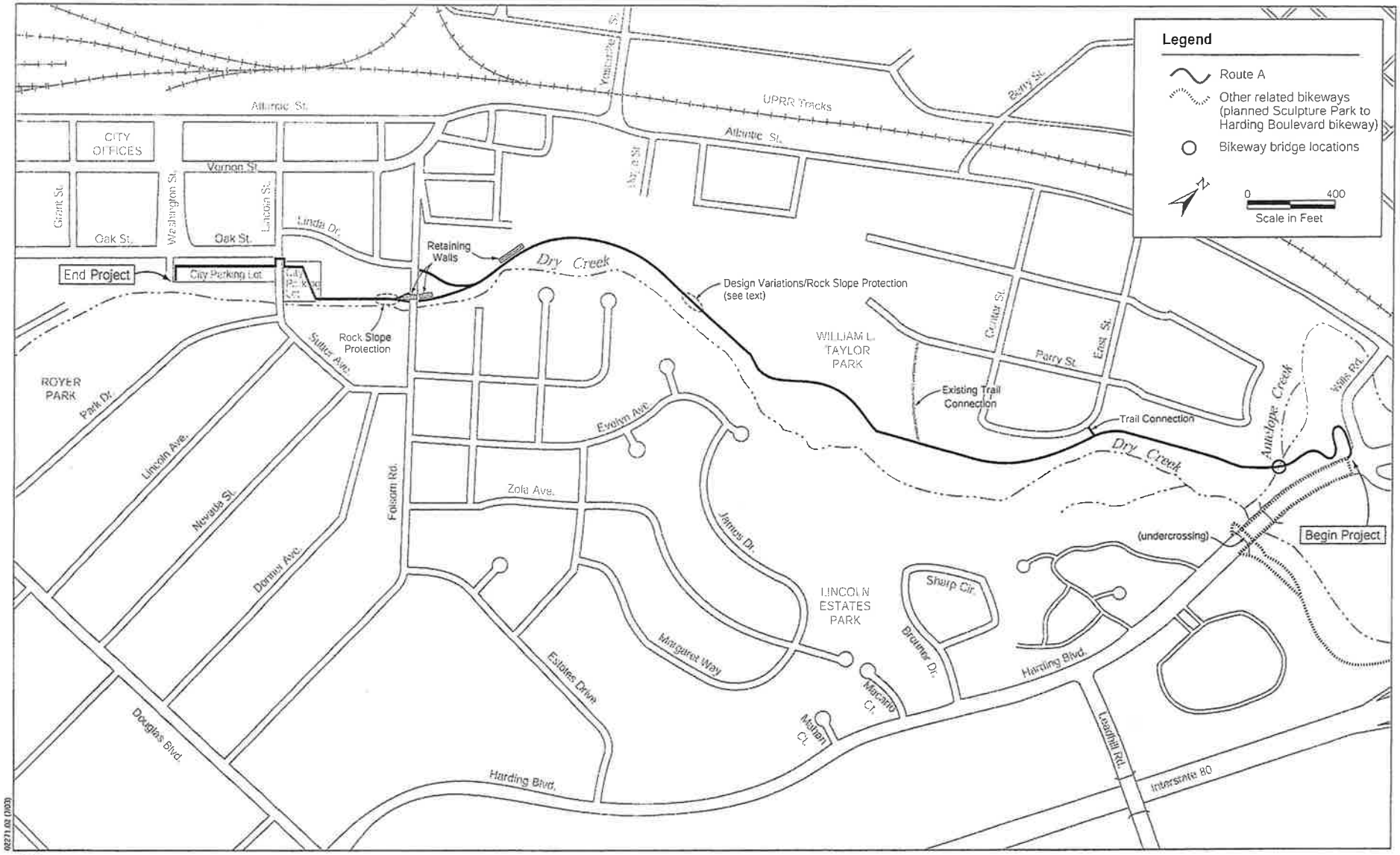
Table ES-1. Continued

Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
3.6-3: Potential bicyclist-motorist conflicts at the Lincoln Street and Oak Street parking lots	Less than significant	BMP EIR [1] T-1: Prepare and implement a traffic management plan. BMP EIR [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections.	Less than significant
Cultural Resources			
3.7-1: Potential damage to currently unknown cultural resources	Potentially significant	BMP EIR [1] CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out.	Less than significant
Noise			
3.8-1: Generation of temporary construction noise	Less than significant	3.8-1: Implement measures to minimize noise impacts.	Less than significant
3.8-2: Generation of operation-related noise	Less than significant	None	Less than significant
Hazardous Materials			
3.9-1: Risk of potential exposure to hazardous substances or conditions	Less than significant	None	Less than significant
Public Services and Safety			
3.10-1: Potential increase in the demand for police and fire protection services in the project area	Less than significant	None	Less than significant
3.10-2: Potential increase in maintenance costs and access coordination associated with the bikeway	Less than significant	None	Less than significant

Table ES-1. Continued

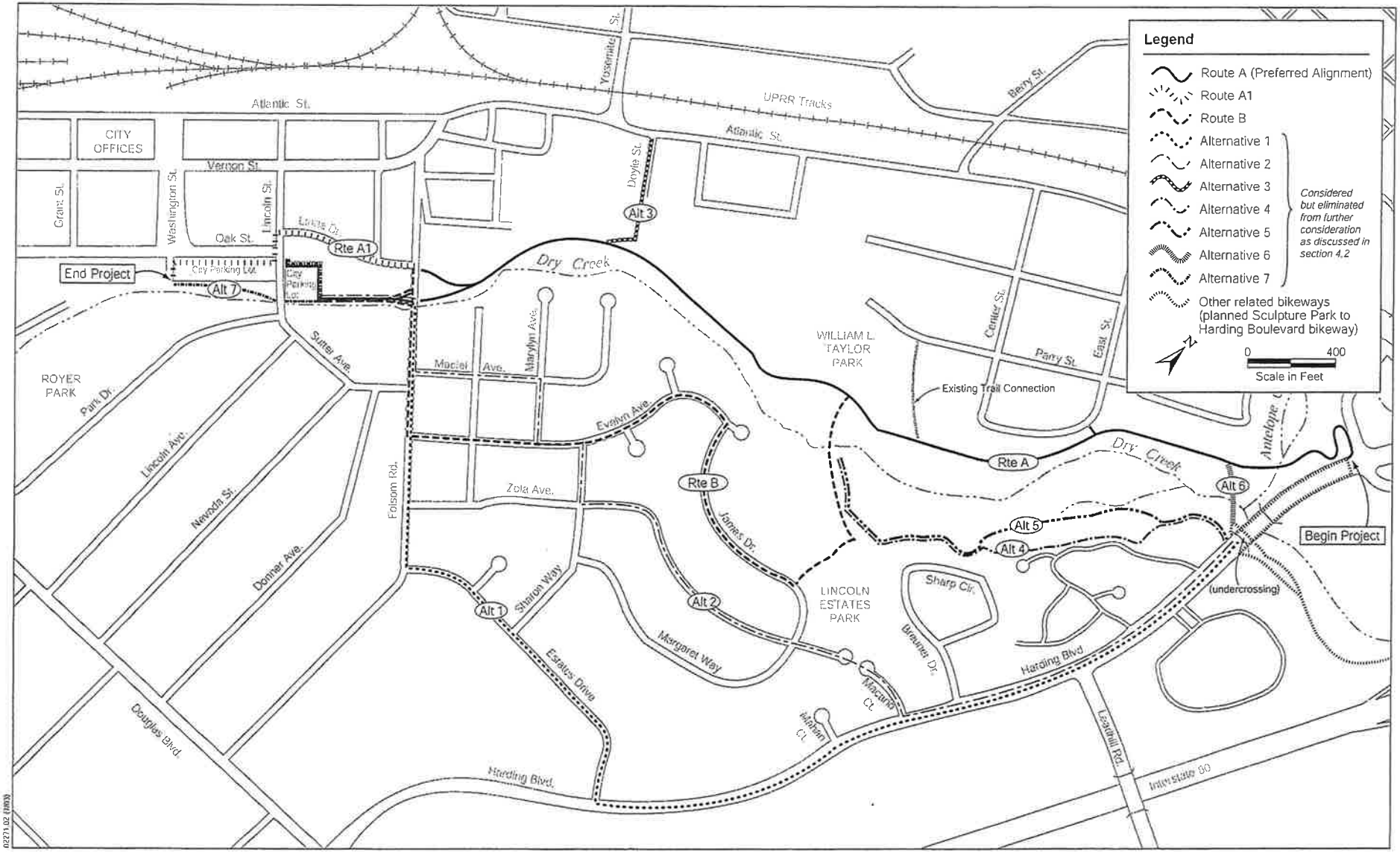
Impact	Level of Significance	Mitigation Measures	Level of Significance with Required Action
Aesthetics			
3.11-1: Changes in views of the project site from parks and roadways	Less than significant	None	Less than significant
3.11-2: Changes in views of the project site from adjacent residences	Less than significant	None	Less than significant
3.11-3: Changes in views from residences along the middle portion of the route	Less than significant	None	Less than significant

Notes:
1. BMP EIR indicates measures that are required by the updated Bicycle Master Plan Environmental Impact Report Mitigation Monitoring Plan.
2. Less than significant with implementation of identified adopted or required actions.
3. This impact was identified in the BMP update EIR as a significant and unavoidable impact, or a cumulative impact for the bikeway system as a whole. Mitigation measures required by the BMP update EIR apply to this bikeway project as well.



Jones & Stokes

Figure 2.1-2
Proposed Harding Boulevard to Royer Park Bikeway Route



Jones & Stokes

Figure 4.0-1
Alternatives to the Proposed Project and Alternatives Considered but Eliminated from Further Consideration

Appendix B.2

Transportation Commission Meeting
April 20, 2004

APPROVED
05/18/04

CITY OF ROSEVILLE
TRADITION · PRIDE · PROGRESS

TRANSPORTATION COMMISSION MEETING

Minutes

for

April 20, 2004

1. ROLL CALL:

Meeting started at 7:00pm

Commissioners Present: Jerry Aplass *(Chair)*, William Hoey *(Vice Chair)*, Richard Hipkins, Kirpal Singh, Werner Kuehn

Staff Present: Michael Wixon, Transportation and Bikeway Manager
Mark Morse, Environmental Coordinator
Loraine Browning, Administrative Analyst
Jodi Humphries, Recording Secretary

4. MEETING MINUTES :

MOTION

Commissioner Hoey made the motion, which was seconded by Commissioner Hipkins, to approve the minutes for the meeting of March 16, 2004.

The motion was approved unanimously.

5. ORAL COMMUNICATIONS:

Mike Barnbaum, 10030 Foothills Blvd., #850, Roseville 95747, updated the commission on a number of regional transportation events.

6. CONSENT CALENDAR:

A. Hewlett Packard (HP) Transportation System Management (TSM) Plan

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hipkins, to approve the Consent Calendar with Item A as listed above.

The motion was approved unanimously.

7. SPECIAL PRESENTATIONS/REPORTS:

A. Harding Boulevard to Royer Park Bike Trail Draft Environmental Impact Report (Continued from March 16, 2004)

Mr. Wixon presented the commission with the updates that have evolved from the last Commission Meeting. He again gave a background of the project, the purpose of the meeting, how the project has evolved, and summarized the goals of the proposed project.

Mark Morse of the City of Roseville CDD Division introduced Ms. Sue Bushnell-Bergfalt, a biologist from Jones and Stokes. She discussed the biological impact of the various routes being considered.

A question and answer session between staff and the Commission ensued.

Jorge Aguilar, an engineer with URS Greiner was introduced to explain the estimated preliminary costs of the various alternatives.

A question and answer session amongst staff and Commission ensued.

Garth Gaylord from the City of Roseville Engineering Division was introduced and answered questions (raised by the Commission) regarding a 100-year flood event.

Commissioner Aplass opened the public hearing.

Tom Hawthorne, 77 Columbia Ave, spoke in favor of Route A and urges Commission to approve and expedite this proposal.

Barbara Kraft, 301 Center Street, spoke in favor of Route A.

Paul McIntyre, 627 Reardon Ct, spoke in favor of Route A. On behalf of his late father who donated property to the City of Roseville, he is in favor of Route A.

Bob Kraft, 301 Center Street, spoke in favor of Route A.

Ernie McPherson, 528 Alola Street, spoke in favor of southern route.

William Zisk, 205 Thomas Street, spoke in opposition of Route A. He expressed his concerns with erosion, vandalism and property acquisition.

A question and answer session amongst Commission and staff ensued.

MOTION

Commissioner Hipkins made the motion, which was seconded by Commissioner Singh, to close the public comment period for the DEIR and adopt preferred alignment, Route A, shown in the DEIR, and ask that Council direct staff to pursue a separate assessment of Alternative 6.

The motion was approved unanimously.

B. June 1, 2004 Commuter Schedule

Loraine Browning presented the Commissioners with the three alternatives for approving a new Commuter Schedule to start June 1, 2004.

A question and answer session between staff and the Commission ensued.

Commissioner Aplass opened the public hearing.

John Roman, 1244 Crescendo Drive, spoke in favor of keeping the Cirby stops.

Ann Valdez, 1440 New England Drive, spoke in favor of keeping the Sunrise/Cirby stops.

Mike Barnbaum, 10030 Foothills Blvd., #`850, Roseville 95747, seconded the comments presented by the previous speakers.

Garth Fryer, 609 Dawnridge Road, spoke in favor of keeping the Cirby/Vernon stop.

Stuart Mori, 501 Gibson, spoke in favor of keeping all non park and ride stops, he also wants to see more effort in cutting commute time.

Robert Highhill, 1400 Foxglove Court, spoke in favor of keeping non park and ride stops on Cirby.

Karen Hangsleben, 1205 Havenhill Court, spoke in favor to keep Non-Park and Ride stop.

A question and answer session amongst Commission and staff ensued.

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hoey, to adopt the schedule from Exhibit #3 that eliminates some non-Park and Ride stops.

The motion was approved unanimously.

8. STAFF AND/OR COMMISSION REPORTS/COMMENTS:

A. Transportation Division Update

Mr. Wixon updated the Commission on several transportation issues.

- Orion CNG Bus Update
- Bikeway Master Plan Implementation
- Clean Air Month and Bike to Work Week
- Bucks for Bikes
- TDA Performance Audit
- New Computers for Transit

General discussion ensued.

9. PENDING AGENDA

Items tentatively scheduled for the May 18, 2004 Transportation Commission Meeting:

- No items noted at this time

10. ADJOURNMENT

MOTION

Commissioner Singh made the motion, which was seconded by Commissioner Hipkins, to adjourn the meeting.

The motion was approved unanimously.

The meeting was adjourned at 10:10 p.m.

Jerry Aplass, *Chair*

Jodi Humphries, *Recording Secretary*

ITEM 7(a) ***HARDING BOULEVARD TO ROYER PARK BIKEWAY PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT***

STAFF Mark Morse, Environmental Coordinator
Michael Wixon, Transportation Manager

REQUEST

Staff requests that the Transportation Commission take the following action:

1. Accept comments from the public and the Commission regarding the project and related Draft Environmental Impact Report (DEIR); and,

2. Close the public comment period for the DEIR.

Additionally if the Transportation Commission finds it appropriate, based upon the comments and public input received to date, recommend that the City Council either:

3. Adopt the preferred alignment, Route A, shown in the DEIR; or,

4. If the Commission finds that another alternative shown in the DEIR should be added pursued in addition to Route A, e.g. Alternative 6, then adopt preferred Route A and request Council to direct staff to pursue a separate assessment of the additional alternative.

BACKGROUND

This item was presented to the Transportation Commission at its meeting on March 16, 2004. At that meeting, 11 people spoke regarding the project. 10 of the 11 people who spoke were in favor of the project, and 1 did not speak in favor or against the project. Nobody spoke in favor of an on-street alignment similar to Alternate 1.

The alternatives discussed regarding this project at the March 16th Transportation Commission meeting were:

- Route A -- The preferred alignment on the north side of Dry Creek;

- Alternatives 4 & 5 -- A continued alignment of the bike trail on the south side of Dry Creek, from Harding Blvd. to Lincoln Estates Park (Alternatives 4 and 5, with a possible variation of Route B);

- Alternatives 4 & 5 Extended -- A continued alignment of the bike trail along the south side of Dry Creek, from Harding Blvd. to Folsom Road, past Lincoln Estates Park. (a combination of Alternatives 4 or 5 and an added trail length further west along the south bank of Dry Creek); and,

- Alternative 6 -- A bridge crossing of Dry Creek, just west of Harding Blvd., and then continuing along Route A, which would remove the east end of Route A as it crosses Antelope Creek and continues to Harding Blvd.

Following the Commission meeting, staff evaluated each of these alignments and potential impacts as requested. The third option listed above, continuing the bike trail along the south side of Dry Creek between Lincoln Estates Park and Folsom Road, was considered also, but staff discarded the option again from continued consideration based upon the extreme hydraulic, biologic, riparian habitat and archeological impacts that would likely occur, and extreme construction measures and costs that would likely be required. The issues discussed regarding the remaining alternatives listed above are addressed below and in several attachments included herein. A comparison of these issues for each remaining alignment is presented in Attachment 4.

Construction costs: The Commission requested additional information to help them better understand the costs associated with each alternative and Route A. Although staff had initially developed construction cost estimates, the estimated costs are now out of date. Therefore, staff is in the process of updating the cost estimates. As shown in Attachment 4, the updated cost estimates are not available at this time, but staff anticipates having the estimates for the April 20th Transportation Commission meeting.

Hydraulic impacts: The Commission requested additional hydraulic information of the various alternatives, particularly as it related to Alternatives 4, 5 and 6. As noted in the DEIR, the hydraulic impacts to the 100-year water surface elevations for Route A, the preferred alignment, have been modeled and are less than significant. Instead of extensive modeling of each alternative for this analysis, staff requested its engineering consultant, URS Greiner, to prepare some basic cross-sections for potential bikeway designs for Alternatives 4 and 5 to assess the general magnitude of the potential hydraulic and other impacts. Alternatives 4 and 5 were judged to have minimal to high hydraulic impacts. Alternative 6 was judged to have a minimal hydraulic impact to 100-year water surface elevations based upon assumptions that the bridge landing pads would be placed at the outside edges of the 100-year water surface elevation, and the bridge span and pier supports would be placed such that it would have minimal impact to stream flow during a 100-year storm event.

Riparian impacts: The Commission discussed various impacts to riparian habitat for each alternative and Route A, particularly for Alternatives 4 and 5. Based upon the general cross-sections shown in Attachment 4, Alternatives 4 and 5 were considered to have high to severe riparian impacts. In comparison, Route A would have minimal riparian habitat impacts.

Oak tree impacts: The Commission discussed the potential for oak tree impacts associated with the various alternatives. As shown in Attachment 4, Route A and Alternative 6 would have minimal oak tree impacts, while Alternative 4 would have extreme oak tree impacts and Alternative 5 would have moderate oak tree impacts.

Maintenance costs: The Commission considered the potential maintenance costs of each alternative and Route A. The maintenance costs shown in Attachment 4 were based upon current maintenance costs of existing bike trials that require little maintenance, which is considered normal or routine maintenance. Maintenance costs are related to the existing soil conditions. As noted in the DEIR, Section 4.0, the soils underlying Alternatives 4 and 5 are loose, unconsolidated materials, and unstable soils. This is confirmed from field observations. Thus, maintenance costs associated with Alternative 4 and 5 are shown as

moderate to severe. As it relates to Alternative 6, maintenance costs were based upon other more recent bike bridges, such as the bike bridge at Linda Creek and Sierra Gardens Elementary School. Thus, Route A and Alternative 6 were considered to have minimal maintenance costs.

Property Acquisition: The Commission discussed property acquisition regarding the potential alternatives and Route A. The primary concerns expressed at the March 16, 2004, Commission meeting were related to the property owners on the west and east side of William Taylor Park.

Route A would require acquisition of portions of several properties, mostly between Folsom Road and Lincoln Street (see Attachment 8 herein and DEIR Pages 3-3 through 3-5). While Alternatives 1, 3, 4, 5 and 6 would not require property acquisition, Alternative 2 would require property acquisition. As shown in Appendix 1 of the DEIR, Route A would not require that the City purchase property or construction easements from Mr. Zisk or Ms. Taylor. Further, the City Attorney has clearly addressed the fact that the City of Roseville has ownership of the parcel for which Mr. Zisk has stated otherwise (see Attachment 3). Route A1 is provided in the event that the preferred Route A route cannot be extended along Dry Creek between Folsom Road and Lincoln Street.

Traffic Volumes: The Commission discussed traffic volumes and speeds along Harding Blvd and concerns for bicyclist safety to use an on-street connection to access Route A (versus Alternate 6). Harding Blvd. is a 4-lane arterial roadway at this location. Traffic volumes and speeds were captured in June 2003 (see Attachment 6). The average daily traffic (ADT) volume along this section of Harding Blvd. is 25,497 vehicles. Future volume projected for the year 2020 at this reach of Harding Blvd. is 36,391 ADT.

EVALUATION

Project Objectives – The objectives of the Harding to Royer Park Bikeway Project are again paraphrased below:

1. Contribute to the achievement of the goals and policies of the Roseville General Plan, including the Bikeway Master Plan.
2. Improve access for passive recreation activities along Dry Creek.
3. See the most effective and efficient balance of costs and benefits when improving passive recreational access to Dry Creek and in pursuing the goals of the General Plan, including the Bikeway Master Plan.

CEQA Review -- The DEIR conclusion is that all potentially significant impacts identified can be reduced to less than significant levels by implementing mitigation measures recommended in the EIR. Overall, Attachment 4 points to the reasons why Route A was selected as the preferred alternative.

The DEIR finds that potentially significant impacts relating to geology, air quality and cultural resource issues can be reduced to less-than-significant with implementation of recommended standard construction phase mitigation measures. Bicycle-pedestrian conflicts would be mitigated by implementing a traffic management plan during construction and by installing signage and striping at sidewalk and roadway intersections. All habitat impacts would be mitigated consistent with permit requirements of state and federal resource agencies that exercise jurisdiction over natural resources affected by the project. As required by the federal Endangered Species Act, all endangered species issues have undergone section 7 consultation with the respective federal agencies (US Fish and Wildlife Service and NOAA Fisheries) and EIR mitigation requirements are designed to be consistent with the biological opinions issued by these

agencies. As a result, all potentially significant impacts identified for the project would be mitigated to less than significant levels.

Public Comment – The DEIR will have been available for public review a total of 63-days on April 20, 2004. Comment letters received subsequent to the March 16, 2004 meeting are included as Attachment 1 below. Staff has not yet received a letter from Mr. Zisk as of the writing of this report.

Steps Following the Transportation Commission Meeting and Public Comment Period –
Staff will accept all comments received up to the April 20, 2004 deadline and then proceed to prepare a final EIR for Council consideration and certification. If the preferred project alignment (Route A) is approved by Council, then staff would request that Council direct it to complete final design and right-of-way acquisition in anticipation of starting bikeway construction in FY 2005/06.

Attachments:

1. Staff Report Dated March 16, 2004 (see Appendix B.1)
2. Comment letters received between March 16, 2004 and April 15, 2004.
3. Letter from City Attorney to Mr. William J. Zisk, Mar. 24, 2004
4. Impact Comparison Matrix
5. Preliminary Cross-Sections for Alternatives 4 and 5
6. Traffic Volume Data for Harding Blvd.
7. Harding Blvd. to William L. Taylor Park Alternatives Map
8. Property Acquisition Exhibit Map (2 sheets)

*A complete copy of the Project DEIR is available at the Roseville Permit Center, 311 Vernon St., and at the Roseville Main Library (225 Taylor St.) and Maidu Branch Library (1530 Maidu Dr.).

Attachment #2

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Received
APR 16 2004
Transportation

Chairman
City of Roseville Transportation Commission
Attn: Chairman Jerry Aplass
311 Vernon Street
Roseville, CA 95678

April 15, 2004

Subject: Harding Boulevard to Royer Park Bicycle Trail Proposal Evaluation.

Dear Honorable Chairman Aplass,

What are the goals of the Harding Boulevard to Royer Park Bicycle Trail? Is it to provide a safe alternative for commuting? Is it to promote efficient intermodal surface transportation? Is it to increase access to and appreciate the treasure of a unique land? The current Harding Boulevard to Royer Park Bicycle Trail Project Route A fails to do these things in a quality or environmentally sensitive way.

It does succeed in creating a challenge for engineers and taking a route of more paving and least resistance to the creation of a "Silicon Foothills" replacement for Silicon Valley. It will succeed in taking the longest, most hazardous and costly course to "Habitat Island" destruction in Roseville, California's history.

Because of these factors, I feel obligated to report to you and your Commission. The first criteria for any public project should always be safety. Numerous safety issues are intertwined in aspects of this trail proposal. I will express them in context as we move along. Therefore, I will start with the name of the Act that funded the initial process of designing the trail, and quite likely reflects a further source of City funding. That name is the federal Intermodal Surface Transportation Efficiency Act. I would think the name would say it all.

To consider the efficiency part of the proposal, the length and complexity of the route and the capacity to serve transportation begs examination. Proposed Route A extends approximately 7,300 feet (1.4 miles) and serves about 172 north bank residences east of Folsom Road. (These 172 also have relatively easier access to public bus transportation on Atlantic Street.) The trail requires a new bridge and 5,400 (1.0 mile) feet of new paving.

A hybrid of proposed southern Route B and Alternative 4 or 5, on the other hand, would only take approximately 5,850 feet (1.1 miles) and serve about 453 residences east of Folsom Road. The total hybrid trail would appear to require 3,700 feet (0.7 miles) of new paving. Assessing west of Folsom Road becomes speculative and arguable, but most likely would make the comparisons only more extreme.

This hybrid route would connect to the current new trail at Harding Boulevard and proceed westward below Sharp Circle. From that area, it would head straight toward and emerge onto the ramped end of Evelyn Avenue. It would turn right onto Marilyn Avenue, left on an alley past Maciel Avenue and cross an empty lot on Columbia Avenue. There it would use the south bank to cross Sutter Street into Royer Park.

Estimating the cost of these trails from the "City of Roseville Bicycle Master Plan, Ten-Year Class I Bicycle Path Cost Estimates" (undated, but does not show recently completed Sculpture Park to Harding Boulevard as priority), it would seem that one mile of trail would cost an average $1,033,935. Factoring out obvious anomalies, the number could be reduced to around $829,670 per mile without a bridge. The numbers as I interpret them would be:

Route A (1.0 - 1.4 miles) cost: $829,670 to $1,700,000

Hybrid Route B (0.7 -1.1 miles) cost: $580,770 to $1,137,330

Potential cost savings range: $248,900 to $1,119,230

It would seem the savings would mitigate many alleged drawbacks of a southern trail and possibly finance numerous other trail segments on the list. Furthermore, over an acre of land could be saved as good, permeable surfaced open space.

Over 1,200 feet of Route A traverses multiple switchbacks, requires a bridge and deals with only moving users about 300 feet to the north side of Dry Creek. Trail users must deal with designer dreams that they will go out of their way to use a signalized crosswalk 500 feet uphill. In the course of this, users of varied maturity levels get to deal with the many lanes of Harding Boulevard traffic. This is a safety issue and we need to ask who is going to go so far out of their way when they can see their destination trail just across the creek?

Even more to the point, should they elect to follow the safe course, which users will want to subject themselves to stopping their walking or cycling to cross Harding Boulevard? I believe stop-and-go traffic is a major reason many got out of their automobiles.

Next, I will deal with "appreciating the treasure of a unique land" as the draft report states. There is no doubt that the proposed route would be very nice if constructed as planned to bisect the habitat island, but how nice would it be in the long run? I think we can all observe how most wildlife keeps its distance from humans and rightfully so. If the habitat is squeezed from the center as well as both sides it becomes untenable. We must also keep in mind that habitat islands lack the two escape routes that exist up and down a habitat corridor.

I have even tried to encourage a north side route that sacrifices my own space going down two borders of my own property, but a single-minded determination remains to bisect the treasured land. I don't consider it nearly as efficient as a southern trail, but I have been willing to sacrifice the transportation advantage and my own "habitat" to at least save the natural one.

Aesthetically, we can still have a beautiful trail going around the area. It is possible to follow the perimeter and recreate the beauty for humans with planted screens along the developed areas.

There exists an issue of comparing the vegetation in the area. Things are not what they appear. From aerial photos and gross impressions, south side vegetation looks richer. Careful investigation, however, reveals undesirable berry bushes and low quality flotsam traps. Proper restoration would replace what seems so valuable in pictures. It would probably clean up the south side to give it the trail.

The north side, on the other hand, has all the potential to be a model restoration site. It would undoubtedly be a superior oak and alder forest were it not for decades of gravel quarrying and domestic animal grazing.

The geology seems rather uniform through out the area. It has a fairly hard and flat base with a sand and gravel overburden. Much of the surface is like decomposed granite. While it is incised in places, the underlying geology does not appear to define any particular trail alignment. It would appear the hydrology would actually be the controlling factor.

The north side of Dry Creek, soon after it is joined by Antelope Creek, looks like it could be of concern with a higher bank being cut along the outside curve. This is especially ominous where it cuts closest to the curve in East Street. I think what we may be observing along the south side is a lot of gravel being deposited in the inside turn. Near the Shadowbrook Apartments I suspect the intermittent channel that appears on the maps might even be the remains of the older channel as the creek moves northwest. Fortunately, the hybrid Route B trail would return to surface streets before any similar cutting can occur on the south side.

I think the concerns of the low trail on the south side can be overcome by the engineering we see in parts of Roseville. It's true there would be sections of seasonal summer trails, but that is typical in the existing trail system. All the proposals have that. There must be self-scouring designs to combat sand and silt deposits. Once again, we have the chance to show our expertise in flood compliant design.

A southern route could also disentangle Roseville from some of its legal issues with William Zisk.

We need a design that answers more transportation and other needs and skirts the unique island allowing enjoyment of a richer preserved habitat. That's why we have you, the Commission, not a bunch of computer aided design programs. Not that I even think an objective computer would

pick Route A, but maybe the term commission has some root words it shares with common man and common sense.

If you go through the middle of the area it will just be another trail. If you have the trail embrace the Habitat Island, I think it will someday even have a special name and a special place in Roseville's heart.

Please think again of the title Intermodal Surface Transportation Efficiency Act and send this project back for a more sensible design. I have faith it will be more economical and another thing that sets us apart from Silicon Valley. On the other hand, if we risk it and lose the treasure, we will never have it again…

Please feel free to contact me with any questions or concerns you may have.

Respectfully Submitted,

Ernie McPherson

Cc:
Mark Morse, Environmental Coordinator
Mike Wixon, Transportation and Bikeway Division Manager

Mark

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Chairman
City of Roseville Transportation Commission
Attn: Chairman Jerry Aplass
311 Vernon Street
Roseville, CA 95678

RECEIVED BY
APR 12 2004
CITY MANAGER

April 12, 2004

Subject: Harding Boulevard to Royer Park Bicycle Trail Environmental Impact Flora and Fauna Comparison Charts.

Dear Honorable Chairman Aplass,

In reference to my assertions at the Transportation Commission meeting of March 16, 2004, I wish to submit the following tables supporting my assertion that the habitat impacted containing the Harding Boulevard to Royer Park Bicycle Trail segment is indeed a "Habitat Island". The limits of the island extend from Interstate 80 west to Folsom Road and to the edges of the undeveloped property on its north and south sides in Roseville, California. The habitat in question is slightly smaller, that part which extends west from Harding Boulevard.

In being such an island it deserves the utmost consideration when building a pedestrian and bicycle path within its limits. I do not believe that is occurring with the current intent to essentially bisect the island. The answer is a design that skirts the island serving the greatest transportation needs while allowing enjoyment of a richer preserved habitat.

In the tables, the Environmental Impact Report from the last completed trail segment from Sculpture Park to Harding Boulevard (September 1998, herein referred to as Sculpture Park Habitat) is compared with the Draft Environmental Impact Report for the Harding Boulevard to Royer Park segment (February 2004, herein referred to as Enwood Habitat). Please note the complex treasure that exists in the Enwood Habitat despite it's report of conditions six years later in Roseville's land development and being further from the Miners and Secret Ravine "Habitat Corridors". Sculpture Park, despite the time difference and direct connection to the corridors, hardly compares.

As you study the following, I urge you to consider the treasure of the Enwood Habitat. (I believe it should have been designated a natural and cultural preserve long ago.) In comparison, please observe the prophetic image of the Sculpture Park Habitat, which by all rights was probably once much richer than Enwood's. There is absolutely no way that an Environmental Impact Report

should be waived as suggested at the March 16, 2004 Transportation Committee meeting. In fact, common sense should prevail and the impacts of the current proposed plan should be found avoidable and acted upon.

Please feel free to contact me with any requests you may have after you have reviewed the following tables.

Respectfully Submitted,

Ernie McPherson

Ernie McPherson

Fauna Species - Common Names	Sculpture Park Habitat	Enwood Habitat	Remarks
Cooper's Hawk		x	
Tricolored blackbird		x	Limited distribution in foothills
Red-winged blackbird		x	
Rufous-crowned sparrow	x	x	
Wood duck		x	Nests in riparian tree cavities
California tiger salamander		x	Unique habitat requirements
Brown bullhead	x	x	
Mallard		x	
Scrub jay	x	x	
Sacramento perch	x	x	
Great blue heron	x	x	
Western toad	x		
Western burrowing owl		x	Unusual nesting in burrows (ground nesting owl)
Oak titmouse		x	
Cedar waxwing		x	
Vernal pool fairy shrimp		x	Protected
Canada goose		x	
Great horned owl		x	
Western toad		x	
Swainson's hawk		x	Endangered
Red-shouldered hawk		x	
Red-tailed hawk	x	x	
Sacramento sucker	x		
California quail		x	Badly depleted in Enwood
Anna's hummingbird		x	

House finch		x	
Beaver		x	
Turkey vulture		x	
Sacramento sucker		x	
Belted kingfisher		x	Feeding habitat requirement of snags and stream pools
Kildeer		x	
Lark sparrow	x	x	
Northern harrier	x	x	
Northwestern pond turtle		x	Once lost in Enwood, rediscovered 2003
Northern flicker	x	x	
Shafted flicker		x	
Sharp-tailed snake		x	
Western rattlesnake	x	x	
Yellow-rumped warbler	x	x	
California yellow warbler		x	
Valley elderberry longhorn beetle		x	Protected, Blue Elderberry is host plant
Virginia opossum	x	x	
White-tailed kite	x	x	Once nearly extinct, numbers have increased considerably
Horned lark	x	x	
Brewer's blackbird		x	
American Kestrel	x	x	Increasingly rare in Enwood habitat
Mosquitofish	x	x	
Alligator lizard		x	
Greater sandhill crane		x	
Pacific chorus frog		x	
Bullock's oriole		x	
Dark-eyed junco		x	
Pacific chorus frog	x		
Common kingsnake	x	x	
Hitch	x	x	
Green sunfish	x	x	
Bluegill	x	x	
Black-tailed hare (jackrabbit)	x	x	
Striped racer snake	x		
California whipsnake		x	
Acorn woodpecker	x	x	
Wild turkey		x	
Song sparrow	x	x	
Striped skunk	x	x	

California vole	x	x	
Northern mockingbird		x	
Golden shiner	x	x	
Mule deer	x	x	Rarely seen in Enwood
Chinook salmon (fall run)	x	x	Protected
Central Valley steelhead	x	x	Protected
Muskrat		x	
Savannah sparrow	x	x	
Lazuli bunting	x	x	
Ring-necked pheasant		x	Increasingly rare in Enwood habitat
Yellow-billed magpie		x	Found only in the central valley of California
Nuttail's woodpecker		x	Riparian inhabitant
Rufous-sided (spotted) towhee	x	x	
California towhee		x	
Western tanager		x	
Gopher snake	x	x	
Townsend's western big-eared bat		x	
Racoon	x	x	
Bushtit	x	x	
Sacramento squawfish	x	x	
Bullfrog	x		
Foothill yellow-legged frog		x	
Western harvest mouse	x	x	
Black phoebe	x	x	
Western fence lizard	x	x	
Western gray squirrel	x	x	
Rufous hummingbird		x	
Mountain bluebird		x	
Western bluebird		x	
Whitebreasted nuthatch	x	x	
Shrew	x	x	
California ground squirrel	x	x	
Western meadowlark	x	x	
European starling		x	
Tree swallow	x	x	Cavity nester in riparian trees
Pocket gopher	x		
Botta's pocket gopher		x	
Bewick's wren	x	x	
American robin		x	
Western kingbird	x	x	
Barn owl		x	

Gray fox	x	x	
Mourning dove		x	

Flora Species - Common Names	Sculpture Park Habitat	Enwood Habitat	Remarks
Blow-wives		x	
California buckeye		x	
Chinese tree-of-heaven		x	
Silver hairgrass	x		Non-native
White alder	x	x	Native riparian tree
Ragweed	x	x	
Fiddleneck	x	x	
Pipevine		x	Host of Pipevine swallowtail
Scarlet pimpernell	x		Non-native
Mugwort	x	x	
Giant wild reed		x	
Saltmarsh aster		x	
Milkweed	x		Host of Monarch butterfly
Annual aster	x		
Slender wild oat	x	x	Non-native
Wild oat	x	x	Non-native
Coyote brush		x	
Sticktight		x	
Beggar-ticks	x		
Black mustard	x	x	Non-native
Small quackinggrass		x	
Foxtail chess		x	
Soft chess	x	x	
Ripgut grass	x	x	
Catalpa		x	
Red brome	x		
Morning-glory	x		
Italian thistle	x		Non-native
Buckbrush	x		
Yellow star thistle	x	x	
Canchalagua	x	x	
Buttonbush	x		
California buttonwillow		x	Unique riparian shrub
Jerusalem-oak	x	x	Non-native
Chickory		x	
Silky chloris		x	
Common soap plant		x	

Nutsedge		x	
Jimsonweed		x	
Black nutsedge		x	
Horseweed		x	
Artichoke		x	
Lambsquarters	x		
Common soap plant	x		
Bindweed	x	x	Non-native
Bermuda grass	x	x	
Annual umbrella (small-flowered) sedge difformus	x	x	
Annual umbrella sedge odoratus	x	x	
Umbrella sedge	x	x	
Queen Anne's lace	x	x	
Henderson's shootingstar		x	
Barnyard grass		x	
Common spikerush		x	
Needle spikerush		x	
Annual hairgrass	x		
Blue dicks	x		
Slender spike rush	x		
Wheatgrass	x		
Panicled willow herb	x	x	
Northern willow herb		x	
Dense-flowered spike-primrose	x	x	
Common horsetail		x	
Green lovegrass		x	
Doveweed	x	x	
White-stemmed filaree		x	
Red-stemmed filaree	x	x	Non-native
Long-beaked stork's bill		x	
California poppy	x	x	
Fennel	x	x	Host of Anise swallowtail butterfly
Oregon ash	x	x	
Goose grass	x		
Wall bedstraw	x	x	Non-native
Western marsh cudweed		x	
Rosilla		x	
Fitch's tarweed		x	
Telegraph weed		x	
Virgate holocarpha		x	
Mediterranean barley		x	
Barley		x	

Small-flowered St. John's wort		x	
Klammath weed		x	
Nitgrass	x		Non-native
Smooth's cat's ear		x	
Baltic rush		x	
Western everlasting	x		
Sneezeweed	x		
Tarweed	x		
Toad rush	x		
Rush	x	x	
Prickly lettuce	x	x	Non-native
Rice cutgrass	x	x	
Lipocarpha		x	
Italian ryegrass	x	x	Non-native
Pursh's lotus	x	x	
Lotus	x		
Yellow waterweed		x	
Yellow water-primrose	x		
Bicolor lupine		x	
Bugle weed	x		
Cut-leaved bugleweed		x	
Hyssop loosestrife	x	x	Non-native
Madia		x	
California manroot	x	x	
Horehound		x	
Bur clover	x	x	Non-native
White sweetclover	x	x	Non-native
Wild mint		x	
Mimosa		x	
Field mint	x		
Common monkeyflower		x	
White mulberry		x	
Dallis grass	x	x	Non-native
Canarygrass		x	
Phyla		x	
Foothill pine		x	
Small-flowered stipitate popcorn flower		x	
Stipitate popcorn-flower	x		
Virginia plantain		x	
English plantain		x	
California sycamore		x	
Lady's thumb		x	
Aquatic polygonum	x		

Smartweed	x		Non-native
Annual beardgrass	x	x	Non-native
Fremont's cottonwood	x	x	Native riparian tree
Firethorn	x		
Common purslane		x	
Interior liveoak	x	x	Dry foothill habitat
Valley oak	x	x	Typical semiarid riparian habitat
Blue oak	x	x	Dry foothill habitat
California rose		x	
California blackberry		x	
California coffeeberry	x		
Himalyan blackberry	x	x	Non-native
Common sheep sorrel		x	
Curly dock	x	x	Non-native
Narrow-leaved willow	x	x	
Goodings black willow		x	
Red willow	x	x	
Arroyo willow	x	x	
Shining willow	x	x	
Black willow	x	x	
Blue elderberry		x	Host of Long-horned blue elderberry beetle
Old man of spring		x	
Yellow bristlegrass	x	x	
Nightshade		x	
American black nightshade		x	
Sandwort		x	
Sand-spurrey	x		
Poison oak	x	x	
Puncture vine		x	
Clover	x		
Rose clover	x	x	Non-native
Wild hyacinth		x	
Triteleia	x		
Cattail	x	x	
California bay laurel		x	
Hoary nettle		x	
Dwarf nettle	x	x	
Wooly mullein		x	
Moth mullein	x		Non-native
Shore vervain		x	
Purslane speedwell		x	
Speedwell		x	
Western verbena	x		

American brookline	x		
Winter vetch		x	
Western vetch	x		
Six-weeks fescue		x	
Slender fescue	x		Non-native
Cocklebur	x	x	

Cc:
Mayor F.C. "Rocky" Rockholm
Mayor Pro Tempore Gina Garbolino
Councilmember John Allard
Councilmember Jim Gray
Councilmember Richard Roccucci
City Manager W. Craig Robinson
Mark Morse, Environmental Coordinator
Mike Wixon, Transportation and Bikeway Division Manager

KEVIN S. McCURRY, D.D.S.
GENERAL DENTISTRY

Member
CDA

To: City of Roseville
Attn: Mark Morse, Environmental Coordinator
City of Roseville Community Development Dept.

Date: April 8,2004

From: Kevin McCurry D.D.S. property owner at 140 Folsom Rd. Roseville
Subject: Proposed Bike trail across my property

I would like this letter read into the record during the public comment section of the Transportation Commission Meeting to be held on April 20th.

Let me first say that in general I have been impressed with the City's public works in the past, from a busy citizens viewpoint (I don't have time to do your job and mine) the City seems to do its due diligence in the publics best interest. I did come down to the Roseville permit center and speak briefly with Mr. Cervantes (Engineer in the public works dept.). I appreciated him taking his time to help me to understand the project and allowing me to voice some concerns. I would state that I am in favor of the Bike trail in concept. I however, would like my view point known on several issues.

1. I request a release from liability for when little Johnny crashes and hurts himself. I do not want to spend one single dollar defending myself.
2. Assurances that the town will not ruin the creek like they did Linda creek. I like the view the way it is and I don't want a bunch of concrete to look at all day, every day for the next 20 years..
3. We have issues with the homeless along the creek and my back patio. Will this trail be patrolled? How often?
4. I noticed that the Two Redwoods across Folsom Rd from me are slated to be removed. At first thought I would not be in favor of this unless there is a very necessary reason to do so. Which is?
5. As the bike trail approaches my property from the northeast it should continue UNDER the bridge not through the lot and across Folsom Rd. at Linda Dr.
    a. Folsom Rd. is heavily traveled and someone crossing it will get killed, guaranteed! Due to road alignment it is difficult to see oncoming traffic coming south on Folsom Rd. at Linda Dr.
    b. The access road at the base of my property next to the creek is not wide and is used by some large trucks to gain access to the adjacent lots west of me- bikers/ pedestrians would not have a chance in sharing this road.. This company is rumored to be moving but who knows.
        i. Contrary to what Mr. Zisk says (he is most likely opposed entirely to this project), the creek widened itself in 1997 and consequently the remaining bank is significantly narrower than before.

Thank you for your attention, my five minutes is up.

RECEIVED BY
APR 12 2004
CITY MANAGER

Kevin McCurry D.D.S.

P.S. For gosh sakes don't step on any beetles.

140 Folsom Road • Roseville, CA 95678 • (916) 784-2129 • FAX 784-7073

Received
MAR 29 2004
Transportation

March 26, 2004

Dear Mr. Wixon,

I'd like to contribute an opinion about the newest proposed section of the City's bike trail, from Harding Boulevard to Royer Park. Presently the City planners are suggesting the best placement for the trail would be on the north side of Dry Creek versus the south bank. I see some problems with this decision. Issues of concern include an overall greater impact on wildlife and habitat, added expense due to a longer route and construction needs, and less people to access from northern neighborhoods than southern neighborhoods.

I believe it is fairly common and accepted knowledge that as Roseville has grown at a rapid pace, the local wildlife numbers have shrunk due to habitat loss. Reviewing a list of the William Taylor Park area species published in the 1998 workshop report (pages 25-26,) there has been an overall decease in species. There is a much smaller covey of quail from the 50 of 1998 to 5 individuals, and only an occasionally sighting of white tailed kites (they no longer nest in park trees.) Totally missing are the American Kestrel, great horned owl, and Nuttall's woodpecker. The good news is we've seen an influx of wild turkeys and coyotes as they escaped the development in Miner's Ravine. This in itself is a testimonial of how valuable this habitat really is.

The south side of the trail has a less varied vegetation of dense blackberries, and a southern route wouldn't cut through as wide a swath of habitat as the proposed northern trail does. Wildlife needs undivided spaces with grasslands as well as a riparian environment. My concern is we keep squeezing the very homes necessary for future generations of creatures.

The expense needed to build this particular section is listed as 1.7 million dollars. That is quite a chunk for a city losing state funding in many areas as well as the recently revoked utilities tax. The northern trail will require using the busy Harding Boulevard bridge, and building a new bridge over Antelope Creek. In addition, the plan shows two double switchbacks. Using the southern side would keep a more direct trail on its present course for much less money, an important consideration in these fiscally tight times.

Presently the number of dwellings adjacent to the proposed northern trail house a smaller population than the more densely populated Lincoln Estates area. A southern route will be available to at least twice as many local residents. The Lincoln Estates Park is already well attended, allowing ease in trail usage to more homes and businesses.

William Taylor Park is a proposed entry site for the northern trail. Located on a dead end street with little parking for those bringing bicycles on cars to begin their ride, it would be more difficult for riders to locate the bikeway than at Lincoln Estates Park.

As a salmon counter for years with the Dry Creek Conservancy, I have walked the creek from the confluence of Dry and Antelope Creeks to the edge of Mr. William Zisk's property daily in November and December. I have noted erosion of the northern bank just a bit north of East Street's right angle turn, the corner of Mrs. Wylla Taylor's property. Each year the bend in Dry Creek carves out more of the bank, which happens

to be right by the proposed roadbed for the trail. What engineering plans has the City made to take care of this progressive problem in the future?

Please carefully consider the consequences of placing the proposed bike trail on the northern side of Dry Creek. You have a unique opportunity to preserve a wildlife habitat corridor, save money for the fiscally strapped City of Roseville, and provide access to a greater number of neighborhood cyclists.

Thank you for your time and consideration on this matter.

Sincerely,

Beth A. Sunflower Gouveia
802 Parry Street
Roseville, CA 95678-1832
(916) 783-3097
sunflower_1102@hotmail.com

Cc: Rocky Rockholm, Mayor
John Allard, Council Member
Gina Garbolino, Council Member
Jim Gray, Council Member
Richard Roccucci, Council Member
Craig Robinson, City Manager
Mark Morse, Environmental Utilities
Mike Wixon, Transportation Department

RECEIVED
MAR 18 2004
Community Development Dept.

March 16, 2004

Dear Mr. Morse,

I'd like to contribute an opinion about the newest proposed section of the City's bike trail, from Harding Boulevard to Folsom. Presently the City planners are suggesting the best placement for the trail would be on the north side of Dry Creek versus the south bank. I see some problems with this decision. Issues of concern include an overall greater impact on wildlife and habitat, added expense due to a longer route and construction needs, and less people to access from northern neighborhoods than southern.

I believe it is fairly common and accepted knowledge that as Roseville has grown at a rapid pace, the local wildlife numbers have shrunk due to habitat loss. Reviewing a list of the William Taylor Park area species published in the 1998 workshop report (pages 25-26,) there has been an overall decease in species: much smaller covey of quail from the 50 of 1998 to 5, only an occasionally sighting of white tailed kites (they no longer nest in park trees.) Totally missing are the American Kestrel, great horned owl, and Nuttall's woodpecker. The good news is we've seen an influx of wild turkeys and coyotes as they escaped the development in Miner's Ravine. The south side of the trail has a less varied vegetation of dense blackberries, and wouldn't cut through a wide a swath of habitat as the proposed northern trail does. Wildlife need undivided spaces with grasslands as well as a riparian environment. My concern is we keep squeezing the very homes necessary for future generations of creatures.

The expense needed to build this particular section is listed as 1.7 million dollars, quite a chunk for a City losing state funding in many areas as well as the recently revoked tax. The north trail will require using the busy Harding Boulevard bridge, and building one for Antelope Creek. In addition, the plan shows two double switchbacks. Using the south side would keep the trail on its present course for much less money, an important consideration in these fiscally tight times.

Presently the number of dwellings adjacent to the proposed north side house a smaller population than the more densely populated Lincoln Estates area. The park is already well attended, allowing ease in developing trail usage. Enwood Park is a proposed entry site for the northern trail. Located on a dead end street with little parking for those bringing bicycles on cars to begin their ride, it would make it more difficult for riders to locate the bikeway than Lincoln Estates Park.

As a salmon counter for years with the Dry Creek Conservancy, I have walked the stretch from the confluence of Dry and Antelope creeks to the edge of Mr. Zisk's property daily in November and December. I have noted erosion of the northern bank just a bit north of East Street's right angle turn, the corner of Mrs. Willa Taylor's property. Each year the bend in Dry Creek carves out more the bank, which happens to be right by the proposed roadbed for the trail. What engineering plans has the City made to trail bed to take care of this progressive problem in the future?

Please carefully consider the consequences of placing the proposed bike trail on the northern side of Dry Creek. You have a unique opportunity to preserve a wildlife habitat corridor, save money for the fiscally strapped City of Roseville, and provide access to a greater number of neighborhood cyclists.

Thank you for your time and consideration on this matter.

Sincerely,

Beth A. Sunflower Gouveia

RECEIVED

MAR 1 2004

Community Development Dept.

March 28 200

Just a Note to who ever it
My Consirne : My Family + I
Enjoy The use of The Bike
TRAIL And the Chance To BE
with Nature in All Seasons of
The year . you have our
Suport in Continuing Such Nature
Development ! Keep up The
good work !

Sincely

Don Meinding

March 28, 2004

Community Development
Department
City of Roseville
311 Vernon St.
Roseville, CA
95678

RECEIVED
MAR 30 2004
Community Development Dept.

To Whom It May Concern:

We would like to express our support for the proposed Harding to Royer Park Bike Trail extension. We live very close to where the Bike Trail would cross Folsom Road. We would love, as a family, having close access to the wonderful bike trail system here in Roseville. We will be unable to attend the Transportation Commission meeting on April 20th but wanted you to know of our support of this project. Thank you,

Ginger Foster Ray Jellison Myles Jellison

RECEIVED
MAR 30 2004
Community Development Dept.

March 27, 2004

To Whom It May Concern,

I am strongly in favor of the proposed bike trail project from Harding to Royer Park along Dry Creek. Providing a safe, beautiful area for residents to exercise and enjoy nature would be the perfect addition to our community. It would also be evidence that, along with the major growth Roseville is experiencing, we also want to celebrate the land and natural landmarks which have been an integral part of Roseville for many decades.

Please count me in when it comes to support for this project. I'm excited to see it get underway.

Sincerely,

Melissa R Roeder
215 Almond St
Roseville, CA 95678
(916) 521-5011

Mark Morse
City of Roseville Community Development Department
311 Vernon Street
Roseville, CA 95678
(916)774-5334

March 16, 2004

Hello Mr. Morse,

I live at the end of Parry Street. I would like to tell you that when I first bought my home, I bought it because my front yard was a horse pasture. I knew that it would be quiet and that my child would have fun playing games out in the field.

I had gone to the meetings about the park and had stated that there would be problems with parking due to there being one lane down here. I had even asked for the road to be widened to two lanes, so that it would not be such and ordeal. No one seemed to care, since they knew that it would not be a problem for them. If you build the bike trail, this will make it much worse for us down here, because more people will come down here to use the bike trail as well as the park. As it stands right now, the police department does not reinforce the no parking signs. They will not give out tickets. I had spoken to officer Nakamura and he stated that the reason he did not want to give out the tickets was because he did not want to cause any animosity and wanted the people to enjoy the park, but yet when my neighbors are feuding up the street and someone is parked in the wrong direction these people are receiving tickets.

I have two pictures showing people parking illegally. In one picture you can see the automobiles on the left and on the right. The automobiles on the left are on my driveway, and the cars on the right, are parked by the no parking signs. I could not pull my truck out of driveway since the cars were there. This is something that I have to deal with alot when the weather is nice. I am just worried that some morning when I have to leave for work I'm not going to be able to get out of the driveway, because someone is parked across from my driveway. I won't be able to wait for someone to come from the police department to make them move their car or tow it away, because I will need to leave for work that second. Being late means that I may lose my job. If the person has walked into the field or is on the bike trail and the police department is not willing to enforce the law, then I will be stuck will other alternatives, such as the media. The park fence line was even put back a few feet so that the people in the houses along the street could get out of their driveways.

I broke my leg and ankle some time ago and had to call for an ambulance. The fire truck and ambulance had a hard time getting down here. If there were a fire or some kind of emergency the truck would have never been able to get down here, due to all the cars down here. I have seen teenagers go out to the field to smoke. If one of them threw their cigarette down and a fire started how would the fire truck get out there? There is an empty lot at the end of the street, since the house has been bulldozed and taken away. Maybe the city can build some kind of parking lot or widen the road. Something needs to be done.

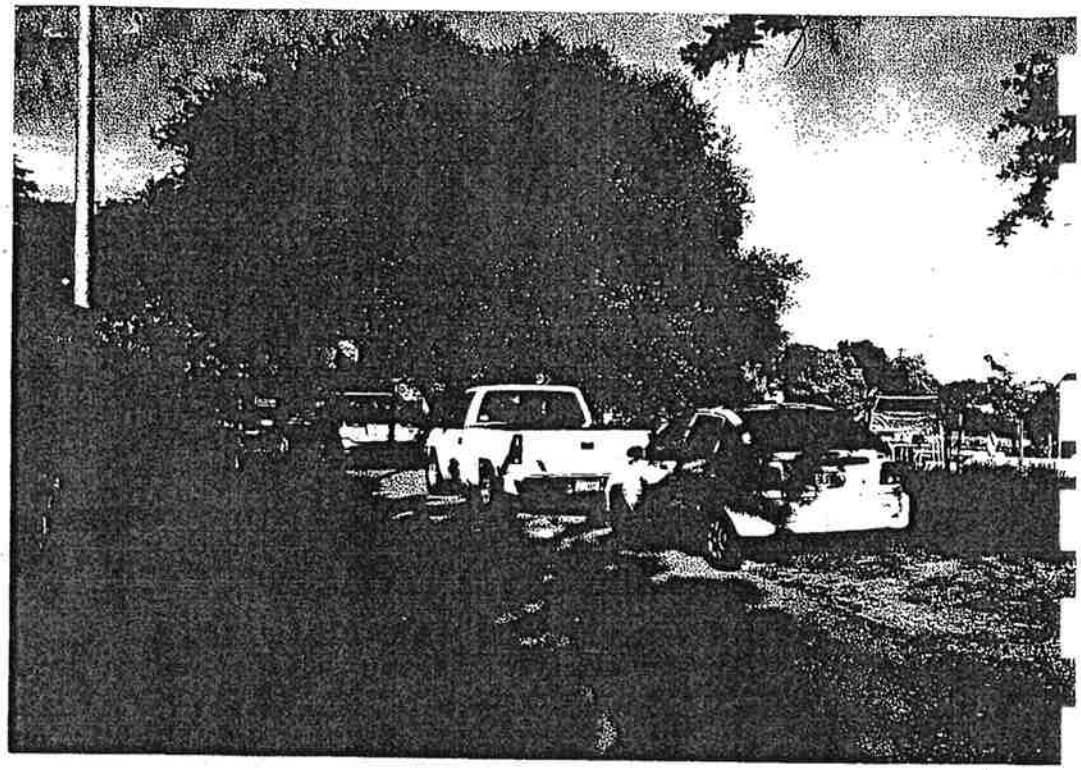
If changing the natural the habitat is an issue, then it was not considered when the park went up, since I saw rabbits lose their homes when the basketball court went up, and I'm sure that trees will be cut down for the bike trail. If the road was widened all that would have to be done would be to cut down two trees. The city does not even trim or treat the trees for disease. The tree in front of my house is very diseased. Ants and other bugs live in the tree and the root system is barely there anymore, due to the age of the tree and the tree never being taken care of. My husband and I are the only ones that have been watering the tree. A service that we do for free. I've even called the city to come and trim the tree. I was advised that there wasn't enough manpower and that I would have to do the job myself. My garbage truck driver has complained several times stating that he is tired of the branches hitting the top of his truck and the city not doing anything about trimming them. I tried trimming a few for him hoping that this will appease him. He seems to be very nice person.

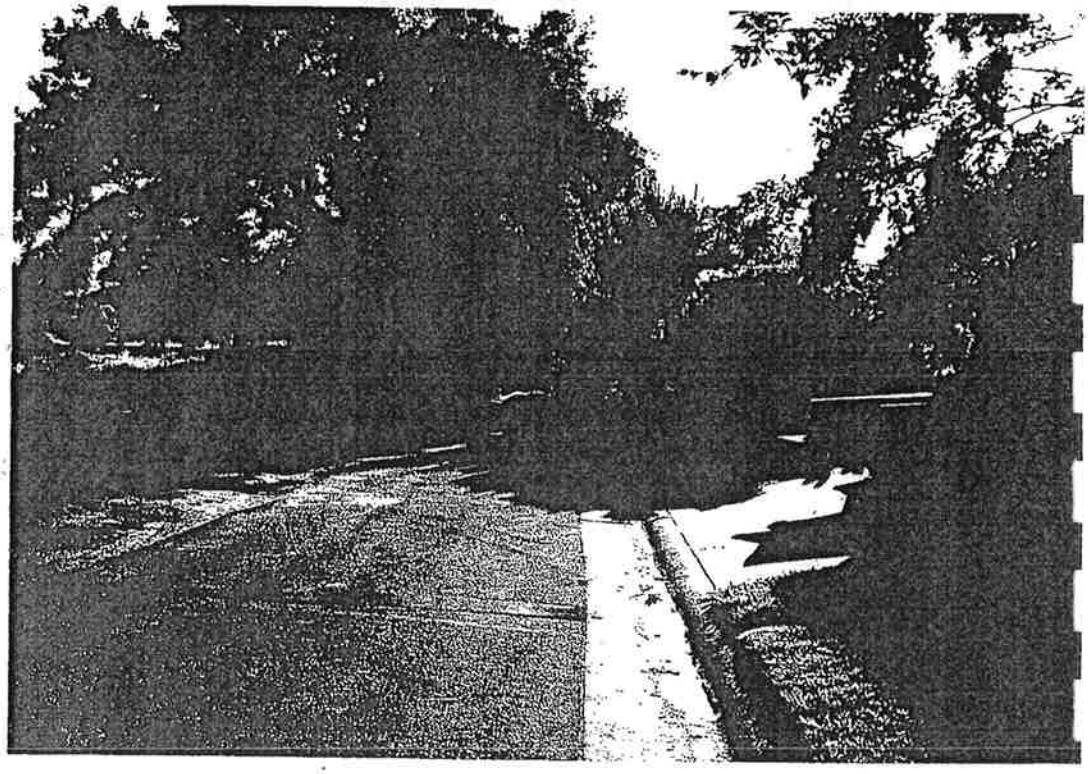
The people who wanted this park and the bike trails should spend some of their time reinforcing the broken laws that they see, but here I am having to try and reinforce the laws, when I don't normally have the time.

Thank you for your time.

Lisa Humphrey

Lisa Humphrey
(916) 787-7560





RECEIVED
MAR 22 2004
Community Development Dept.

3/19/04

Dear Mr Morse,

I am writing in support of the proposed Royer-Harding blvd. bike trail. I believe this extension of the trail would greatly contribute to the community.

Sincerely
Andrew Thomann
406 B East st.
Roseville Ca.
95678

Subject (proposed project) of bike trail.

RECEIVED
MAR 17 2004
Community Development Dept.

As an active 34 year old male. it would be a great asset on my leisure time to be able to enjoy the bike trail from Harding to Roger park it would be convient for me and my daughter to be able to ride our bikes ~~[illegible]~~ to the park without the fear of traffic.

Sincerely from a dad who cares Mark and Lily Kratz

3-11-04

RECEIVED
MAR 15 2004
Community Development Dept.

To whom it may concern,

I currently live at 1005 Shearer Street I have lived in this neighborhood since I was 6 yrs. old. I am now 35. I have 2 children that I am raising in this neighborhood and I just want to let you know I love the idea of the bike trail from Harding to Royer Park ☺ It's safer and more productive than exploring the creek to make paths as I used to do as a child.

Thank you,
Heidi Delzic

I Kathleen Benitez
at 812 Shearer St would love to
have the Bike trails conected to
make the trails longer my Grandchildren &
I would like to walk in Please have
wheelchair access that would help me lot

Sign Kathleen Benitez

I Rosemarie Shaw of 815 Shearer
would appreciate a bike trail
to continue up to Royer Park. I
have three children that would
like to enjoy that with my
family.

Thank you,
Rose Shaw

3/11/04

RECEIVED
MAR 15 2004
Community Development Dept

To Whom it may concern, 3/9/04

a bike trail from Harding Blvd to Royer Park will benifit many people in this neighborhood and others as well. We have gotten so much use & pleasure from our new Park and this bike trail would be an added benifit. Thank you for you consideration

Thank you

Lisa B. Aguilar

RECEIVED
MAR 15 2004
Community Development Dept.

CITY COUNCIL

A bike trail connecting Harding To Royer Park would be great for our community. It would give something for families to do with their kids. It will also keep kids from riding their bikes on the street and keeping them out of danger.

Sincerly

Justin Bridges

JUSTIN BRIDGES

RECEIVED
MAR 15 2004
Community Development Dept.

Dear City Council,

I believe that many people would get use from a bike trail starting in our neighborhood (Harding), and ending at Royer Park. It will be good for fun + exercise

Sincerely,

John Aguilar

RECEIVED
MAR 15 2004
Community Development Dept.

RECEIVED
MAR 11 2004
Community Development Dept.

Mark Morse
Community Development

03/09/04

RE: Roseville Bike Trails

I am writing in support to extend the bike trail along the creek towards Royer Park. Harding Avenue to Royer Park bike trail.

Sincerely,

Denise LaFazia
8064 Halesworth Drive
Roseville, CA 95747

March 8, 2004

RECEIVED
MAR 11 2004
Community Development Dept.

Community Development
311 Vernon St.
Roseville, CA
95678

Please consider this written request to continue a bicycle trail from William Taylor Park to Folsom Road.

This trail would not only provide a safe path for excersice to build a happier, healthier community, but a safe alternative to Atlantic Street (Blvd.). A bicycle trail would give the citizens a safe detour to access Roseville Square, Royer Park + the Old Roseville Library.

I appreciate, in advance, any consideration to this matter.

Sincerely,
Tara Edon

TARA EDON
1057 SHEARER ST.
ROSEVILLE, CA 95678

About the Bike Trail

RECEIVED
MAR 09 2004
Community Development Dept.

1. There will be some downsides, yes. There will be a few transients on the bike trail and occasionally maybe some other problems. But, think of the upsides. the many children of all ages, the young couples with children - with buggies, strollers and what have you - even some old codgers like myself - not including my wife, of course she's younger. Don't we owe it to the young people to give them wholesome recreation close to nature. What a place for them to sort them-selves out away from some of the bad influences of these days.

2. The proposed trail is on the highest ground available through most of its length. There is also old roadbed on at least 3/4ths of the trail site. Usually I see two jack rabbits during day light hours and some turkeys. The turkeys seem to spend as much time in neighbor-hoods on both sides of the creek as they do on the floodplane. All in all the trail will be a wonderful addition to the Cnewood area.

Thank you

Bob Kraft
301 Center St
Roseville Ca. 95678

March 8, 2004

To Community Development
Roseville

RECEIVED
MAR 09 2004
Community Development Dept.

I want to add my support to the proposed Bike Trail from Harding Street to Royer Park. Feel it would be an asset to the area. We have a lot of bike riders and it would be great for them to have a safe trail to ride.

Sincerely,
Dorothy Warnock
Member of the Board of the
Enwood Neighborhood Association

March 7, 2004

RECEIVED
MAR 0 9 2004
Community Development Dept.

Community Development
311 Vernon St.
Roseville, CA 95678

Commission for designing bike paths in Roseville,

I am writing regarding my concern for bike paths in Roseville. I have resided in Roseville for 35 years, all my life. One thing that has kept me staying here in this great city is its commitment to community and to our children. This has always been a city that constantly changes to be as child safe, child friendly and environmentally sensitive.

Our family has always enjoyed outdoor activities. We have tremendous enjoyment for the existing bike paths. We would love to see more bike paths that connect with other existing paths throughout the city. This would not only allow for more recreational use, but it could also allow bicycle commuters to spare the air.

Currently, my husband, John, commutes from Roseville to downtown Sacramento on his bike multiple days a week. I worry every day that some of the areas in Roseville and the Antelope are very dangerous to ride along until he connects with the bike path in Rio Linda.

For these reasons we would love to see bike paths that extend to east Roseville west Roseville, and connect through central Roseville. We would also like to see a trail that could lead out to city limits to get commuters off the road and onto their bikes.

Sincerely,

Marianne Appelbaum / John Appelbaum

John and Marianne Appelbaum

To whom it may concern:

our family at 926 Parry St Roseville CA 95678 is in favor of the extension of the bike trail from Harding to Royer Park.

We always need family bike rides.

if you have any questions or comment please feel free to give us a call at 916 773-6316

The Preszler family
926 Parry Street
Roseville, CA 95678

Thank you.

Received
MAR 18 2004
Transportation

CITY OF
ROSEVILLE
TRADITION·PRIDE·PROGRESS

City Attorney
311 Vernon Street
Roseville, California 95678-2649

Attachment #3

March 24, 2004

Mr. William J. Zisk
205 Thomas Street
Roseville, CA 95678

Dear Mr. Zisk:

This responds to the letter you hand delivered to me yesterday, March 23rd, regarding the City of Roseville's acquisition of a portion of your property for public purposes. Preliminarily, I need to note that on a number of past occasions you and I have reviewed the same information and questions contained in your latest letter. The matters referenced in your letter stretch back over a thirty-one year period and involve no less than six state or federal lawsuits [1] including appeals, not to mention numerous related lawsuits between you and the lawyers who represented you in those actions. Since you were the primary litigant in all of those cases, and since I only arrived on the scene in 1994, your memory and files are undoubtedly more extensive than mine. Accordingly, this letter will not attempt to exhaustively list every milepost in your lengthy dispute with the City. Rather, I intend to concentrate on the core issues: the City's ownership of the property in question; the amount and location of the funding for the acquisition; and the public necessity for the acquisition.

The City's acquisition of the property referenced in your letter dates back to a Final Order of Condemnation issued by the Placer County Superior Court on April 19, 1982 (copy attached). That Final Order condemned a fee simple ownership interest in the property to the City of Roseville for "public park, recreational, bicycle, hiking and maintenance purposes". The Order further notes that the City had deposited with the Court the correct amount of money to pay for the property, including interest and costs.

Following the entry and recording of that Final Order of Condemnation, you filed several appeals, and lawsuits were exchanged between you and your lawyers [2] that resulted in adjustments being made to the amount that the City had deposited with the Court. For example, attorney Sherwood succeeded in obtaining a court order permitting him to withdraw $13,231 from the condemnation deposit to satisfy unpaid legal billings. At any rate, once the dust from all that litigation settled the Placer County Superior Court.

---

[1] City vs. Zisks (1973) Placer Superior Court No. 41104 (Condemnation); Zisk vs. Roseville (1984) Placer Superior Court No. 69081 (Flood Ordinance); Zisk vs. Roseville (1986) Placer Superior Court No. 77050 (Flood Damage); City vs. Zisk (1989) Placer Superior Court No. 84527 (Nuisance); Zisk vs. City (1994) Placer Superior Court No. S-1495 (Zoning Ordinance); Zisk vs. City (1995) Federal District Court No. CIV-S-95-2134 EJG (Civil Rights)

[2] For example: Desmond vs. Zisk, Superior Court No. 54839; Sherwood vs. Zisk, Municipal Court No. CV 2-93; Zisk vs. Henderson – case citation unknown.

issued an Order on April 9, 1992 which noted that the remaining monies on deposit in the (now 19 year old) condemnation action had not been claimed by the Zisks, even though the case had been "fully litigated and final judgment...entered" in the case. The Order therefore, ordered the court clerk to pay over the remaining funds in the account over to you and your wife (a copy of the Order is attached).

The court clerk and the County Auditor complied almost immediately. A check in the amount of $99,329.57 and payable to you and your wife was issued on April 17, 1992. The check was mailed on April 20, 1992 (copies of the accounts payable warrant, the check and the postmarked envelope are attached). For reasons unknown to me, you never cashed that check. Later, due to a change in the law the account holding the deposited condemnation proceeds was transferred from Placer County to the State Treasurer's Office, where it remains to this day. The account contained $71,210.55 in June, 1994. The City has had no power or control over the account since at least the April 9, 1992 court order. I am informed that you may withdraw the remaining funds on account at any time you choose.

Finally, I draw your attention to the last two lawsuits listed in footnote 1. Recall that in those lawsuits you challenged a variety of City zoning, floodway and bike trail project activities under a variety of legal theories, including inverse condemnation, conspiracy to violate civil rights, intentional infliction of emotional distress and declaratory relief. Those lawsuits (and appeals) were decided against you and the cases were ultimately dismissed with prejudice. That means that you are legally barred from relitigating those issues or facts.

Sincerely,

MARK J. DOANE
City Attorney

Enclosures

cc: Transportation Commission Members
Mike Wixon
Mark Morse
Rob Jensen

Roseville CA 95678

OFFICIAL RECORDS
REQUESTED BY
City of Roseville

APR 19 11 27 AM '82
GAY TROMBLEY
PLACER CO RECORDER

13702

NO FEE REQUIRED

FILED
APR 19 1982
GAY TROMBLEY
COUNTY CLERK OF PLACER COUNTY
BY _____ DEPUTY

VOL 2493 PAGE 174

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF PLACER

CITY OF ROSEVILLE, a municipal corporation, Plaintiff v. WILLIAM J. ZISK and LOIS E. ZISK, et al., Defendants	NO. 41104 FINAL ORDER OF CONDEMNATION

It appearing to the Court that Plaintiff City of Roseville has deposited into Court for the Defendants entitled thereto the sum of money assessed by the Judgment in Condemnation entered in this proceeding in Book 35 at Page 177, plus interest and costs in compliance with such judgment;

NOW, THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the real property situated in the County of Placer, State of California, known as Parcel and Parcel B, and more particularly described in Exhibit "A", attached hereto and made a part hereof, be condemned to Plaintiff City of Roseville for

Date Entered APR 19 1982
Book 49 Page 440

public park, recreational, bicycle, hiking and maintenance purposes, in fee simple absolute.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this order be recorded in the Office of the County Recorder of the County of Placer, State of California, and thereupon title to said property described in Exhibit "A" shall vest in Plaintiff and all interests of Defendants William J. Zisk, Lois E. Zisk, the County of Placer, Mary A. Zisk, trustor, Title Insurance and Trust Company, a corporation, trustee, and Marjorie Arnett, as Trustee under the Last Will and Testament of Mabel M. Phillips, deceased, beneficiary, in and to said real property shall be terminated.

DATED: April 1982

[illegible]

[illegible]

JUDGE OF THE SUPERIOR COURT

THE FOREGOING [illegible] IS A CORRECT COPY OF THE ORIGINAL [illegible] OFFICE.

ATTEST: [illegible] 19 1982

[illegible] Trembley

[illegible] CLERK

VOL 2493 PAGE 175

55

VOL. 2493 PAGE 176

All that portion of the South half of Section 35, Township 11 North, Range 6 East, M. D. B. & M., described as follows:

Parcel A Beginning at the South One-Quarter corner of said Section 35, thence from said point of beginning along the South line of said Section 35, South 89° 16' 53" West, 638.32 feet to the most southerly corner of that certain parcel of land described in the Deed recorded in Book 438, Page 319, Official Records of Placer County; thence along the easterly line of said parcel, North 01° 05' 58" West, 95.38 feet; thence leaving said easterly line, North 85° 41' 03" East, 186.03 feet; thence North 69° 42' 02" East, 208.90 feet; thence South 87° 34' 57" East, 257.38 feet to a point located on the east line of the Southwest One-Quarter of said Section 35; thence along said east line South 00° 30' 32" East, 163.00 feet to the point of beginning.

Parcel B Beginning at the South One-Quarter corner of said Section 35, thence along the east line of the Southwest One-Quarter of said Section 35, North 00° 30' 32" West, 202.00 feet; thence North 89° 16' 53" East, 804.00 feet; thence South 00° 30' 32" East, 202.00 feet to the south line of said Section 35; thence along said South line South 89° 16' 53" West, 804.00 feet to the point of beginning.

EXHIBIT "A" OF FINAL ORDER OF CONDEMNATION CITY OF ROSEVILLE V. ZISK PLACER COUNTY No. 41104

13702

Vol. 2493 Page 176 et seq. OR
When embossed and printed in purple, this is certified to be a true copy of the records of the Placer County Recorders Office.
Date Aug 30 1985 Gay Trombley, Recorder
By Ethel Molini Deputy

FILED

APR 9 1992

CARL DePIETRO
CLERK OF THE SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

CITY OF ROSEVILLE, a municipal corporation, Plaintiff, vs WILLIAM J. ZISK, LOIS E. ZISK, et al., Defendants.	)	No. 41104 ORDER RE TRUST FUNDS ON DEPOSIT

It appearing to the court that monies placed on deposit with the clerk of this court remain unclaimed by defendants and further finds that this case has been fully litigated and final judgment has been entered.

Good cause appearing therefore, it is ordered that the clerk pay over such funds remaining on deposit to the defendants and close out such trust account.

Dated: April 9, 1992

James L. Roeder
Assistant Presiding Judge

PLEASE FORWARD WITH WARRANT

MUST BE PAID BY

PLACER COUNTY

ACCOUNTS PAYABLE DOCUMENT

(Circle Transaction Type)

33 MEMO EXPENDITURE 50 ACCOUNTS PAYABLE SET UP

16

VENDOR NO. | PAY TYPE

ZISK, WILLIAM J. and LOIS E.

LAST NAME (40 Characters)

205 Thomas Street

ADDRESS (25 Characters)

Roseville, CA 95678

ADDRESS (25 Characters)

CITY (25 Characters) STATE (2 Characters) ZIP (9 Characters)

DISTRIBUTION CODE

DATE & A/P NUMBER

SHADED AREA FOR AUDITOR'S USE ONLY

№ 17496

PURCHASE REQ.	P.O./CONTRACT/ ENC	PAYMENT DUE DATE

MEMO EXPEND

TAX CODE	FUND/ORG.	ACCOUNT	TASK	OPTION	COST ACCOUNT	ACCT. REF.	AMOUNT	P/C	INVOICE (10 Characters)	DESCRIPTION/ PA # (25 Characters)
	35980	0554				01	83,154.35		41104	DP #5670 5/18/81 679-R
	↓	↓				02	16,175.22		↓	#1778 10/13/81 757-C
						03				Dispersement of fund that
						04				remain in trust per Court
						05				Order 4-9-92
						06				
						07				
						08				
						09				
						10				
						11				
						12				
						13				
						14				
						15				
						16				

TOTAL 99,329.57

SOCIAL SECURITY NO. OR FED. ID

EXPENDITURES AUTHORIZED AND APPROVED

DEPT/AGENCY AUTHORIZED SIGNATURE

4-9-92

DATE

FI-00160 REVISED 1-19-90 DISTRIBUTION: ACCOUNTS PAYABLE WHITE–Auditor CANARY–Auditor Remittance (Optional) PINK–Dept.

VENDOR 888888888

COUNTY OF PLACER

OFFICE OF THE AUDITOR-CONTROLLER

REMITTANCE ADVICE

A959534

ZISK, WILLIAM J AND LOIS E

APR 17, 1992

FUND/ORG.	ACCOUNT	TASK	OPTION	COST ACCOUNT	PO/CONTRACT	A/P NUMBER	INVOICE	AMOUNT
035980	0554					R6452901	41104	83,154.35
035980	0554					R6452902	41104	16,175.22
LEGAL TRUST						WARRANT TOTAL		99,329.57

COUNTY OF PLACER

VOID AND CANCELLED IF NOT PRESENTED FOR PAYMENT WITHIN SIX MONTHS AFTER DATE OF ISSUE

AUBURN, CALIFORNIA
95603

11-4
1210

WARRANT NUMBER

A 959534
A959534

APR 17, 1992

AMOUNT

***99,329.57

PAY EXACTLY NINETY-NINE THOUSAND THREE HUNDRED TWENTY-NINE DOLLARS FIFTY-SEVEN CENTS

SECURITY PACIFIC NATIONAL BANK
Auburn, California 95603

PAY TO THE ORDER OF

ZISK, WILLIAM J AND LOIS E
205 THOMAS ST

ROSEVILLE CA

000095678

Kimbuck Williams Jr

KIMBUCK WILLIAMS, JR.
PLACER COUNTY AUDITOR - CONTROLLER

⑈959534⑈ ⑆121000044⑆928⑈971327⑈

After 5 Days Return To

KIMBUCK WILLIAMS, JR.
AUDITOR-CONTROLLER
OF PLACER COUNTY
135 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603

PRESORTED
FIRST-CLASS

AUBURN CA APR 20 '92
U.S. POSTAGE ≅ 0.25 ≅
PB METER 6808766

PAY TO THE ORDER OF
ZISK, WILLIAM J. AND LOIS E.
205 THOMAS ST.
ROSEVILLE CA 000095678

City of Roseville
Harding Blvd. To Royer Park Bike Trail
Alternative Concept Comparison

URS Corporation

The following is a comparison of the proposed bike trail alternatives for the area between Harding Blvd and Lincoln Estates Park.

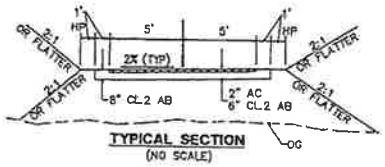
Alternative	Cost	Riparian Habitat Impact	Oak Tree Impact	Hydraulic Impact	Maintenance Cost
A	TBD	Minimal	Minimal	Minimal	Minimal
4	TBD	Severe	Severe	Minimal	Moderate
5 (Elevated)	TBD	Severe	Moderate	High	High
5 (At-grade)	TBD	High	Moderate	Moderate	Severe
6	TBD*	Minimal	Minimal	Minimal	Minimal

*Note; A conservative hydraulic approach will be taken that includes the use of a longer bridge length, actual cost may be less based on greater hydraulic efficiency analysis.

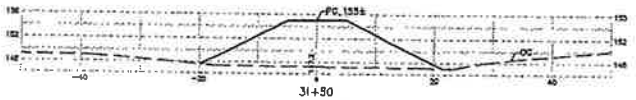
The Draft Environmental Impact Report includes analysis and consideration of the various alternative alignments proposed for the bike trail extension in areas to the west of Lincoln Estates Park. This concept comparison is focused on the alternative alignments between Lincoln Estates Park and Harding Boulevard only and does not reiterate the discussion already contained in the Draft EIR.

Please also note that the alignment connection of "Route B" from the Dry Creek area north of Lincoln Estates Park to a street level connector at either James Drive or Evelyn Avenue will have essentially equivalent issues and those issues are also already discussed in the Draft EIR. The only significant difference is that the connection to Evelyn Avenue is anticipated to result in greater Riparian, Oak Tree and Maintenance cost impacts.

Attachment # 4



TYPICAL SECTION
(NO SCALE)



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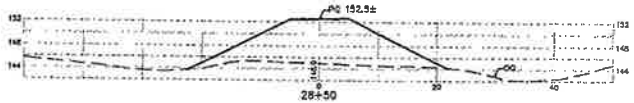
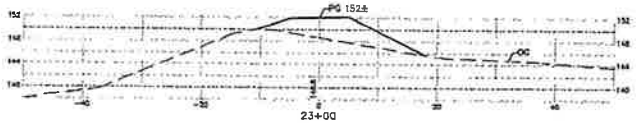
ALT 6 & 4

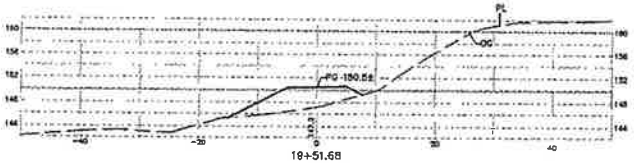


28+50
ALT 6

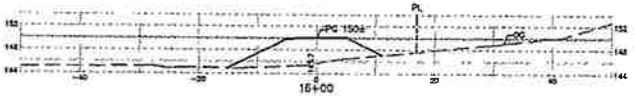
25+00
ALT 5



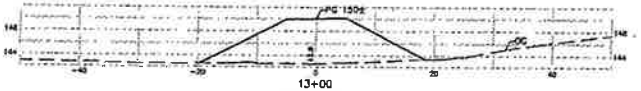
23+00
ALT 5



19+51.68
ALT 5 & 4

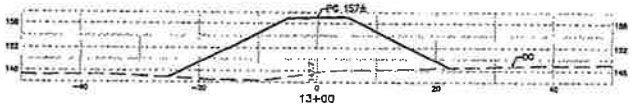


16+00
ALT 5 & 4

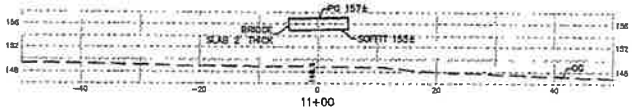


13+00
ALT 5 & 4

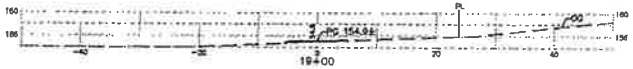
14+00
ALT 6



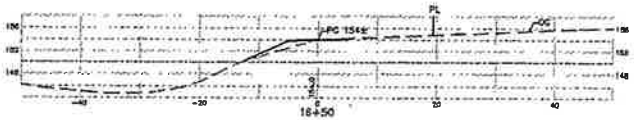
13+00
ALT 6



11+00
ALT 6



19+00
ALT 4



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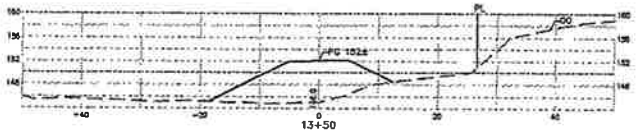


13+50
ALT 4

URS
ENGINEERING • PLANNING • SURVEYING
1330 LEAGHILL BLVD, SUITE 100
ROSEVILLE, CA 95661 (916) 784-5900

SCALE : HORIZ 1" = 10'
VERT 1" = 10'

HARDING BLVD TO ROYER PARK
BIKEWAY PROJECT

Attachment # 5

City of Rosev
Engineering and Tra
Summary

Attachment # 6

Street: HARDING BOULEVARD
Limits: GALLERIA BOULEVARD
LEADHILL BOULEVARD

Field Observer S. SAKATA
Checked By: S. AALTONEN
Date: 06/18/2003

Factors	Direction: North/South			
A. Prevailing Speed Data				
Location of Survey	Approx. 454' south of Wills Rd.			
85th Percentile	44.9			
10 mph Pace	36 - 45			
Percent in Pace	77.5%			
Posted Speed Limit	40			
B. Collision History				
Date Range Covered	07/01/2000	To	06/30/2003	(3 years)
Total Collisions	5			
Collision Rate (Acc/MVM)	0.453			
Expected Collision Rate	4.2			
C. Traffic Factors				
Average Daily Traffic	25497			
Length of Segment	2089			
Lane Configuration	4 Lane with Raised Median			
Street Classifaction	arterial			
D. Conditions Not Readily Apparent				
Conditions	Horizontal curves and with ball bank advisory speed of ___. Commercial and/or residential driveways			
Roadway Geometrics	Horizontal/Vertical Curve with design speed of ___ MPH- List on attachment			
Comments	None.			
E. Adjacent Land Use	Commercial/Multi-Family Residential			
Posted Speed Limit	40			
Speed Limit Change?	No			
Revised Speed Limit				

Approved and Authorized for release by City of Roseville Traffic Engineering Department:

_____ _____

Date Loc. #

City of Roseville

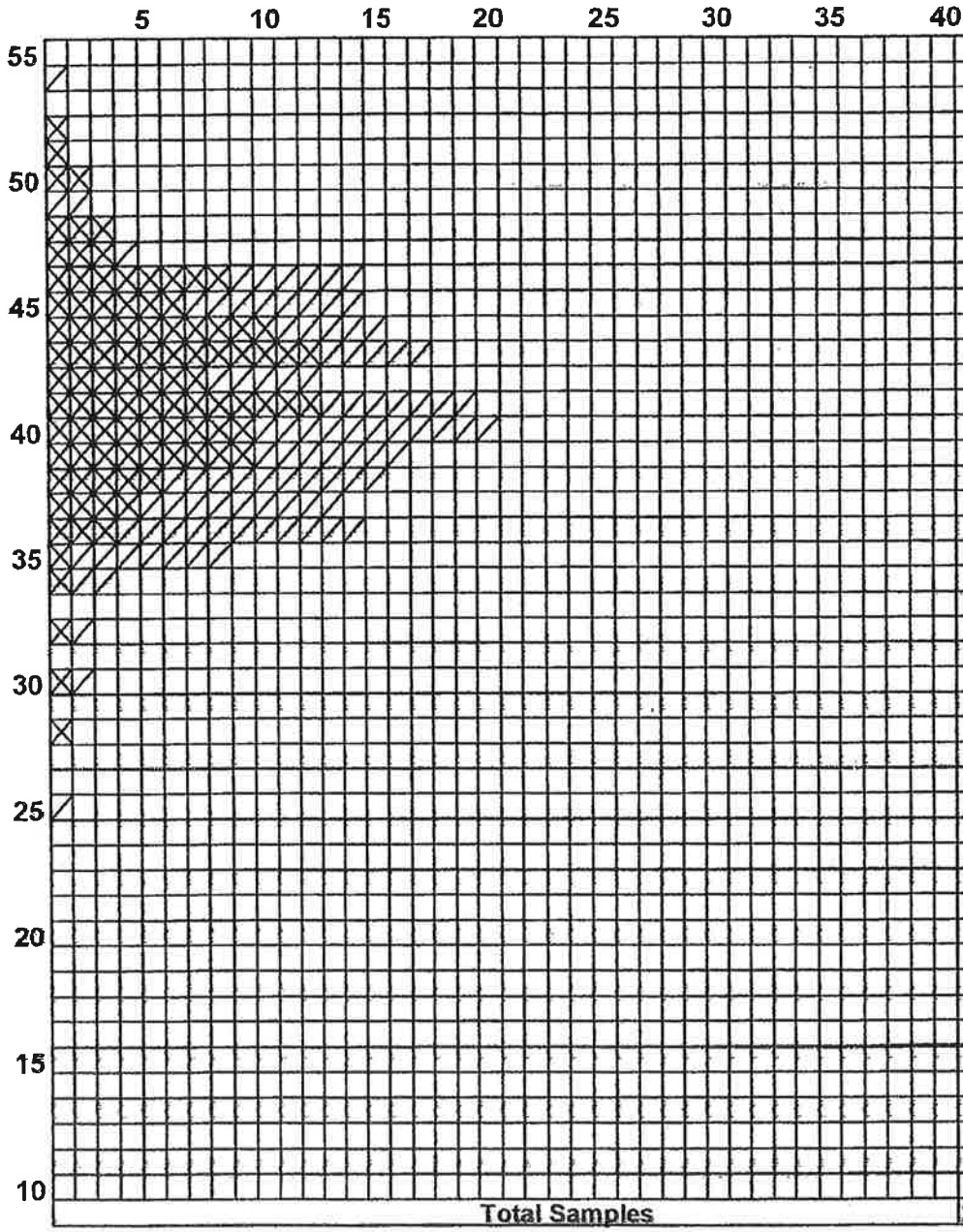
Traffic Engineering Department

Street Name: HARDING BOULEVARD

Limits: GALLERIA BOULEVARD to LEADHILL BOULEVARD

Radar Survey Sheet

X=North /=South

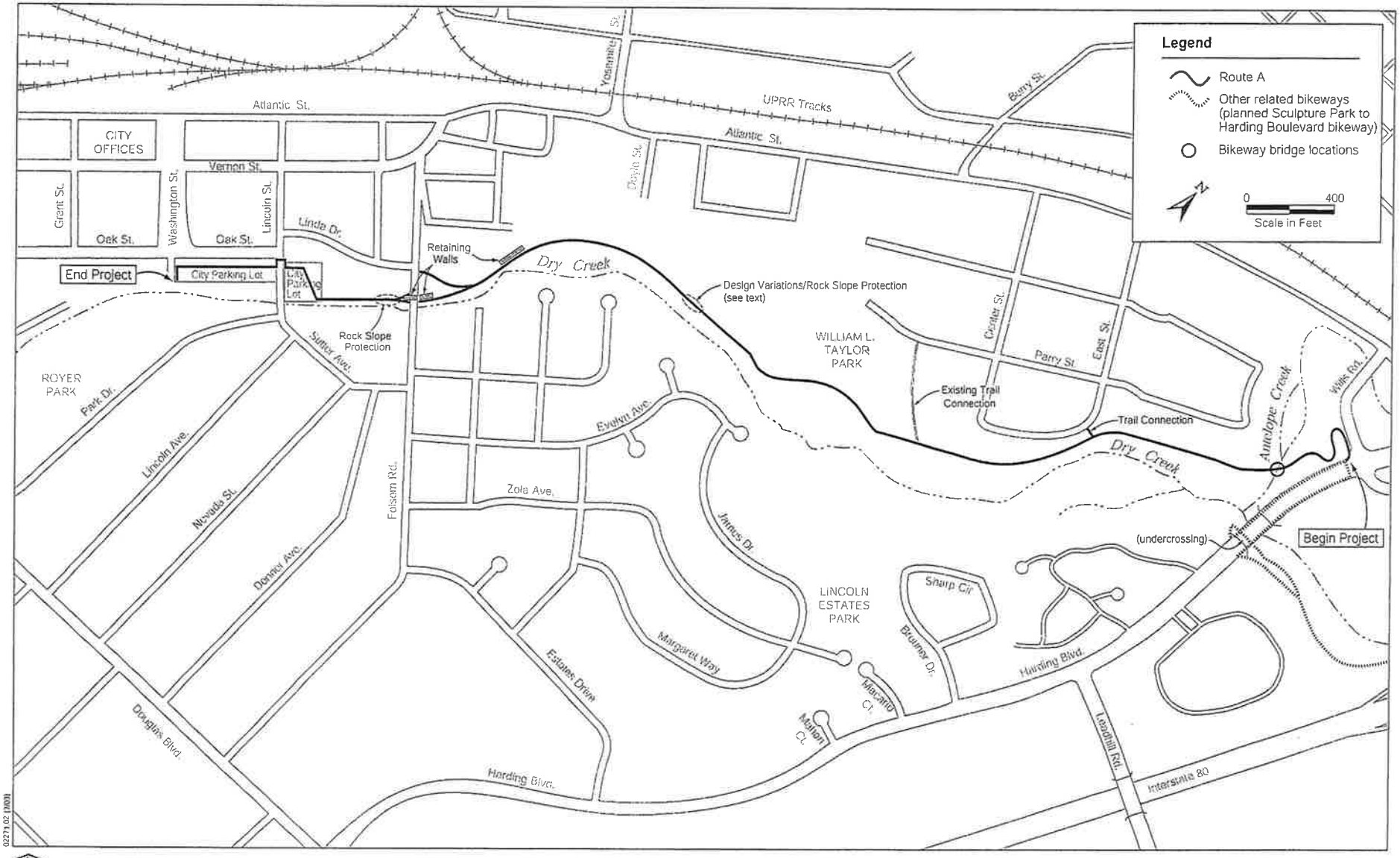


#	%ea	cum.%
1	0.5%	100%
1	0.5%	99.5%
1	0.5%	99.0%
2	1.0%	98.5%
2	1.0%	97.5%
3	1.5%	96.5%
4	2.0%	95.0%
14	7.0%	93.0%
14	7.0%	86.0%
15	7.5%	79.0%
17	8.5%	71.5%
12	6.0%	63.0%
19	9.5%	57.0%
20	10.0%	47.5%
16	8.0%	37.5%
15	7.5%	29.5%
13	6.5%	22.0%
14	7.0%	15.5%
8	4.0%	8.5%
3	1.5%	4.5%
2	1.0%	3.0%
2	1.0%	2.0%
1	0.5%	1.0%
1	0.5%	0.5%
Total Samples		200

85th Percentile Speed:	44.9
50th Percentile Speed:	40.3
15th Percentile Speed:	35.9
10 MPH Pace:	36- 45
Number in Pace:	155
Percent in Pace:	77.5%

Date of Survey:	06/18/2003	Start Time:	2:55
Weather:	cloudy	End Time:	3:25
Road Condition:	good	Posted Speed:	40
Street Class.:	arterial	Observer:	S. SAKATA
Conditions not Apparent:	Horizontal curves and with ball bank advisory speed of ___. Commercial and/or residential driveways		

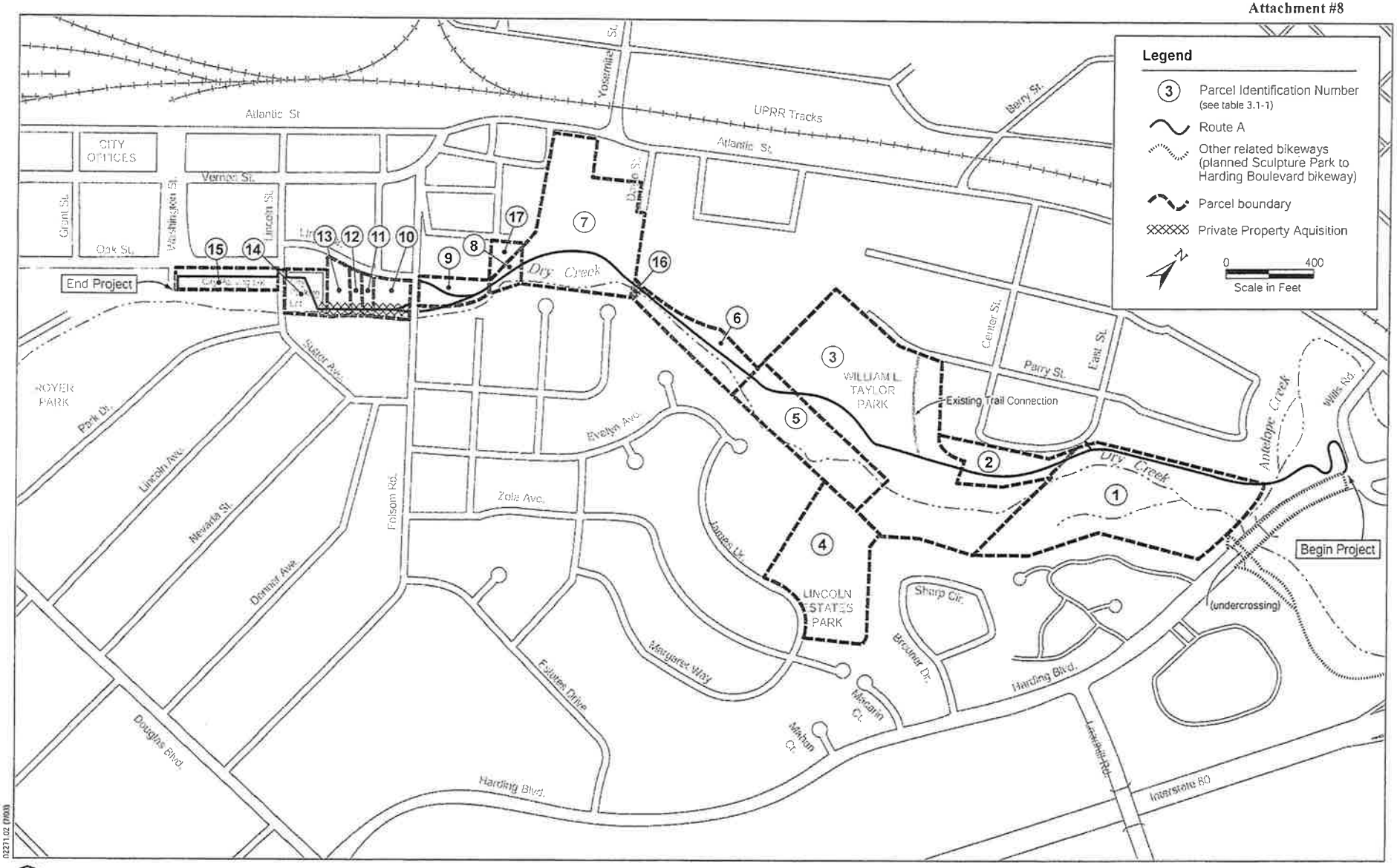
Attachment #7



Jones & Stokes

Figure 2.1-2
Proposed Harding Boulevard to Royer Park Bikeway Route

Attachment #8



Jones & Stokes

Figure 3.1-2
Parcels Affected by the Proposed Action

APPENDIX C. INDIVIDUAL COMMENT LETTERS (AS ANNOTATED FOR RESPONSE)

Letter 1

KEVIN S. McCURRY, D.D.S.
GENERAL DENTISTRY

Member
CDA®

To: City of Roseville
Attn: Mark Morse, Environmental Coordinator
City of Roseville Community Development Dept.

Date: April 8,2004

From: Kevin McCurry D.D.S. property owner at 140 Folsom Rd. Roseville
Subject: Proposed Bike trail across my property

I would like this letter read into the record during the public comment section of the Transportation Commission Meeting to be held on April 20th.

Let me first say that in general I have been impressed with the City's public works in the past, from a busy citizens viewpoint (I don't have time to do your job and mine) the City seems to do its due diligence in the publics best interest. I did come down to the Roseville permit center and speak briefly with Mr. Cervantes (Engineer in the public works dept.). I appreciated him taking his time to help me to understand the project and allowing me to voice some concerns. I would state that I am in favor of the Bike trail in concept. I however, would like my view point known on several issues.

1. I request a release from liability for when little Johnny crashes and hurts himself. I do not want to spend one single dollar defending myself. 1a
2. Assurances that the town will not ruin the creek like they did Linda creek. I like the view the way it is and I don't want a bunch of concrete to look at all day, every day for the next 20 years.. 1b
3. We have issues with the homeless along the creek and my back patio. Will this trail be patrolled? How often? 1c
4. I noticed that the Two Redwoods across Folsom Rd from me are slated to be removed. At first thought I would not be in favor of this unless there is a very necessary reason to do so. Which is? 1d
5. As the bike trail approaches my property from the northeast it should continue UNDER the bridge not through the lot and across Folsom Rd. at Linda Dr. 1e
    a. Folsom Rd. is heavily traveled and someone crossing it will get killed, guaranteed! Due to road alignment it is difficult to see oncoming traffic coming south on Folsom Rd. at Linda Dr.
    b. The access road at the base of my property next to the creek is not wide and is used by some large trucks to gain access to the adjacent lots west of me- bikers/ pedestrians would not have a chance in sharing this road.. This company is rumored to be moving but who knows.
        i. Contrary to what Mr. Zisk says (he is most likely opposed entirely to this project), the creek widened itself in 1997 and consequently the remaining bank is significantly narrower than before.

Thank you for your attention, my five minutes is up.

RECEIVED BY
APR 12 2004
CITY MANAGER

Kevin McCurry D.D.S.

P.S. For gosh sakes don't step on any beetles.

140 Folsom Road • Roseville, CA 95678 • (916) 784-2129 • FAX 784-7073

Letter 2

RECEIVED

MAR 16 2004

Community Development Dept.

March 16, 2004

Dear Mr. Morse,

I'd like to contribute an opinion about the newest proposed section of the City's bike trail, from Harding Boulevard to Folsom. Presently the City planners are suggesting the best placement for the trail would be on the north side of Dry Creek versus the south bank. I see some problems with this decision. Issues of concern include an overall greater impact on wildlife and habitat, added expense due to a longer route and construction needs, and less people to access from northern neighborhoods than southern.

I believe it is fairly common and accepted knowledge that as Roseville has grown at a rapid pace, the local wildlife numbers have shrunk due to habitat loss. Reviewing a list of the William Taylor Park area species published in the 1998 workshop report (pages 25-26,) there has been an overall decease in species: much smaller covey of quail from the 50 of 1998 to 5, only an occasionally sighting of white tailed kites (they no longer nest in park trees.) Totally missing are the American Kestrel, great horned owl, and Nuttall's woodpecker. The good news is we've seen an influx of wild turkeys and coyotes as they escaped the development in Miner's Ravine. The south side of the trail has a less varied vegetation of dense blackberries, and wouldn't cut through a wide a swath of habitat as the proposed northern trail does. Wildlife need undivided spaces with grasslands as well as a riparian environment. My concern is we keep squeezing the very homes necessary for future generations of creatures. 2a

The expense needed to build this particular section is listed as 1.7 million dollars, quite a chunk for a City losing state funding in many areas as well as the recently revoked tax. The north trail will require using the busy Harding Boulevard bridge, and building one for Antelope Creek. In addition, the plan shows two double switchbacks. Using the south side would keep the trail on its present course for much less money, an important consideration in these fiscally tight times. 2b

Presently the number of dwellings adjacent to the proposed north side house a smaller population than the more densely populated Lincoln Estates area. The park is already well attended, allowing ease in developing trail usage. Enwood Park is a proposed entry site for the northern trail. Located on a dead end street with little parking for those bringing bicycles on cars to begin their ride, it would make it more difficult for riders to locate the bikeway than Lincoln Estates Park. 2c

As a salmon counter for years with the Dry Creek Conservancy, I have walked the stretch from the confluence of Dry and Antelope creeks to the edge of Mr. Zisk's property daily in November and December. I have noted erosion of the northern bank just a bit north of East Street's right angle turn, the corner of Mrs. Willa Taylor's property. Each year the bend in Dry Creek carves out more the bank, which happens to be right by the proposed roadbed for the trail. What engineering plans has the City made to trail bed to take care of this progressive problem in the future? 2d

Please carefully consider the consequences of placing the proposed bike trail on the northern side of Dry Creek. You have a unique opportunity to preserve a wildlife habitat corridor, save money for the fiscally strapped City of Roseville, and provide access to a greater number of neighborhood cyclists. 2e

Thank you for your time and consideration on this matter.

Sincerely,

Beth A. Sunflower Gouveia

Letter 3

Received
MAR 29 2004
Transportation

March 26, 2004

Dear Mr. Wixon,

I'd like to contribute an opinion about the newest proposed section of the City's bike trail, from Harding Boulevard to Royer Park. Presently the City planners are suggesting the best placement for the trail would be on the north side of Dry Creek versus the south bank. I see some problems with this decision. Issues of concern include an overall greater impact on wildlife and habitat, added expense due to a longer route and construction needs, and less people to access from northern neighborhoods than southern neighborhoods.

I believe it is fairly common and accepted knowledge that as Roseville has grown at a rapid pace, the local wildlife numbers have shrunk due to habitat loss. Reviewing a list of the William Taylor Park area species published in the 1998 workshop report (pages 25-26,) there has been an overall decease in species. There is a much smaller covey of quail from the 50 of 1998 to 5 individuals, and only an occasionally sighting of white tailed kites (they no longer nest in park trees.) Totally missing are the American Kestrel, great horned owl, and Nuttall's woodpecker. The good news is we've seen an influx of wild turkeys and coyotes as they escaped the development in Miner's Ravine. This in itself is a testimonial of how valuable this habitat really is.

The south side of the trail has a less varied vegetation of dense blackberries, and a southern route wouldn't cut through as wide a swath of habitat as the proposed northern trail does. Wildlife needs undivided spaces with grasslands as well as a riparian environment. My concern is we keep squeezing the very homes necessary for future generations of creatures. 3a

The expense needed to build this particular section is listed as 1.7 million dollars. That is quite a chunk for a city losing state funding in many areas as well as the recently revoked utilities tax. The northern trail will require using the busy Harding Boulevard bridge, and building a new bridge over Antelope Creek. In addition, the plan shows two double switchbacks. Using the southern side would keep a more direct trail on its present course for much less money, an important consideration in these fiscally tight times. 3b

Presently the number of dwellings adjacent to the proposed northern trail house a smaller population than the more densely populated Lincoln Estates area. A southern route will be available to at least twice as many local residents. The Lincoln Estates Park is already well attended, allowing ease in trail usage to more homes and businesses. 3c

William Taylor Park is a proposed entry site for the northern trail. Located on a dead end street with little parking for those bringing bicycles on cars to begin their ride, it would be more difficult for riders to locate the bikeway than at Lincoln Estates Park.

As a salmon counter for years with the Dry Creek Conservancy, I have walked the creek from the confluence of Dry and Antelope Creeks to the edge of Mr. William Zisk's property daily in November and December. I have noted erosion of the northern bank just a bit north of East Street's right angle turn, the corner of Mrs. Wylla Taylor's property. Each year the bend in Dry Creek carves out more of the bank, which happens 3d

to be right by the proposed roadbed for the trail. What engineering plans has the City made to take care of this progressive problem in the future? 3d cont.

Please carefully consider the consequences of placing the proposed bike trail on the northern side of Dry Creek. You have a unique opportunity to preserve a wildlife habitat corridor, save money for the fiscally strapped City of Roseville, and provide access to a greater number of neighborhood cyclists. 3e

Thank you for your time and consideration on this matter.

Sincerely,

Beth A. Sunflower Gouveia
802 Parry Street
Roseville, CA 95678-1832
(916) 783-3097
sunflower_1102@hotmail.com

Cc: Rocky Rockholm, Mayor
John Allard, Council Member
Gina Garbolino, Council Member
Jim Gray, Council Member
Richard Roccucci, Council Member
Craig Robinson, City Manager
Mark Morse, Environmental Utilities
Mike Wixon, Transportation Department

Letter 4

Mark Morse
City of Roseville Community Development Department
311 Vernon Street
Roseville, CA 95678
(916)774-5334

March 16, 2004

Hello Mr. Morse,

I live at the end of Parry Street. I would like to tell you that when I first bought my home, I bought it because my front yard was a horse pasture. I knew that it would be quiet and that my child would have fun playing games out in the field.

I had gone to the meetings about the park and had stated that there would be problems with parking due to there being one lane down here. I had even asked for the road to be widened to two lanes, so that it would not be such and ordeal. No one seemed to care, since they knew that it would not be a problem for them. If you build the bike trail, this will make it much worse for us down here, because more people will come down here to use the bike trail as well as the park. As it stands right now, the police department does not reinforce the no parking signs. They will not give out tickets. I had spoken to officer Nakamura and he stated that the reason he did not want to give out the tickets was because he did not want to cause any animosity and wanted the people to enjoy the park, but yet when my neighbors are feuding up the street and someone is parked in the wrong direction these people are receiving tickets.

I have two pictures showing people parking illegally. In one picture you can see the automobiles on the left and on the right. The automobiles on the left are on my driveway, and the cars on the right, are parked by the no parking signs. I could not pull my truck out of driveway since the cars were there. This is something that I have to deal with alot when the weather is nice. I am just worried that some morning when I have to leave for work I'm not going to be able to get out of the driveway, because someone is parked across from my driveway. I won't be able to wait for someone to come from the police department to make them move their car or tow it away, because I will need to leave for work that second. Being late means that I may lose my job. If the person has walked into the field or is on the bike trail and the police department is not willing to enforce the law, then I will be stuck will other alternatives, such as the media. The park fence line was even put back a few feet so that the people in the houses along the street could get out of their driveways. 4a

I broke my leg and ankle some time ago and had to call for an ambulance. The fire truck and ambulance had a hard time getting down here. If there were a fire or some kind of emergency the truck would have never been able to get down here, due to all the cars down here. I have seen teenagers go out to the field to smoke. If one of them threw their cigarette down and a fire started how would the fire truck get out there? There is an empty lot at the end of the street, since the house has been bulldozed and taken away. Maybe the city can build some kind of parking lot or widen the road. Something needs to be done. 4b

If changing the natural the habitat is an issue, then it was not considered when the park went up, since I saw rabbits lose their homes when the basketball court went up, and I'm sure that trees will be cut down for the bike trail. If the road was widened all that would have to be done would be to cut down two trees. The city does not even trim or treat the trees for disease. The tree in front of my house is very diseased. Ants and other bugs live in the tree and the root system is barely there anymore, due to the age of the tree and the tree never being taken care of. My husband and I are the only ones that have been watering the tree. A service that we do for free. I've even called the city to come and trim the tree. I was advised that there wasn't enough manpower and that I would have to do the job myself. My garbage truck driver has complained several times stating that he is tired of the branches hitting the top of his truck and the city not doing anything about trimming them. I tried trimming a few for him hoping that this will appease him. He seems to be very nice person.

The people who wanted this park and the bike trails should spend some of their time reinforcing the broken laws that they see, but here I am having to try and reinforce the laws, when I don't normally have the time.

Thank you for your time.

Lisa Humphrey

Lisa Humphrey

(916) 784-7560

City of Roseville Community Development Department

Subject: Bike Trail on North side of Dry Creek?

I am Wylla Taylor and have lived at 415 East Street, Roseville, since 1957. Our family has owned and cared for this property much longer than that. We have always kept the land in its Natural state! There are still some wild animals and birds with us. But, now with the encroachment of more and more buildings and proposed asphalt bike trail, the habitat is changing every day! No longer do we have the friendly bullfrog , beaver, hornie toads, kit fox and hawks. I am sure there are many plants that are not with us that have been smothered out by pollution! 5a

When I came here in 1935 it was a real joy to walk the flowered hills around us! Now, there is very little open space left! Cottonwoods and alder trees are mostly gone! **When a specie is missing, others suffer and are lost!**

We don't need anymore construction or destruction on the North side of Dry Creek! If you stay on the South side, you won't have to build a bridge or worry about high water in winter months! 5b

Signed: Wylla Taylor
: Wylla Taylor

Date: 3/16/04

Mark

Letter 6

Ernie McPherson
528 Alola Street
Roseville, California 95678
(916) 782-6321
plato@cwnet.com

Chairman
City of Roseville Transportation Commission
Attn: Chairman Jerry Aplass
311 Vernon Street
Roseville, CA 95678

RECEIVED BY
APR 12 2004
CITY MANAGER

April 12, 2004

Subject: Harding Boulevard to Royer Park Bicycle Trail Environmental Impact Flora and Fauna Comparison Charts.

Dear Honorable Chairman Aplass,

In reference to my assertions at the Transportation Commission meeting of March 16, 2004, I wish to submit the following tables supporting my assertion that the habitat impacted containing the Harding Boulevard to Royer Park Bicycle Trail segment is indeed a "Habitat Island". The limits of the island extend from Interstate 80 west to Folsom Road and to the edges of the undeveloped property on its north and south sides in Roseville, California. The habitat in question is slightly smaller, that part which extends west from Harding Boulevard.

In being such an island it deserves the utmost consideration when building a pedestrian and bicycle path within its limits. I do not believe that is occurring with the current intent to essentially bisect the island. The answer is a design that skirts the island serving the greatest transportation needs while allowing enjoyment of a richer preserved habitat.

In the tables, the Environmental Impact Report from the last completed trail segment from Sculpture Park to Harding Boulevard (September 1998, herein referred to as Sculpture Park Habitat) is compared with the Draft Environmental Impact Report for the Harding Boulevard to Royer Park segment (February 2004, herein referred to as Enwood Habitat). Please note the complex treasure that exists in the Enwood Habitat despite it's report of conditions six years later in Roseville's land development and being further from the Miners and Secret Ravine "Habitat Corridors". Sculpture Park, despite the time difference and direct connection to the corridors, hardly compares.

As you study the following, I urge you to consider the treasure of the Enwood Habitat. (I believe it should have been designated a natural and cultural preserve long ago.) In comparison, please observe the prophetic image of the Sculpture Park Habitat, which by all rights was probably once much richer than Enwood's. There is absolutely no way that an Environmental Impact Report

should be waived as suggested at the March 16, 2004 Transportation Committee meeting. In fact, common sense should prevail and the impacts of the current proposed plan should be found avoidable and acted upon.

Please feel free to contact me with any requests you may have after you have reviewed the following tables.

Respectfully Submitted,

Ernie McPherson

Ernie McPherson

Fauna Species - Common Names	Sculpture Park Habitat	Enwood Habitat	Remarks
Cooper's Hawk		x	
Tricolored blackbird		x	Limited distribution in foothills
Red-winged blackbird		x	
Rufous-crowned sparrow	x	x	
Wood duck		x	Nests in riparian tree cavities
California tiger salamander		x	Unique habitat requirements
Brown bullhead	x	x	
Mallard		x	
Scrub jay	x	x	
Sacramento perch	x	x	
Great blue heron	x	x	
Western toad	x		
Western burrowing owl		x	Unusual nesting in burrows (ground nesting owl)
Oak titmouse		x	
Cedar waxwing		x	
Vernal pool fairy shrimp		x	Protected
Canada goose		x	
Great horned owl		x	
Western toad		x	
Swainson's hawk		x	Endangered
Red-shouldered hawk		x	
Red-tailed hawk	x	x	
Sacramento sucker	x		
California quail		x	Badly depleted in Enwood
Anna's hummingbird		x	

House finch		x	
Beaver		x	
Turkey vulture		x	
Sacramento sucker		x	
Belted kingfisher		x	Feeding habitat requirement of snags and stream pools
Kildeer		x	
Lark sparrow	x	x	
Northern harrier	x	x	
Northwestern pond turtle		x	Once lost in Enwood, rediscovered 2003
Northern flicker	x	x	
Shafted flicker		x	
Sharp-tailed snake		x	
Western rattlesnake	x	x	
Yellow-rumped warbler	x	x	
California yellow warbler		x	
Valley elderberry longhorn beetle		x	Protected, Blue Elderberry is host plant
Virginia opossum	x	x	
White-tailed kite	x	x	Once nearly extinct, numbers have increased considerably
Horned lark	x	x	
Brewer's blackbird		x	
American Kestrel	x	x	Increasingly rare in Enwood habitat
Mosquitofish	x	x	
Alligator lizard		x	
Greater sandhill crane		x	
Pacific chorus frog		x	
Bullock's oriole		x	
Dark-eyed junco		x	
Pacific chorus frog	x		
Common kingsnake	x	x	
Hitch	x	x	
Green sunfish	x	x	
Bluegill	x	x	
Black-tailed hare (jackrabbit)	x	x	
Striped racer snake	x		
California whipsnake		x	
Acorn woodpecker	x	x	
Wild turkey		x	
Song sparrow	x	x	
Striped skunk	x	x	

California vole	x	x	
Northern mockingbird		x	
Golden shiner	x	x	
Mule deer	x	x	Rarely seen in Enwood
Chinook salmon (fall run)	x	x	Protected
Central Valley steelhead	x	x	Protected
Muskrat		x	
Savannah sparrow	x	x	
Lazuli bunting	x	x	
Ring-necked pheasant		x	Increasingly rare in Enwood habitat
Yellow-billed magpie		x	Found only in the central valley of California
Nuttail's woodpecker		x	Riparian inhabitant
Rufous-sided (spotted) towhee	x	x	
California towhee		x	
Western tanager		x	
Gopher snake	x	x	
Townsend's western big-eared bat		x	
Racoon	x	x	
Bushtit	x	x	
Sacramento squawfish	x	x	
Bullfrog	x		
Foothill yellow-legged frog		x	
Western harvest mouse	x	x	
Black phoebe	x	x	
Western fence lizard	x	x	
Western gray squirrel	x	x	
Rufous hummingbird		x	
Mountain bluebird		x	
Western bluebird		x	
Whitebreasted nuthatch	x	x	
Shrew	x	x	
California ground squirrel	x	x	
Western meadowlark	x	x	
European starling		x	
Tree swallow	x	x	Cavity nester in riparian trees
Pocket gopher	x		
Botta's pocket gopher		x	
Bewick's wren	x	x	
American robin		x	
Western kingbird	x	x	
Barn owl		x	

Gray fox	x	x	
Mourning dove		x	

Flora Species - Common Names	Sculpture Park Habitat	Enwood Habitat	Remarks
Blow-wives		x	
California buckeye		x	
Chinese tree-of-heaven		x	
Silver hairgrass	x		Non-native
White alder	x	x	Native riparian tree
Ragweed	x	x	
Fiddleneck	x	x	
Pipevine		x	Host of Pipevine swallowtail
Scarlet pimpernell	x		Non-native
Mugwort	x	x	
Giant wild reed		x	
Saltmarsh aster		x	
Milkweed	x		Host of Monarch butterfly
Annual aster	x		
Slender wild oat	x	x	Non-native
Wild oat	x	x	Non-native
Coyote brush		x	
Sticktight		x	
Beggar-ticks	x		
Black mustard	x	x	Non-native
Small quackinggrass		x	
Foxtail chess		x	
Soft chess	x	x	
Ripgut grass	x	x	
Catalpa		x	
Red brome	x		
Morning-glory	x		
Italian thistle	x		Non-native
Buckbrush	x		
Yellow star thistle	x	x	
Canchalagua	x	x	
Buttonbush	x		
California buttonwillow		x	Unique riparian shrub
Jerusalem-oak	x	x	Non-native
Chickory		x	
Silky chloris		x	
Common soap plant		x	

Nutsedge		x	
Jimsonweed		x	
Black nutsedge		x	
Horseweed		x	
Artichoke		x	
Lambsquarters	x		
Common soap plant	x		
Bindweed	x	x	Non-native
Bermuda grass	x	x	
Annual umbrella (small-flowered) sedge difformus	x	x	
Annual umbrella sedge odoratus	x	x	
Umbrella sedge	x	x	
Queen Anne's lace	x	x	
Henderson's shootingstar		x	
Barnyard grass		x	
Common spikerush		x	
Needle spikerush		x	
Annual hairgrass	x		
Blue dicks	x		
Slender spike rush	x		
Wheatgrass	x		
Panicled willow herb	x	x	
Northern willow herb		x	
Dense-flowered spike-primrose	x	x	
Common horsetail		x	
Green lovegrass		x	
Doveweed	x	x	
White-stemmed filaree		x	
Red-stemmed filaree	x	x	Non-native
Long-beaked stork's bill		x	
California poppy	x	x	
Fennel	x	x	Host of Anise swallowtail butterfly
Oregon ash	x	x	
Goose grass	x		
Wall bedstraw	x	x	Non-native
Western marsh cudweed		x	
Rosilla		x	
Fitch's tarweed		x	
Telegraph weed		x	
Virgate holocarpha		x	
Mediterranean barley		x	
Barley		x	

Small-flowered St. John's wort		x	
Klammath weed		x	
Nitgrass	x		Non-native
Smooth's cat's ear		x	
Baltic rush		x	
Western everlasting	x		
Sneezeweed	x		
Tarweed	x		
Toad rush	x		
Rush	x	x	
Prickly lettuce	x	x	Non-native
Rice cutgrass	x	x	
Lipocarpha		x	
Italian ryegrass	x	x	Non-native
Pursh's lotus	x	x	
Lotus	x		
Yellow waterweed		x	
Yellow water-primrose	x		
Bicolor lupine		x	
Bugle weed	x		
Cut-leaved bugleweed		x	
Hyssop loosestrife	x	x	Non-native
Madia		x	
California manroot	x	x	
Horehound		x	
Bur clover	x	x	Non-native
White sweetclover	x	x	Non-native
Wild mint		x	
Mimosa		x	
Field mint	x		
Common monkeyflower		x	
White mulberry		x	
Dallis grass	x	x	Non-native
Canarygrass		x	
Phyla		x	
Foothill pine		x	
Small-flowered stipitate popcorn flower		x	
Stipitate popcorn-flower	x		
Virginia plantain		x	
English plantain		x	
California sycamore		x	
Lady's thumb		x	
Aquatic polygonum	x		

Smartweed	x		Non-native
Annual beardgrass	x	x	Non-native
Fremont's cottonwood	x	x	Native riparian tree
Firethorn	x		
Common purslane		x	
Interior liveoak	x	x	Dry foothill habitat
Valley oak	x	x	Typical semiarid riparian habitat
Blue oak	x	x	Dry foothill habitat
California rose		x	
California blackberry		x	
California coffeeberry	x		
Himalyan blackberry	x	x	Non-native
Common sheep sorrel		x	
Curly dock	x	x	Non-native
Narrow-leaved willow	x	x	
Goodings black willow		x	
Red willow	x	x	
Arroyo willow	x	x	
Shining willow	x	x	
Black willow	x	x	
Blue elderberry		x	Host of Long-horned blue elderberry beetle
Old man of spring		x	
Yellow bristlegrass	x	x	
Nightshade		x	
American black nightshade		x	
Sandwort		x	
Sand-spurrey	x		
Poison oak	x	x	
Puncture vine		x	
Clover	x		
Rose clover	x	x	Non-native
Wild hyacinth		x	
Triteleia	x		
Cattail	x	x	
California bay laurel		x	
Hoary nettle		x	
Dwarf nettle	x	x	
Wooly mullein		x	
Moth mullein	x		Non-native
Shore vervain		x	
Purslane speedwell		x	
Speedwell		x	
Western verbena	x		

American brookline	x		
Winter vetch		x	
Western vetch	x		
Six-weeks fescue		x	
Slender fescue	x		Non-native
Cocklebur	x	x	

Cc:
Mayor F.C. "Rocky" Rockholm
Mayor Pro Tempore Gina Garbolino
Councilmember John Allard
Councilmember Jim Gray
Councilmember Richard Roccucci
City Manager W. Craig Robinson
Mark Morse, Environmental Coordinator
Mike Wixon, Transportation and Bikeway Division Manager

Attachment #2 **Letter 7**

Ernie McPherson
528 Alola Street
Roseville, California 95678
(916) 782-6321
plato@cwnet.com

Received
APR 16 2004
Transportation

Chairman
City of Roseville Transportation Commission
Attn: Chairman Jerry Aplass
311 Vernon Street
Roseville, CA 95678

April 15, 2004

Subject: Harding Boulevard to Royer Park Bicycle Trail Proposal Evaluation.

Dear Honorable Chairman Aplass,

What are the goals of the Harding Boulevard to Royer Park Bicycle Trail? Is it to provide a safe alternative for commuting? Is it to promote efficient intermodal surface transportation? Is it to increase access to and appreciate the treasure of a unique land? The current Harding Boulevard to Royer Park Bicycle Trail Project Route A fails to do these things in a quality or environmentally sensitive way. 7a

It does succeed in creating a challenge for engineers and taking a route of more paving and least resistance to the creation of a "Silicon Foothills" replacement for Silicon Valley. It will succeed in taking the longest, most hazardous and costly course to "Habitat Island" destruction in Roseville, California's history.

Because of these factors, I feel obligated to report to you and your Commission. The first criteria for any public project should always be safety. Numerous safety issues are intertwined in aspects of this trail proposal. I will express them in context as we move along. Therefore, I will start with the name of the Act that funded the initial process of designing the trail, and quite likely reflects a further source of City funding. That name is the federal Intermodal Surface Transportation Efficiency Act. I would think the name would say it all.

To consider the efficiency part of the proposal, the length and complexity of the route and the capacity to serve transportation begs examination. Proposed Route A extends approximately 7,300 feet (1.4 miles) and serves about 172 north bank residences east of Folsom Road. (These 172 also have relatively easier access to public bus transportation on Atlantic Street.) The trail requires a new bridge and 5,400 (1.0 mile) feet of new paving. 7b

A hybrid of proposed southern Route B and Alternative 4 or 5, on the other hand, would only take approximately 5,850 feet (1.1 miles) and serve about 453 residences east of Folsom Road. The total hybrid trail would appear to require 3,700 feet (0.7 miles) of new paving. Assessing west of Folsom Road becomes speculative and arguable, but most likely would make the comparisons only more extreme.

7b cont.

This hybrid route would connect to the current new trail at Harding Boulevard and proceed westward below Sharp Circle. From that area, it would head straight toward and emerge onto the ramped end of Evelyn Avenue. It would turn right onto Marilyn Avenue, left on an alley past Maciel Avenue and cross an empty lot on Columbia Avenue. There it would use the south bank to cross Sutter Street into Royer Park.

Estimating the cost of these trails from the "City of Roseville Bicycle Master Plan, Ten-Year Class I Bicycle Path Cost Estimates" (undated, but does not show recently completed Sculpture Park to Harding Boulevard as priority), it would seem that one mile of trail would cost an average $1,033,935. Factoring out obvious anomalies, the number could be reduced to around $829,670 per mile without a bridge. The numbers as I interpret them would be:

7c

Route A (1.0 - 1.4 miles) cost: $829,670 to $1,700,000

Hybrid Route B (0.7 -1.1 miles) cost: $580,770 to $1,137,330

Potential cost savings range: $248,900 to $1,119,230

It would seem the savings would mitigate many alleged drawbacks of a southern trail and possibly finance numerous other trail segments on the list. Furthermore, over an acre of land could be saved as good, permeable surfaced open space.

Over 1,200 feet of Route A traverses multiple switchbacks, requires a bridge and deals with only moving users about 300 feet to the north side of Dry Creek. Trail users must deal with designer dreams that they will go out of their way to use a signalized crosswalk 500 feet uphill. In the course of this, users of varied maturity levels get to deal with the many lanes of Harding Boulevard traffic. This is a safety issue and we need to ask who is going to go so far out of their way when they can see their destination trail just across the creek?

7d

Even more to the point, should they elect to follow the safe course, which users will want to subject themselves to stopping their walking or cycling to cross Harding Boulevard? I believe stop-and-go traffic is a major reason many got out of their automobiles.

Next, I will deal with "appreciating the treasure of a unique land" as the draft report states. There is no doubt that the proposed route would be very nice if constructed as planned to bisect the habitat island, but how nice would it be in the long run? I think we can all observe how most wildlife keeps its distance from humans and rightfully so. If the habitat is squeezed from the center as well as both sides it becomes untenable. We must also keep in mind that habitat islands lack the two escape routes that exist up and down a habitat corridor.

7e

I have even tried to encourage a north side route that sacrifices my own space going down two borders of my own property, but a single-minded determination remains to bisect the treasured land. I don't consider it nearly as efficient as a southern trail, but I have been willing to sacrifice the transportation advantage and my own "habitat" to at least save the natural one. 7e cont.

Aesthetically, we can still have a beautiful trail going around the area. It is possible to follow the perimeter and recreate the beauty for humans with planted screens along the developed areas.

There exists an issue of comparing the vegetation in the area. Things are not what they appear. From aerial photos and gross impressions, south side vegetation looks richer. Careful investigation, however, reveals undesirable berry bushes and low quality flotsam traps. Proper restoration would replace what seems so valuable in pictures. It would probably clean up the south side to give it the trail. 7f

The north side, on the other hand, has all the potential to be a model restoration site. It would undoubtedly be a superior oak and alder forest were it not for decades of gravel quarrying and domestic animal grazing.

The geology seems rather uniform through out the area. It has a fairly hard and flat base with a sand and gravel overburden. Much of the surface is like decomposed granite. While it is incised in places, the underlying geology does not appear to define any particular trail alignment. It would appear the hydrology would actually be the controlling factor.

The north side of Dry Creek, soon after it is joined by Antelope Creek, looks like it could be of concern with a higher bank being cut along the outside curve. This is especially ominous where it cuts closest to the curve in East Street. I think what we may be observing along the south side is a lot of gravel being deposited in the inside turn. Near the Shadowbrook Apartments I suspect the intermittent channel that appears on the maps might even be the remains of the older channel as the creek moves northwest. Fortunately, the hybrid Route B trail would return to surface streets before any similar cutting can occur on the south side. 7g

I think the concerns of the low trail on the south side can be overcome by the engineering we see in parts of Roseville. It's true there would be sections of seasonal summer trails, but that is typical in the existing trail system. All the proposals have that. There must be self-scouring designs to combat sand and silt deposits. Once again, we have the chance to show our expertise in flood compliant design.

A southern route could also disentangle Roseville from some of its legal issues with William Zisk. 7h

We need a design that answers more transportation and other needs and skirts the unique island allowing enjoyment of a richer preserved habitat. That's why we have you, the Commission, not a bunch of computer aided design programs. Not that I even think an objective computer would 7i

pick Route A, but maybe the term commission has some root words it shares with common man and common sense.

If you go through the middle of the area it will just be another trail. If you have the trail embrace the Habitat Island, I think it will someday even have a special name and a special place in Roseville's heart.

7i cont.

Please think again of the title Intermodal Surface Transportation Efficiency Act and send this project back for a more sensible design. I have faith it will be more economical and another thing that sets us apart from Silicon Valley. On the other hand, if we risk it and lose the treasure, we will never have it again…

Please feel free to contact me with any questions or concerns you may have.

Respectfully Submitted,

Ernie McPherson

Cc:
Mark Morse, Environmental Coordinator
Mike Wixon, Transportation and Bikeway Division Manager

Letter 8

William J. Zisk
205 Thomas Street
Roseville, California 95678

Telephone: (916) 782-2233
FAX: (916) 783-3408

RECEIVED
APR 20 2004
Community Development Dept.

April 2, 2004

Mr. Mark Morse, Environmental Coordinator City of Roseville,
Community Development Department
311 Vernon Street
Roseville, CA 95678

RE: RESPONSE TO DRAFT ENVIRONMENTAL IMPACT REPORT FOR HARDING BOULEVARD TO ROYER PARK BIKEWAY PROJECT DATED FEBRUARY 2004

State Clearing House No. 2000122078
Lead Agency: City of Roseville
Environmental Consultant: Jones & Stokes
Review Period: February 18, 2004 to April 20, 2004

Mr. Mark Morse:

Thank you for the opportunity to respond to the Draft Environmental Impact Report for the proposed phase two portion of the proposed Harding Boulevard to Royer Park bikeway project, which is dated February, 2004, State Clearinghouse No. 2000122078.

The City of Roseville proposes to construct a bikeway from Harding Boulevard to Royer Park. The proposed project site is located in the City of Roseville in southwestern placer county. The proposed project area encompasses the riparian corridor along Dry Creek and various existing surface streets between Lincoln Estates Park and Royer Park. The proposed project area is generally bounded by Atlantic street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west. The City, as the state lead agency undertaking the proposed project, is required to prepare an appropriate environmental document, in this case an environmental impact report (EIR), under the California Environmental Quality Act (CEQA). This EIR alleges to disclose the environmental effects associated within the proposed alignment, and construction and operation of the proposed bikeway to the satisfaction of CEQA requirements. Compliance with NEPA is also required because funds for preliminary engineering and environmental assessment for the proposed project were provided in part under the federal Intermodal Surface Transportation Efficiency Act (ISTEA).

Begin 8a

end on p. 53

This response to the draft environmental impact report will focus on the inadequacy and errors and omissions of the DEIR as it relates to the CEQA/NEPA requirements, as well as the alleged claims of ownership of Zisk property by the City of Roseville, and the wrongful death of my spouse, Lois E. Zisk resulting from the thirty (30) years of extended ongoing willful and reckless disregard for her health and safety. This response to the DEIR will also focus on the prior thirty (30) years of conspiracy to violate and violation of civil rights; deprivation of the constitutional requirements of equal treatment and application of the law; damages in inverse condemnation; negligence; intentional tortuous conduct; personal injury and property damage, intentional infliction of emotional distress; constructive fraud; search and seizure; invasion of privacy; malicious prosecution, discrimination, duress and obstruction of justice.

On March 9, 2004, a public hearing was held before the City of Roseville transportation commission to hear testimony on the DEIR. During the public hearing William J. Zisk testified to his claim of purchase and ownership of the 205 Thomas Street, Roseville, CA property, consisting of twelve and two tenths (12.2) acres (parcel(s) No.(s) 013-040-003, 013-040-004, and 013-040-005). I briefly referenced our application to the Roseville planning commission for a lot split and use permit to section off a half (1/2) acre portion at the southeast corner of our privately owned property to construct our new single family residence on the secluded passive surroundings adjacent to Dry Creek, and the thirty (30) year history of interference that followed by the City of Roseville into our private residential and business affairs and the ability to use and enjoy "OUR" private property.

William J. Zisk requested a continuance of the March 9, 2004 public hearing before the transportation commission and an extension of time of the comment period to enable the submittal of the prior thirty (30) year history of the property of William J. Zisk and Lois E. Zisk, 205 Thomas Street, Roseville, CA into the DEIR for the proposed phase two of the Harding Boulevard to Royer Park bike trail. The commission granted the continuance of the public hearing and extension of the public comment period to April 20, 2004. The submittal of the prior thirty (30) year history of the Zisk property into the DEIR follows:

VERIFIED STATEMENT OF THE HISTORY OF THE PROPERTY OF WILLIAM J. ZISK AND LOIS E. ZISK, 205 THOMAS STREET, ROSEVILLE, CALIFORNIA, 95678

Petitioners William J. Zisk and Lois E. Zisk purchased the 12.2 acre parcel of land in central Roseville in 1966, located at 205 Thomas Street, Roseville, California (hereafter subject property). The parcel contains two (2) single family residences and two (2) assessory buildings and fifteen hundred feet of Dry Creek traverses the subject property.

At the time of purchase, the zoning and land use designation was R1 and R1-FP, medium density, single family residences. The majority of the entire parcel was designated above and outside of the established 100-year floodplain elevations. The site has been the basis of sand and gravel and trucking operations since the turn of the century. Petitioners are self employed and have resided and conducted their sole livelihood in the sand and gravel and trucking business on the subject property since 1966.

On February 23, 1967 petitioners presented an application to respondents City of Roseville planning department to construct a new single family residence on petitioners private property. Present in an advisory capacity during the public hearing was then Roseville city attorney, Keith F. Sparks. As a condition of approval, respondents required petitioners must first clean and straighten the portion of Dry Creek and adjacent that traverses the subject property and obtain a lot split. No time constraints were placed on the conditional use permit application as granted. Petitioners immediately obtained the necessary stream alteration permits from the California Department of Fish and Game, purchased the necessary heavy duty dragline equipment for dredging the stream, utilized petitioners dump truck and rubber tired front end loader and commenced to fulfill respondents conditional requirements precedent to construction of petitioners new residential dwelling, while continuing to maintain the sand and gravel and trucking business operations on site.

On March 20, 1968 by Resolution Number 68-21, respondents adopted a Park and Streambed Plan as an element of the General Plan showing petitioners' entire 12.2 acre parcel as a "future" proposed public park site.

Upon petitioners nearing completion of the monumental herculean task commenced on February 23, 1967 as required by respondents, on December 8, 1971, respondents then required of petitioners by Interim "Emergency" Ordinance Number 1158, that in order to complete the permit application, an additional grading permit and renewal of the California Department of Fish and Game stream alteration permit would now be required. Petitioners immediately applied for the "additional" grading permit which was subsequently granted on January 24, 1972.

On August 30, 1972, by Resolution Number 72-75, respondents adopted an "Interim" Open Space Plan as an element of the General Plan. Petitioners R-I zoned property was now designated as open space.

On November 29, 1972, respondents adopted Ordinance Number 1190 relating to environmental review of permits issued by the City of Roseville, and declaring the same to be an "emergency measure" to take effect immediately.

On March 1, 1973 petitioners requested the parcel map and lot split to create a parcel to build their new home on the subject property in compliance with the original conditional use permit application granted on February 23, 1967. On March 14, 1973, respondents now determined that the construction of petitioners new single family residence on their R-1 zoned parcel would now have a "non-trivial" effect on the environment and an environmental impact report was now required before any further processing of petitioners permit application would be allowed even though no such E.I.R. was required back on February 23, 1967. Petitioners appealed such determination to the Roseville City Council, pursuant to Ordinance No. 1190, which was subsequently denied on April 25, 1973.

On April 25, 1973 respondent public works director, Frederick L. Barnett, revoked his previous granted January 24, 1972 grading permit and directed that all work within seventy-five feet of Dry Creek on petitioners' property shall cease.

Petitioners immediately retained the services of a local engineering firm, Atteberry and Associates, at substantial cost to petitioners, to fulfill the requirements of respondents, as set forth in Resolution 72-94. Petitioners submitted the environmental study entitled - ENVIRONMENTAL IMPACT STATEMENT FOR BILL ZISK RESIDENCE, THOMAS STREET, ROSEVILLE, CALIFORNIA 95678, dated June 1973.

The purpose of the E.I.S. was to identify, assess and quantify the impact of the development of a single-family residential structure adjacent to Dry Creek on the physical, biological and socio-economic aspects of the Roseville community. The purpose of the project is to provide a home for the Zisk family adjacent to and overlooking Dry Creek in an area of outstanding beauty. The proposed home site is located above and outside the Intermediate Floodplain (146.00 feet above mean sea level) as determined by a study of the United States Army Corps of Engineers, dated May 1973.

The work performed by Mr. Zisk on cleaning and straightening the channel of Dry Creek has changed the channel's coefficient of roughness and has consequently increased the channel's flood carrying capacity approximately 200%. The E.I.S. concluded with:

> "The proposed project is the culmination of a seven year program undertaken by the Zisk family in 1967 to clean up and improve a piece of creek side property that has been exploited for many years and allowed to deteriorate into an eyesore and community health problem. It is in compliance with existing zoning and has no long-range unavoidable adverse impact. The work accomplished to date by the Zisk family indicates the quality of their goals and the ultimate benefit to the community in improved health conditions and scenic qualities".

By Ordinance Number 1190, adopted by respondents on November 29, 1972, the E.I.S. would be approved if respondent registered no objection within fifty (50) days of submittal. Over one hundred (100) days later, without prior objection to the E I.S., the Planning Commission refused to issue the lot split and use permit on September 13, 1973.

On June 20, 1973, by resolution Number 73-56, respondent adopted an Open-Space and Conservation Element of the City of Roseville General Plan. Petitioners property was thereby designated open space for park purposes.

On July 13, 1973, in responding to the draft environmental impact report for the Bill Zisk residence in Roseville, California, the United States Army Corps of Engineers stated that since in the case in point the house itself would be outside of the intermediate regional flood zone, the project itself would not have a significant effect on water surface elevations on Dry Creek during the occurrence of the intermediate regional flood.

On July 24, 1973, respondent planning director wrote to the Sacramento District Corps of Engineers requesting a "re-study" of the proposed parcel map of the Zisk property and would therefore withhold further processing of the proposed parcel map.

On August 29, 1973 respondent City Council adopted a "tentative" plan for a "future" proposed bicycle trail through the middle of petitioners proposed residential home site location.

On August 31, 1973, respondent public works director, Frederick L. Barnett, wrote to the Sacramento District Corps of Engineers requesting transposition of floodplain mapping, based upon outdated "1956" topographic maps, which did not reflect any of the Zisk family seven year reclamation project on Dry Creek on petitioners property.

On September 5, 1973, respondent public works director, Frederick L. Barnett wrote to respondent Planning Director Leo Cespedes, recommending denial of a parcel map for petitioners' property, based upon the adverse impacts of a "tentative" plan for a "future" proposed bicycle trail through the middle of petitioners proposed home site.

On or about September 13, 1973, the respondent Planning Commission in furtherance of a total and conjunctive plan, purpose, scheme and design of the Park, Streambed and Recreation Element, and the various Floodplain Ordinances heretofore mentioned, the Open Space and Conservation Element of the General Plan and the Open Space Zoning Ordinance and in ignoring the Environmental Impact Report of June 1, 1973 which states that plaintiffs' development would have no adverse impact on the environment, and for no valid or lawful cause and without any evidence to the contrary, did summarily deny petitioners' February 23, 1967 application for a land use permit and lot split. Said denial was in furtherance of the aforementioned plan, purpose, scheme and design of respondents.

Petitioners appealed said decision to respondent City Council and on or about October 3, 1973, said City Council, pursuant to and in furtherance of the plan, purpose, scheme and design of the Park, Streambed and Recreation Element and the Open Space and Conservation Element, and in spite of the June 1, 1973 Environmental Impact Report, and for no valid or lawful cause, and with no evidence to the contrary, and in violation of law did summarily deny petitioners' said appeal for the following reasons as specified by the October 3, 1973, Council Meeting Minutes:

> "Motion by Reed, seconded by Waltrip, that the Planning Commission's decision to deny the use permit for property at 205 Thomas Street be affirmed on the basis of evaluation of City of the Environmental Impact Report, the conflict with the bike and pedestrian trail as "tentatively" approved by the City Council and conflict with its development, and further that the plan is in conflict with the Park and Streambed Plan, an Element of the General Plan, and that council give notice that City intends to purchase a bike and pedestrian trail system along the streambed".

Said denial without a hearing or other procedure as required by the Fifth and Fourteenth Amendments to the United States Constitution did constitute a denial of substantive and/or procedural due process of law as guaranteed by said amendments to the United States Constitution.

All of respondents hereinbefore stated acts, conduct and statements were initiated and consummated with the sole motive and intent being to deny petitioners there due Constitutional rights, by deliberately and fraudulently preventing William J. Zisk and Lois E. Zisk from developing either the portion of the subject property subsequently condemned or its remainder for any lawful use, other than parks and recreation use, and hence in furtherance of the respondent express and/or implied purpose, plan, scheme and design to depress the fair market value of the subject property and/or prevent an increase in the fair market value of the subject property so as to economically benefit the respondents to acquire the subject property.

The adoption of the aforesaid Park, Streambed and Recreation Element, the various Floodplain Ordinances, the Open Space and Conservation Element to the General Plan and the aforementioned Open Space Ordinance by respondents, was designed to and did in fact depreciate the full market value of all of petitioners' subject property; did constitute a de facto taking of all of the subject property; did prevent any development for its highest and best use; did deprive petitioners of any practical, beneficial or economical use of the subject property; and was confiscatory in nature as applied to the subject property and therefore in violation of the Fifth and Fourteenth Amendment to the United States Constitution and Article 1, Section 19 of the California State Constitution.

As a direct and proximate result of all of respondents' acts, conduct and statements, petitioners' subject property has been rendered without any practical, beneficial or economical use and petitioners have further been required to hold said property solely for the use and benefit of respondents' public use, without just compensation in violation of the Fifth and Fourteenth Amendments to the United States Constitution and Article 1, Section 19 of the California State Constitution.

Respondents' acts, conduct and statements in denying petitioners' application for use permit and lot split as herein alleged, are unreasonable, oppressive discriminatory confiscatory as applied and a prelude to a direct condemnation action in violation of the Fifth and Fourteenth Amendments to the United States Constitution and Article 1, Section 19 of the California State Constitution, that as a direct and proximate consequence and result of respondents' acts, conduct and statements, petitioners have been prevented from using or developing said property for any lawful private purpose and have been unable to derive value, rents, revenues or profits from the subject property, all the while being required to spend money for taxes and other holding costs in maintaining the subject property.

All of respondents' acts and conduct herein alleged and otherwise were and are illegal, oppressive and unreasonable, and constitute a de facto taking and damaging of the subject property, for and in connection with a public use and purposes, to-wit: park, recreational and open space uses, without just compensation and in violation of the Constitution and laws of the

State of California including, but not limited to Article I, Section 13, and Article 1, Section 19, of the Constitution of the State of California, and all in derogation of the Constitution and laws of the United States, including, but not limited to, the Fourth, Fifth and Fourteenth Amendments of the Constitution of the United States.

Petitioners believe and therefore allege that their administrative remedies, pursuant to respondents' ordinances and state law, were effectively exhausted on October 3, 1973, the date of taking, that to apply to respondent, city, or any of its agents or departments would constitute an idle act.

Thereafter, in furtherance of the plan, purpose, scheme and design as alleged herein, and to further accomplish a depreciation in the fair market value of the subject property taken by respondents for a public use, so as to avoid payment of just compensation, respondents' Floodplain Committee and Planning Commission, both agents of said respondents and while acting within their respective scope of employment, determined to further restrict use of the subject property by including all of said property within a permanent floodplain area. Petitioners attended public hearings precedent and relative to respondents' final adoption of permanent Floodplain Ordinance. On such occasions, objected to said Floodplain Ordinance and the proposed floodplain zone area as being vague, arbitrary, and in furtherance of respondents' plan, purpose, scheme and design to acquire the subject property for a public use, after depreciating its fair market value. Petitioners related to respondents that a Petition for Writ of Mandate relative to Respondents' October 3, 1973, denial of petitioners' request for use permit and lot split, had been filed against respondent on November 1, 1973, and that a claim, pursuant to the provisions of Title 1, Division 3.6 of the Government Code of the State of California, had been filed against respondent on November 12, 1973, for damages in inverse condemnation.

Respondent City Council thereafter, in spite of petitioners' Petition for Writ of Mandate and claim for damages, on or about November 28, 1973, and in furtherance of respondents' plan, purpose, scheme and design to acquire the subject property for public use after depreciating its fair market value, did adopt Ordinance No 1224 relative to permanent regulations of land uses within possible flood areas and Ordinances No. 1227, adding Subsections 161 and 162 to Section 30.01A of Article 3 of respondents' Ordinance No 802, designating certain property in and along Dry, Linda, Cirby, and Antelope Creeks as within the permanent FW (Floodway) and FF (Floodway Fringe) combining zones, all in furtherance of the plan, purpose, scheme and design as herein alleged.

Petitioners are informed and believe and thereon allege that in adopting Ordinance No. 1224 and Ordinance No. 1227 the respondents relied in part on a study specially prepared for respondents by the Sacramento District Corps of Engineers, Department of Army, when the Roseville City Council adopted the aforementioned Floodplain Ordinances. Petitioners are informed and believe and thereon allege that, in fact, this report by the Corps of Engineers was conducted in May, 1973 for the benefit of respondents and does not reflect the actual boundaries of previous floods or determinative flood histories or studies, and were fraudulently applied to antedated "1956" topographic maps, which were allegedly furnished to the Corps by

the Roseville Public Works Department and did not reflect the current topography of the subject property in 1973 and therefore cannot properly be relied upon by the respondents.

All of the subject property is now included within the boundaries of said Floodplain Ordinances and said boundaries coincide, in furtherance of respondents plan, purpose, scheme and design as mentioned above, with the Open Space and Conservation Element, the aforementioned Open Space Ordinance, and the aforementioned Park, Streambed and Recreation Element of the General Plan.

All of the subject property referred to immediately above has been discriminated against by respondents, its agents and various departments. Only the subject property is covered by the Floodplain Ordinances and the Park, Streambed and Recreation Element of the General Plan hereby imposing a double restraint upon petitioners' property. No other property in the area is covered with such a "double restraint."

The placing of a "double restraint" on petitioners' property was done in furtherance of respondents aforementioned plan, purpose, scheme and design.

The adoption of said permanent Floodplain Ordinances, are vague and arbitrary in terms of boundaries was in fact a gross misexercise of police power and a further de facto taking and further devaluation by direct legal restraint of petitioners property, all in furtherance of the plan, purpose scheme and design as alleged herein.

Pursuant to the provisions of Title I, Division 3.6 of the Government Code of the State of California relative to claims for damages against local public entities petitioners could not file the complaint in inverse condemnation until their pending claim against respondents was approved or denied, or upon the expiration of forty-five days from the date of filing said claim.

On or about November 12, 1973, petitioners did file a claim for damages, and that on December 19, 1973, respondent did approve petitioners' claim in part and did deny the claim in part.

Thereafter, and in furtherance of and pursuant to the total plan, purpose, scheme and design herein alleged, and in an attempt to deny to petitioners their legal remedies secured by an action in inverse condemnation, respondents' City Council, did also on December 19, 1973, adopt Condemnation Resolution No. 73-122 relative to a portion of the subject property for public park and "future" bicycle path purposes, and on December 20, 1973, respondent filed a complaint in eminent domain in Placer County Superior Court Action No. 41104 to acquire a portion of the subject property for said proposed public use, without complying with all of the legal conditions precedent to filing an action in eminent domain and contrary to the express intent of the Legislature.

Respondents herein alleged conduct and cursory acts were in furtherance of the aforementioned plan, purpose, scheme and design of respondent city, and was consummated in defiance of such conditions precedent relative to the institution of an eminent domain action by a

public entity as are specified in Government Code Section 7267 requiring an appraisal of the property to be taken and good faith negotiations with the property owner, and respondent also failed to demonstrate whether sufficient public funds are available to acquire said portion of the subject property and whether the "proposed" public park and bicycle path are so compatible with the subject property environment as to comply with State and Federal environmental regulations.

Respondents herein alleged conduct was in derogation of State and Federal statutes mentioned above, but not limited thereto; the Constitution of the State of California; and the Constitution of the United States of America in that, among other things respondents had, as evidenced by their unprecedented immediate filing of an eminent domain suit in violation of the aforementioned statutes and constitutional provisions, decided before hearing all the evidence in the case that respondents plan was to be taken in part rather than in the whole and thus depriving petitioners of their right to a hearing under the due process clause of the United States Constitution and in denial of the aforementioned statutes and constitutional provisions.

Petitioners, on or about November I, 1973, did file an action in Administrative Mandate against respondent city and its councilmen to comply with all requirements for exhaustion of administrative remedies. All of the actions of respondents herein referred to were null and void because not enacted in the manner provided by law, that said acts were unreasonable, arbitrary, discriminatory, fraudulent, and an abuse of legislative discretion vested in the City Council and all agencies and commissions of the City and that said acts would and did constitute a taking and/or damaging of petitioners' property without payment of just compensation contrary to the provisions of the Constitutions as hereinabove alleged, and such acts were done in furtherance of respondents aforementioned plan, purpose, scheme and design.

Respondents commenced the eminent domain proceeding on December 20, 1973, Placer County Superior Court No. 41104, to take over one-half of petitioners' subject property as described herein above. In furtherance of and pursuant to the total plan, purpose, scheme and design as herein alleged, and in further attempt to deprive petitioners of due process, just compensation and equal protection of the law, respondents failed or refused to timely deposit the "total sum" of the judgment into court. As a direct and proximate result and consequence of the wrongful, illegal, and oppressive activities and conduct of respondents, petitioners have not received one cent in any form of compensation to the present date, in violation of the Constitution and laws of the State of California including, but not limited to Article I, Section 13, and Article 1, Section 19, of the Constitution of the State of California, and all in derogation of the Constitution and laws of the United States, including, but not limited to, the Fourth, Fifth and Fourteenth Amendments of the Constitutions of the United States.

On November 6, 1973 a petition for writ of mandate was filed to compel issuance of the use permit prior to the adoption of the floodplain zoning ordinance. A claim was also presented to the City for damages on November 12, 1973. On November 28, 1973, the City Council adopted permanent floodplain zoning ordinances numbers 1224 and 1227, to take effect in thirty days.

On December 19, 1973 respondent City Council adopted a Resolution of Intent to Condemn (No. 73-122), pertaining only to Petitioners new home site and only with respect to the portion adjacent and parallel to the stream, which had been the subject of the seven year reclamation effort. The condemnation resolution was passed even though the City did not, and had not adopted any specific bicycle trail project or plan, and prior thereto, did not conduct a feasibility study, did not demonstrate that sufficient funds were available for acquisition, did not have any part of the Zisk property appraised to establish the fair market value or severance damages, did not make an offer to purchase, did not enter into any negotiations for acquisition, did not certify an E.I.R. for a proposed project, and to this very day have not done so for any other adjoining property in the City.

A race to the courthouse occurred the very next day, December 20, 1973. The City filed an instant action in eminent domain, Placer Superior No. 41104, and petitioners filed their inverse condemnation and civil rights complaint just minutes apart on the "same date" (Placer County Superior Court No. 41105). The trial court entered a judgment dismissing the civil rights action, and abating by interlocutory judgment the inverse condemnation cause of action due to the pendency of the city's condemnation action and to retain jurisdiction over the subsequent action. Petitioners were now being required to proceed within the confines of the city's eminent domain action.

Petitioners property was thus condemned for a "speculative, future purpose" contrary to the express requirements for the exercise of eminent domain powers which thirty years after its exercise, remains as unfulfilled as it did in 1973. In that period of time, petitioners' property is the only parcel ever interfered from private ownership in the entire city. The abuse of the eminent domain power was clear then and is even more compelling now.

On November 6, 1974, without "any" knowledge, whatsoever, or participation of petitioners, petitioners attorney, Richard F. Desmond and respondent city attorney, G. Richard Brown mutually agreed to enter into a "secret" stipulation, purporting to waive petitioners' right to recover their litigation expenses and attorney fees in the condemnation proceedings. Attorney Desmond did not divulge the existence of the secret stipulation to petitioners until November 23, 1977, at the conclusion of the six (6) week eminent domain trial, while William J. Zisk was on the witness stand.

The trial court, per Judge Harold P. Wolters, then dismissed petitioners' civil rights cause of action in Placer County Superior Court No. 41105, Zisk v. City of Roseville, 56 C.A. 3d 41; 127 Cal. Rptr. 896, thereby generating appeal Civil No. 15121 in the Third District Court of Appeals on February 20, 1976, "prior" to commencement of the eminent domain proceeding (No. 41104) on November 1, 1977.

Six appeals have been generated throughout the condemnation proceeding. The only opinion that has been published is contained in Zisk v. City of Roseville 56 Cal. App. 3d at 41-51. The opinion itself contains an important error in the introductory portion, which purports to review the factual and procedural history of the case. The error remains significant because

every subsequent appeal considered this opinion to be an impeccable source of information regarding the earliest history of the case. The erroneous portion relates to the timing of petitioners' original application for the building permit, and the adoption by respondent of a Park and Streambed Element to the General Plan. The opinion correctly recites that respondents adoption of the Park and Streambed Plan occurred in March 1968, while incorrectly reciting that the application for petitioners building permit did not occur until March, 1973. The appellate court relied upon this chronology to conclude, "the plan was adopted five years 'before' petitioners applied for the land use permit" (56 Cal. App 3d at p 51). In fact, petitioners applied for the first and only land use permit on "February 23, 1967", which is recorded in the hearing minutes and was granted upon petitioners satisfaction of the seven (7) year reclamation project on the subject property and obtaining a lot split. The condemnation trial was delayed and set to commence on November 1, 1977. On June 15, 1977, by Resolution No. 77-54, approximately four (4) months "before" the condemnation trial was set to begin, respondents adopted Resolution of the Council of the City of Roseville adopting the General Plan and repealing "former" General Plans and Plan Elements. In so doing, respondents "repealed" the Park and Streambed Plan Element of the General Plan (Resolution No. 68-21); the Interim Open Space Plan (Resolution No. 72-75); and the Open Space and Conservation Element of the General Plan (Resolution No. 73-56). The repealed elements were the basis of commencing the eminent domain proceeding in the first instance.

At this point, petitioners again encountered Keith F. Sparks who had been elevated to the Placer County Superior Court since his participation as respondent city attorney in the original permit application process. This time his role was to preside over the pre-trial conference for the eminent domain action, Placer Superior Court No. 41104. The circumstances mandated recusal upon his own initiative. Judge Sparks presided over the conference and issued a ruling, which aggrieved petitioners to this day. He ruled that evidence of bad faith and prejudicial pre-condemnation activities by the respondents would be excluded from jury consideration in the eminent domain trial.

The effect of this ruling cannot be overstated. The appellate decision on the demurrer stated that the abatement of the inverse condemnation action would be permanant "if the eminent domain proceeding is carried through to a dispositive conclusion", 56 Cal App 3d p. 48. "If for any reason the eminent domain action aborts, the first cause of action will become viable", 56 Cal App 3d p. 48.

Therefore, the City only had to survive the condemnation action to escape liability for its pre-condemnation activities. It was the obvious intention and understanding of the appellate court that all issues related to the taking of petitioners' property to be resolved in one action. Now the trial court, through Judge Sparks (former city attorney for City of Roseville), was effectively granting immunity for pre-condemnation activities by precluding their discussion altogether. Further, the land was down-zoned to floodplain "after" the time of the taking, which meant that valuation would be determined on that basis as opposed to R-I, which it had been prior to the zoning changes improperly implemented and only against petitioners property.

Armed with this devastating ruling, the city proceeded to offer $13,110.00 for the six acres of now improved, lush, level streamside property into which petitioners had poured over $200,000.00 of personal funds and seven years of continuous daily efforts to meet the city's conditions for the issuance of the building permit for their new home.

Faced with Judge Sparks evidentiary ruling excluding valuations based upon anything other than floodplain zoning, the jury verdict awarded $96,381.00, or approximately one-quarter of its R-1 zoning value.

At this point petitioners first became aware that they not only needed to be concerned about actions taken by respondents but those taken by petitioners' own attorneys. Law in effect at that time, C.C.P. 1249.3 specified, if the final offer of the public agency for the condemned property was unreasonable, the property owner could recover litigation expenses including attorneys fees, for defending the condemnation action. The disparity between the final offer of the City and petitioners final demand, when considered in light of the jury verdict clearly indicated litigation expenses would be appropriately awarded. On the motion to award litigation expenses, however, the court ruled that litigation expenses would not be awarded because petitioners' attorney, Richard F. Desmond and respondent attorney G. Richard Brown had executed a written stipulation on November 6, 1974, which purported to waive petitioners' rights to receive such litigation expenses. The existence of the "secret" stipulation came as a complete surprise and shock to petitioners especially since Desmonds' attorney's fees approximated the entire award and various trial strategies had been reluctantly agreed to, solely to improve petitioners' ability to recover all litigation expenses.

Desmond admitted to petitioners on November 23, 1977, that he had committed malpractice by entering into stipulation with respondent city attorney and that, as a consequence, he had a conflict of interest. The fact that the stipulation had been in existence for three years previously without disclosure to petitioners indicates that a conflict existed during most of the course of his representation. Nonetheless, Desmond agreed to pursue reversal of the denied expenses and exclusion of evidence regarding the pre-condemnation actions taken by the respondent to down zone the subject property. Desmond later filed a notice of appeal specifying only a "portion" of the judgment to be appealed and then withdrew from representation. Petitioners then hired attorney William Sherwood, to pursue the litigation expenses when Desmond reversed by surprise and withdrew from representation during appeal before the Third District Court of Appeals.

Sherwood was successful in obtaining a reversal of denial of litigation expenses on appeal and the matter was remanded to the trial court for further proceedings consistent with its ruling. The condemnation judgment specified deposit of the "total sum", including accruing interest at 7%, as a condition of entry of a final order of condemnation. However, the respondent was granted the final order of condemnation without paying the total sum of the judgment into court. Respondent waited the full 30 days after the remittitur issued from the appellate court before making any deposit whatsoever. Said deposit occurred on May 15, 1981, and consisted of the principal amount of the judgment only, with no interest whatsoever. The respondent argued that it was entitled to offset interest because of petitioners' possession of the property

after judgment and filed a motion to have the right to offset interest. Sherwood filed a concurrent motion for award of litigation expenses, and both motions were heard on June 12, 1981. Justice William Newsom, who had presided over the eminent domain trial, considered the issue of offset against the accrued interest and ruled that the value of the possession under the circumstances was nominal and that $750.00 per year could be offset against interest.

With respect to the question of litigation expenses, the purpose and scope of the hearing was to determine "entitlement" to expenses in accordance with the statutory prerequisites for such an award, not the amount to be awarded if such entitlement were found. The court set a later date for a determination based upon evidence to be submitted at that time, when it ruled that petitioners were to be awarded litigation expenses. The subsequent hearing on the appropriate amount of litigation expenses was never held. It was obscured by the issue that had arisen between petitioners and respondent regarding the deposit of the correct amount of interest and whether its earlier deposit of the principal amount of the judgment stopped the running of interest. This matter was argued to the court and submitted for ruling on the correct calculation of interest at the same time as the litigation entitlement issue and interest offset issue. The minute order granting litigation expenses however failed to address the interest calculation issue.

Thereafter, on September 28, 1981, petitioners' attorney Sherwood filed a motion for implied abandonment and dismissal of the condemnation proceedings, based upon former Code of Civil Procedure Section 1255a. The respondent responded by filing a motion to reconsider the award of litigation expenses. On October 9, 1981 or four days prior to the hearing on the pending motion to dismiss, the respondent deposited interest accrued to the date of deposit (May 15, 1981) of the principal amount, less the annual interest offset, in the amount of $20,748.77. This amount had been withheld by the respondent based upon the claim of offset for petitioners' post-judgment possession of the subject property. The deposit occurred five months "after" deposit of the principal amount of the judgment. It was the respondents' position that interest on the latter funds was not required.

The motion to dismiss based upon C.C.P. Section 1255a and the respondents' motion to reconsider the litigation expense award were submitted on October 13, 1981. No ruling was forthcoming from Justice Newsom until March 16, 1982. The ruling did not address either motion, but ruled instead on a matter never argued or requested, namely, the amount of litigation expenses that petitioners would recover.

Justice Newsom awarded $20,000.00 for trial counsel Desmond, $20,000.00 for Sherwood, and $2,500.00 in miscellaneous costs. The order was subsequently amended to include $18,500.00 for appraisal and engineering fees incurred in the condemnation.

The arbitrary nature of the award is evident from the fact that counsels' fees were equal when in fact petitioners were billed $69,556.72 by petitioners' trial counsel Desmond and $21,200.52 by counsel Sherwood up to the time of the court's award. To equal the value of counsels is patently arbitrary and capricious given the evidence of actual cost incurred. This is especially true when such an award does not relieve a party of the responsibility of paying more

than the court believes is reasonable. Petitioners moved to set aside this ruling on the grounds that petitioners had not been afforded a hearing, had not requested the order in the first instance and that it was patently insufficient. The motion was denied.

It was at this point that attorney Sherwood declined to represent petitioners further with respect to appeal of the litigation expenses and denial of the motion to dismiss and also with respect to an independent malpractice action against attorney Desmond. After exhaustive search, petitioners retained the third attorney J. Collinsworth Henderson. The difficulty in locating substitute counsel arose from several factors, the complexity of condemnation actions generally, the relatively small number of attorneys who practice condemnation law, and most importantly, the reluctance of many area attorneys to pursue a malpractice action against a prominent and powerful local attorney such as Desmond. Attorney Henderson affirmatively misrepresented petitioners. Contrary to what petitioners were told, attorney Henderson had no experience whatsoever either in condemnation practice or in malpractice litigation and had no jury trial experience.

Appeal was filed asserting the impropriety of entry of a final order in condemnation, when the conditions of payment specified in the judgment had not been satisfied. Such failures resulted in an implied abandonment of the judgment and further that the litigation expenses were insufficient and fixed without an opportunity to be heard on the amount to be awarded.

Henderson prepared and filed briefs, indicating petitioners were proceeding "in propria persona". The Court of Appeal disagreed with each contention purporting that an implied abandonment required some subjective intent on the part of the public entity to abandon the proceedings before the judgment would be nullified.

The statute in question, former CCP Section 1255a, stated: "Failure to comply with Section 1251 of this code shall constitute an implied abandonment of the proceeding." Former Section 1251 stated in relevant part: "The plaintiff must within thirty days after final judgment pay the sum of money assessed . . ."

The court reasoned that the legislature intended to "protect the public entity" by enacting this section, relying upon secondary commentary of a C.E.B. author and disregarding the observations of its brethren on the bench who agreed with County of Los Angles v. Bartlett (1963) 223 Cal App. 2d 353, 358 that . . ."every requirement of the statute giving the least semblance of benefit to the owner must be complied with . . ." it was the legislative intention to require dismissal when the award has not been paid as provided by Section 1251 . . ."30 days".

The litigation expense issue was dispensed with summarily as well. The court held the trial judge was sufficiently aware of the value of trial and appellate counsel's services to make a determination, even in the absence of any presentation of evidence or argument directly upon the matter at issue.

Petitioners did not obtain an abandonment of the condemnation judgment or a reversal of the order awarding litigation expenses. Attorney Desmond then filed a lien against the

condemnation judgment for attorneys fees in the full amount charged, which meant that approximately $69,000.00 of the $96,000.00 judgment was claimed as attorneys fees in a case where petitioners had been awarded attorneys fees. In addition, Sherwood placed a lien on the judgment for an additional $13,231.65 in fees, disallowed by Justice Newsom because they related to the abandonment and dismissal motion which he refused to grant.

The evidence was uncontroverted that respondent failed to deposit "any" interest until four days before the hearing on the motion to dismiss, by which time all of Sherwood's fees had been incurred, although petitioners had never been billed. The exclusion of the fees from the litigation expense award eroded the compensatory portion of the judgment and in fact deprived petitioners of just compensation as required by both State and Federal Constitutions.

At this point the condemnation action was splintered into a malpractice action against Desmond and a conflict with Sherwood over the claimed balance of his fees. Sherwood had agreed to handle oral argument on the implied abandonment and litigation expense issue if petitioners agreed to give him a specific lien on any "additional" litigation expenses to be awarded by the Court of Appeal. Petitioners agreed and attorney Henderson prepared a document, which appeared to express this agreement in plain terms. When the Appellate Court refused to increase the litigation award to cover the additional fees claimed by Sherwood, he filed a motion in the original condemnation action to be paid out of the original judgment, contrary to the clear language of the agreement that such a lien would arise upon, and be solely payable out of any supplementary award by the Court of Appeal or by the trial Court on remand.

Prior to hearing on Sherwoods' motion for payment out of the condemnation fund, Henderson had been concurrently handling the malpractice against Desmond. Henderson was given summons and complaint for amendment and service on Desmond, and appeared to have the matter under control. The history of that action reveals the inadequacy of his representation.

Desmond filed his own action for payment of attorneys fees, and, in what was then described as "an abundance of caution" by Henderson, a cross-complaint in malpractice was filed in Desmonds' fee action.

Shortly thereafter and at a point in which Henderson had been handling the Desmond malpractice action, Desmond successfully obtained a dismissal for Hendersons' failure to timely return the original summons and proof of service. Petitioners were then forced to rely solely upon the cross-complaint. This put petitioners in the procedural posture of having filed malpractice of Desmond only after he had filed against petitioners for his attorney fees, a terrible disadvantage.

Petitioners continued to receive regular and extensive billings from Henderson for work allegedly performed in preparing for trial with Desmond. Henderson had the case for 3 years without even taking Desmonds' deposition or engaging in any substantial discovery whatsoever. Sherwood filed the motion for payment of his fees out of the condemnation judgment, which remained intact pending appeal of petitioners' motion to dismiss the condemnation for implied abandonment. Henderson declared a conflict based upon his preparation of the Sherwood

agreement and filed a motion to withdraw as petitioners' attorney of record. Both Hendersons' motion and Sherwoods' motion were scheduled for hearing the same day. Prior to the hearing of both motions, but while both were pending, Henderson appeared at a trial setting conference and committed petitioners to a trial date on the Desmond attorneys fee and malpractice case. Henderson then appeared at the motion to withdraw hearing and over petitioners' objections, was allowed to withdraw. The moment the order was out of Judge Wayne Wylies' mouth, Henderson was taking the witness stand to testify that he understood the Sherwood agreement he prepared to specify the conditions of payment to Sherwood to require payment immediately in full, out of the condemnation fund, and contrary to petitioners understanding, payment was not conditional upon recovery of additional amounts and even though he was petitioners attorney and used the term "lien", what he really meant was an assignment of a portion of the funds such that no separate action or trial was necessary for Sherwood to establish his right to the fees and payment out of the condemnation fund. Judge Wylie, incredibly granted the motion and Sherwood, was allowed to withdraw the sum of $13,231.65 immediately from the condemnation fund.

Now petitioners had to face a trial against Desmond, in pro per, to a complex malpractice case and were not prepared. Petitioners began a virtually statewide search to obtain counsel. Again, several factors consistently militated against any attorney becoming involved. The best petitioners could do was to obtain a conditional agreement to petition the trial court for a continuance of the trial date to allow discovery to be conducted by substitute counsel. Judge Wylie was not receptive to such a continuance and repeatedly berated petitioners for not having obtained counsel sooner, despite testimony that petitioners had contacted dozens of attorneys in the several months since Hendersons' withdrawal. At the continuance motion hearing, before Judge Richard Couzens, the attorneys for Desmond countered that they had discussed the case at length with the prospective attorney and his response was non-committal. Judge Couzens phoned the attorney and was not personally satisfied that he would accept the case if a continuance were granted. Judge Couzens denied the continuance request and petitioners were required to appear in propria persona at Desmonds' trial.

In petitioners' cross-examination of Desmond at trial, Desmond admitted the stipulation was a mistake, but he qualified his testimony by saying that he informed petitioners that "maybe" he had committed malpractice. Petitioners testified that his words were direct and unqualified, that he admitted he had committed malpractice by execution of the secret stipulation.

The trial Judge, Charles T. Fogerty, non-suited Petitioners on the cross-complaint, stating on the record that petitioners needed to have an expert witness testify that it was malpractice and that Desmonds' testimony and prior admission was not sufficient. Case law indicates an admission of negligence by a professional is sufficient to take the case to jury.

The jury verdict reduced Desmonds' fees from $69,556.72 to $48,000.00. Judge Couzens increased the amount by granting prejudgment interest to Desmond of $19,918.36. The prejudgment interest was absolutely unjustified because Desmonds' demand was always more than he was entitled to. Petitioners could not have avoided the accrual of interest except

by paying more than was owed. Petitioners were entitled to an offset which was unliquidated and had not been determined by a court or jury and was not therefore subject to calculation.

The failure to grant a continuance, the non-suit and the prejudgment interest award were all appealed. During the pendency of the appeal Desmonds' attorneys applied ex parte, for a writ of execution against the condemnation funds on deposit and obtained possession of the entire amount claimed, including the prejudgment interest, before petitioners were aware of the action.

Again, petitioners encountered Justice Keith F. Sparks, sitting on the panel at the state Court of Appeal, stating the denial of the continuance was not an abuse of discretion because of warning by the trial judge on several occasions to obtain new counsel and petitioners allegedly neglected or refused to do so. That the non-suit was also proper because petitioners needed an expert witness to establish damage as a result of the secret stipulation.

The trial court focused on the necessity of an expert to establish negligence, not damage, resulting there from. Damage was subject to proof, because Sherwood had to be employed to prosecute the appeal, to have the effect of the stipulation voided. The trial Court would have awarded fees in the first instance. The stipulation was secret, collusive and a fraud. Petitioners testified to the mental and emotional anguish it caused. Such is cognizable legal damage, which must come from the victim, not from the lawyer.

At this point petitioners turned to the actions and abuses of Henderson to provide some form of relief for the morass of actions taken and purportedly committed for petitioners' benefit over the prior three years.

Petitioners finally procured the services of yet another attorney, George Mandich, to pursue the malpractice action against Henderson. Mandich gave petitioners every indication of capability and desire to handle the malpractice action to conclusion. He was aware of petitioners' prior history of misfortune and he was particularly aware of petitioners' susceptibility to severe emotional distress and breakdown if we were once again abandoned or deceived by counsel. He assured us that he was a man of integrity.

As should be apparent by the course of things past, such was not to occur. Henderson complained for $15,000.00 "additional" fees, but quickly dismissed the action at the commencement of trial upon advice of counsel. However, Henderson did persuade the trial judge, George Yonehiro, to rule that any actions taken by Henderson after the order granting withdrawal was issued, was irrelevant and would not be discussed before the jury. This ruling was issued in response to a motion in limine to exclude evidence of any post-withdrawal conduct. The order could not have been more erroneous or contrary to statute, rules of ethics and existing case law.

Attorney Mandich asked Judge Yonehiro if he could conduct voir dire of petitioner William Zisk as an offer of proof to test the evidentiary limits of the court's ruling. This was allowed, but when Mandich inquired as to Henderson's conduct, the court stated that he was violating the

terms of the in limine order by inquiring into such matters. At this time, Henderson's counsel moved for a non-suit on the basis of insufficiency of the offer of proof.

While petitioner William J. Zisk was still on the stand with wife Lois E. Zisk in the audience, Mandich, our attorney, "left the courtroom". Everyone present assumed that the departure was temporary, but after a few minutes of silence, the court ordered the bailiff to summon Mr. Mandich back to the courtroom. Mandich was located at his car in the parking lot and stated that he would not be returning because of the court ruling.

The bailiff returned to court and reported Mandichs' response, which was a tremendous blow to petitioners. The fact that the nightmare could continue and even intensify in such a manner was and is beyond comprehension, beyond mere coincidence, misfortune, and literal belief. Judge Yonehiros' response was to question whether Henderson's counsel wanted to renew his non-suit motion. The motion was renewed. The court asked petitioners for any response, acknowledging that petitioners were operating under a "vast handicap". When no coherent response was forthcoming, the motion was granted and judgment entered for Henderson.

Petitioners filed Notice of Appeal in propria persona on August 4, 1986, discharging Mandich from representation in the process. When the members of the panel in the Third District Court of Appeal was announced to include Justice Keith F. Sparks, "again", petitioners requested recusal based upon prior involvement in the case to the point where he could not be impartial. This recusal motion was denied by written order dated March 22, 1988. A decision written by Justice Keith F. Sparks was issued April 13, 1988 which purports to grant a new trial against Henderson.

Respondents continued to purposefully and fraudulently increase the floodplain elevations on petitioners subject property from 146.0 feet to 151.0 feet above mean sea level.

On October 16, 1991, petitioners filed a complaint in Placer County Superior Court (No. S-1495) seeking (1) declaratory relief to determine validity of ordinance, Code of Civil Procedure § 1060 (2) damages for negligence and intentional tortuous conduct causing personal injury and property damage (3) intentional infliction of emotional distress.

The complaint was amended and served on respondents on October 14, 1994. On November 19, 1994 respondent moved to dismiss for lack of prosecution and in the alternative, demurrer to the verified complaint.

On December 27, 1994 pursuant to California Code of Civil Procedure § 170.3 (C), (1), petitioners filed objection to selection of Judge[s] James L. Roeder, J. Richard Couzens and James D. Garbolino. On the same date, pursuant to Code of Civil procedure § 170.1, petitioners filed statements of disqualification's for named judges to hear or participate in this matter. Respondents failed to respond within ten (10) days and were disqualified "as a matter of law". Respondents proceeded to "whiteout and back-date" court documents to avoid

disqualification and then Judge Roeder summarily dismissed petitioners complaint on January 30, 1995.

On February 14, 1995, petitioners filed in the Supreme Court of the State of California, a verified petition for review of the denial of writ of mandate by the Third District Court of Appeal. The California Supreme Court denied petitioners' petition for review on April 12, 1995.

On November 24, 1995 petitioners filed No. Civ.-S-95 2134 EJG/GGH in Federal District Court for violations of the Fifth and Fourteenth Amendments to the Constitution of the United States and conspiracy to violate and violation of petitioners civil rights.

The complaint was amended and served on respondents on February 6, 7, and 8, 1996. Absolutely "no written response", whatsoever, was received by petitioners from respondents, or the district court during the twenty (20) days that followed.

Judge Garcia voluntarily recused himself on February 29, 1996, due to his prior affiliation as a partner in respondent counsels' law firm of Porter, Scott, Weiberg & Delehant. Judge Garcia was replaced with Judge William A. Shubb, whom petitioners learned had his daughter, Carrisa A. Shubb, employed as an attorney with the very same respondent counsels' law firm, Porter Scott, Weiberg & Delehant.

Before Judge Shubb made "any" rulings in the case, petitioners requested his "immediate" recusal pursuant to title 28 U.S.C.A. § 455(a). Judge Shubb refused to recuse, refused to enter default and proceeded to summarily dismiss all but one (1) cause of action in petitioners' verified civil complaint, then recused.

Judge Shubb was replaced with Judge Garland E. Burrell Jr., who refused to vacate Judge Shubbs' orders, refused to enter default and then summarily dismissed petitioners last remaining cause of action.

The record in this proceeding is uncontroverted. Respondents are in default, have never been relieved of default and are still in default.

The history of this litigation has been spawned by respondents' deceptive and fraudulent actions so long ago. Petitioners have been the victims of a continuous stream of tortuous conduct engaged from 1967 forward and implemented and perpetuated by every attorney, trial judge and appellate justice who has participated thereafter. Laws designed to protect citizens and property owners from the tyrannous abuse of authority and power have been disregarded at every stage of litigation resulting from condemnation. The courts have refused to correct the abuse and lawlessness upon the fallacious and destructive justification that the end justifies the means. The abuses and injustices have continued with the participants undoubtedly encouraged by court inaction.

It is clear that something more than misfortune or coincidence is at work in these cases. Could such a tale be the product of our legal system operating within ordinary tolerances for error and occasional injustice? The legal system to this point has utterly failed because all participants' without petitioners' knowledge have combined to make it so. As a consequence, petitioners have improved their property by their own hands at tremendous expense of time and effort, forcibly removed from petitioners by fraudulent means, upon purported compensation that was itself preyed upon by voracious and unethical attorneys. Is this the true character of our constitutional rights and justice under our legal system?

Is it nothing more than a dangerous and foul back alley, populated by thugs who are free to gang up on all who enter seeking only what is promised at the entrance, impartial justice and the right to redress for wrongs committed? If it is not so characterized, how has it become so, for petitioners?

Petitioners pray for investigation that is not only necessary but appropriate to redress the wrongs obviously and demonstrable committed, to correct and punish the abuses chronicled herein. Petitioners have never had an opportunity to present to an impartial tribunal, the fraud and deceit and deprivation of constitutional rights practiced upon petitioners, which has taken petitioners' private property, years of petitioners lives, petitioners entire life savings, retirement securities, emotional tranquility, and petitioners right in pursuit of happiness to build the home of our dreams on our private property.

Issue orders to annul the eminent domain action Nunc Pro Tunc, based upon the extrinsic frauds perpetrated, including violations of due process, equal treatment and deprivation of just compensation allowed to pass uncorrected by the interested state and federal courts. Order the City of Roseville, California, and the attorneys and judges involved to show cause why the matters transpired have been allowed to mock our system of justice. Order each to show cause that any matter stated herein is not the absolute demonstrable truth, that there are definite unclean hands.

The present status of matters is a travesty of justice, and every moment it continues is a continuing infliction of pain upon petitioners and a decay of democracy. Windows have been broken out of our vehicles and home, the cabin trashed, outbuildings set on fire, strange people and vehicles on our property, crank calls and we fear daily for our lives. The recent deaths of my spouse Lois E. Zisk on November 22, 2000, and my son William Zisk Jr. on February 17, 2002 are very suspect. Petitioners pray this madness and abuse stops and that those perpetrating the terrorism be brought to justice, as the result to petitioners simply seeking to keep property that is rightfully ours, and not that of the City of Roseville.

The only resolution and relief that remains is complete investigation and prosecution by Federal and State Jurisdictional Authority.

Petitioners hereby respectfully request a full scale investigation to correct and vacate the massive continuous stream of controlling errors of law and abuses chronicled above.

"Thirty-five years ago", petitioners embarked on a project to build a home of our dreams on "our private property". The application as submitted to respondents was in full compliance with all land use zoning regulations and general plans at that time. Today, not only does petitioners not have the home of our dreams on our private property, but our property itself has been forcibly and fraudulently removed from our possession, for no lawful reason, whatsoever, after tremendous expenditures in preparation of our home site as required by respondents. Petitioners have been forced to expend vast amounts of litigation expenses and attorney fees defending respondents abusive and unwarranted actions, while respondents systematically and fraudulently down-zoned petitioners' entire 12.2 acre parcel to a public use as noted above.

During the course of this entire thirty-five (35) year ordeal, petitioners have never received one cent in any form of compensation, while being required to expend hundreds of thousands of dollars of our personal funds to defend the massive continuous stream of controlling errors of law and abuses chronicled above. Is this the true character of our constitutional civil rights?

I, William J. Zisk, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verified statement was executed on April 2, 2004 at Roseville, California.

William J. Zisk

VERIFICATION

I, William J. Zisk, am the spouse of the deceased Lois E. Zisk in the above captioned matter. I have read the foregoing VERIFIED STATEMENT OF THE HISTORY OF THE PROPERTY OF WILLIAM J. ZISK AND LOIS E. ZISK, 205 THOMAS STREET, ROSEVILLE, CALIFORNIA 95678, and am familiar with its content. The matters stated herein based on personal knowledge and information are true and correct. If called to testify as a witness in this matter I can competently testify as to matters of fact.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this April 2, 2004 at Roseville, California, 95678.

William J. Zisk
205 Thomas Street
Roseville, California 95678-1858
Telephone: (916) 782-2233

As to the alleged claim of ownership of Zisk property, Assessors Parcels No.(s) 013-040-003 and 013-040-005 by the City of Roseville, on March 23, 2004 William J. Zisk hand carried a written request under the public information act to Roseville city attorney, Mark Doane to provide me with an immediate written response to twelve (12) direct questions relating to the City of Rosevilles' alleged claim to legal title ownership of parcel(s) 013-040-003 and 013-040-005. The March 23, 2004 letter to Mr. Doane was as follows:

William J. Zisk
205 Thomas Street
Roseville, California 95678

Telephone: 916-782-2233
FAX: 916-783-3408

RECEIVED
MAR 23 2004
CITY ATTORNEY

March 20, 2004

Mark J. Doane
City Attorney
City of Roseville
311 Vernon Street
Roseville, CA 95678

RE: Parcels: 013-040-003-000
013-040-004-000
013-040-005-000

Subject: LEGAL TITLE OWNERSHIP

Mr. Mark J. Doane:

As the city attorney for the City of Roseville, you have publicly stated City fee simple title ownership of all or portions of parcels 013-040-003, 013-040-004, and/or 013-040-005. Pursuant to the Public Information Act, provide me with an immediate written response to the following:

1. THE EXACT DATE(S) OF PURPORTED ACQUISITION.

2. THE EXACT APPRAISED VALUE(S) OF EACH OF THE PURPORTED ACQUISITION(S).

3. THE ZONING AND LAND USE DESIGNATION OF EACH OF THE PURPORTED ACQUISITION(S) ON THE DATE(S) OF PURPORTED ACQUISITION(S).

4. THE EXACT DATES OF NEGOTIATIONS FOR THE PURPORTED ACQUISITION(S).

5. THE EXACT REASON(S) OR PURPOSE(S) THAT REQUIRED THE PURPORTED ACQUISITION(S).

6. THE SPECIFIC PROJECT(S) THAT REQUIRED THE PURPORTED ACQUISITION.

7. THE SPECIFIC PUBLIC NECESSITY THAT REQUIRED THE PURPORTED ACQUISITION(S).

8. THE EXACT DATE(S) IN WHICH THE PAYMENT OF THE TOTAL SUM OF THE ACQUISITION(S) WAS PURPORTEDLY PAID TO WILLIAM J. ZISK AND LOIS E. ZISK.

9. THE EXACT DATE(S) IN WHICH THE CITY PURPORTEDLY TOOK POSSESSION OF THE PURPORTED ACQUISITION(S).

10. THE EXACT DATE(S) IN WHICH THE CITY FULFILLED THE CEQA REQUIREMENT FOR THE PURPORTED ACQUISITION(S).

11. THE EXACT DATE(S) IN WHICH THE CITY PROVIDED A PUBLIC HEARING FOR THE BENEFIT OF WILLIAM J. ZISK AND LOIS E. ZISK REGARDING THE PURPORTED PUBLIC NECESSITY FOR THE PURPORTED ACQUISITION(S).

12. THE EXACT DATE(S) IN WHICH THE CITY ACQUIRED ANY AND ALL ADJOINING PARCEL(S), INCLUDING EXACT TOTAL ACREAGE, TOTAL APPRAISAL VALUE, AND TOTAL ACQUISITION PRICE, THE PURPOSE OR PUBLIC NECESSITY OF THE ACQUISITION(S), THE DESIGNATED ZONING AND LAND USE FOR EACH PARCEL, AND THE DATE(S) IN WHICH THE CITY TOOK POSSESSION.

If you have any question(s) on the foregoing, please do not hesitate to contact me immediately at the above.

Thank you for your courtesy.

Sincerely,

William J. Zisk

On March 24, 2004, at approximately 5:15 p.m., city attorney Mark Doane hand carried a large brown envelope to me at my residence at 205 Thomas Street. The envelope contained nine (9) pages, purportedly in response to the twelve questions that William J. Zisk had hand carried to him at his office at 311 Vernon Street the day before, regarding his claim of ownership by the City of Roseville of Parcel(s) No.(s) 013-040-003 and 013-040-005 of the Zisk property. The brown envelope contained a two page letter dated March 24, 2004 addressed to William J. Zisk from city attorney Mark Doane, summarizing a small isolated "portion" of thirty-one (31) years of litigation between the City of Roseville and William J. Zisk and Lois E. Zisk; a three page document entitled final order of condemnation, dated April 19, 1982 and August 30, 1983; a copy of a one page document entitled order re trust funds on deposit, dated April 9, 1982; a copy of a document entitled accounts payable document in the amount of $99,329.57 to William J. Zisk and Lois E. Zisk, dated April 9, 1992; a copy of a one page document entitled County of Placer office of auditor-controller admittance advice with a copy of a check in the amount of $99,329.57 to William J. Zisk and Lois E. Zisk, dated April 17, 1992; a one page copy of an envelope postmarked April 20, 1992, purportedly addressed to William J. Zisk and Lois E. Zisk. The nine page contents of the brown envelope clearly does not support any claim of ownership by the City of Roseville of Parcel(s) No.(s) 013-040-003 and 013-040-005 of the Zisk property, nor does it respond to the twelve questions regarding claim of ownership posed to city attorney Mark Doane by William J. Zisk on March 23, 2004.

Review of the above twenty (20) page VERIFIED STATEMENT OF THE HISTORY OF THE PROPERTY OF WILLIAM J. ZISK AND LOIS E. ZISK, 205 THOMAS STREET, ROSEVILLE, CALIFORNIA 95678, will controvert any and all claims of ownership by the City of Roseville.

Mr. Doane did not respond to any and all of the twelve questions regarding ownership.

There is no valid response to any of the questions which are simple requirements to obtaining ownership. The City of Roseville does not hold ownership of any part of the Zisk property. A thorough investigation is needed to resolve this matter.

For clarification purposes the nine page contents of the brown envelope hand delivered by Mr. Doane on March 24, 2004 to William J. Zisk at his residence on the subject property at 205 Thomas Street, Roseville, California 95678 is as follows:

CITY OF
ROSEVILLE
TRADITION·PRIDE·PROGRESS

City Attorney
311 Vernon Street
Roseville, California 95678-2649

March 24, 2004

Mr. William J. Zisk
205 Thomas Street
Roseville, CA 95678

Dear Mr. Zisk:

This responds to the letter you hand delivered to me yesterday, March 23rd, regarding the City of Roseville's acquisition of a portion of your property for public purposes. Preliminarily, I need to note that on a number of past occasions you and I have reviewed the same information and questions contained in your latest letter. The matters referenced in your letter stretch back over a thirty-one year period and involve no less than six state or federal lawsuits [1] including appeals, not to mention numerous related lawsuits between you and the lawyers who represented you in those actions. Since you were the primary litigant in all of those cases, and since I only arrived on the scene in 1994, your memory and files are undoubtedly more extensive than mine. Accordingly, this letter will not attempt to exhaustively list every milepost in your lengthy dispute with the City. Rather, I intend to concentrate on the core issues: the City's ownership of the property in question; the amount and location of the funding for the acquisition; and the public necessity for the acquisition.

The City's acquisition of the property referenced in your letter dates back to a Final Order of Condemnation issued by the Placer County Superior Court on April 19, 1982 (copy attached). That Final Order condemned a fee simple ownership interest in the property to the City of Roseville for "public park, recreational, bicycle, hiking and maintenance purposes". The Order further notes that the City had deposited with the Court the correct amount of money to pay for the property, including interest and costs.

Following the entry and recording of that Final Order of Condemnation, you filed several appeals, and lawsuits were exchanged between you and your lawyers [2] that resulted in adjustments being made to the amount that the City had deposited with the Court. For example, attorney Sherwood succeeded in obtaining a court order permitting him to withdraw $13,231 from the condemnation deposit to satisfy unpaid legal billings. At any rate, once the dust from all that litigation settled the Placer County Superior Court

[1] City vs. Zisks (1973) Placer Superior Court No. 41104 (Condemnation); Zisk vs. Roseville (1984) Placer Superior Court No. 69081 (Flood Ordinance); Zisk vs. Roseville (1986) Placer Superior Court No. 77050 (Flood Damage); City vs. Zisk (1989) Placer Superior Court No. 84527 (Nuisance); Zisk vs. City (1994) Placer Superior Court No. S-1495 (Zoning Ordinance); Zisk vs. City (1995) Federal District Court No. CIV-S-95-2134 EJG (Civil Rights)

[2] For example: Desmond vs. Zisk, Superior Court No. 54839; Sherwood vs. Zisk, Municipal Court No. CV 2-93; Zisk vs. Henderson – case citation unknown.

issued an Order on April 9, 1992 which noted that the remaining monies on deposit in the (now 19 year old) condemnation action had not been claimed by the Zisks, even though the case had been "fully litigated and final judgment...entered" in the case. The Order therefore, ordered the court clerk to pay over the remaining funds in the account over to you and your wife (a copy of the Order is attached).

The court clerk and the County Auditor complied almost immediately. A check in the amount of $99,329.57 and payable to you and your wife was issued on April 17, 1992. The check was mailed on April 20, 1992 (copies of the accounts payable warrant, the check and the postmarked envelope are attached). For reasons unknown to me, you never cashed that check. Later, due to a change in the law the account holding the deposited condemnation proceeds was transferred from Placer County to the State Treasurer's Office, where it remains to this day. The account contained $71,210.55 in June, 1994. The City has had no power or control over the account since at least the April 9, 1992 court order. I am informed that you may withdraw the remaining funds on account at any time you choose.

Finally, I draw your attention to the last two lawsuits listed in footnote 1. Recall that in those lawsuits you challenged a variety of City zoning, floodway and bike trail project activities under a variety of legal theories, including inverse condemnation, conspiracy to violate civil rights, intentional infliction of emotional distress and declaratory relief. Those lawsuits (and appeals) were decided against you and the cases were ultimately dismissed with prejudice. That means that you are legally barred from relitigating those issues or facts.

Sincerely,

MARK J. DOANE
City Attorney

Enclosures

cc: Transportation Commission Members
Mike Wixon
Mark Morse
Rob Jensen

OFFICIAL RECORDS
REQUESTED BY
City of Roseville
APR 19 11 27 AM '82
GAY TROMBLEY
PLACER CO RECORDER
13702 NO FEE REQUIRED

FILED
APR 19 1982
GAY TROMBLEY
COUNTY CLERK OF PLACER COUNTY
BY _____ DEPUTY

VOL 2493 PAGE 174

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF PLACER

CITY OF ROSEVILLE, a municipal corporation, Plaintiff v. WILLIAM J. ZISK and LOIS E. ZISK, et al., Defendants	NO. 41104 FINAL ORDER OF CONDEMNATION

It appearing to the Court that Plaintiff City of Roseville has deposited into Court for the Defendants entitled thereto the sum of money assessed by the Judgment in Condemnation entered in this proceeding in Book 35 at Page 177, plus interest and costs in compliance with such judgment;

NOW, THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the real property situated in the County of Placer, State of California, known as Parcel and Parcel 8, and more particularly described in Exhibit "A", attached hereto and made a part hereof, be condemned to Plaintiff City of Roseville for

Date Entered APR 19 1982
Book 49 Page 440

public park, recreational, bicycle, hiking and maintenance purposes, in fee simple absolute.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this order be recorded in the Office of the County Recorder of the County of Placer, State of California, and thereupon title to said property described in Exhibit "A" shall vest in Plaintiff and all interests of Defendants William J. Zisk, Lois E. Zisk, the County of Placer, Mary A. Zisk, trustor, Title Insurance and Trust Company, a corporation, trustee, and Marjorie Arnett, as Trustee under the Last Will and Testament of Mabel M. Phillips, deceased, beneficiary, in and to said real property shall be terminated.

DATED: [illegible]

[illegible]

JUDGE OF THE SUPERIOR COURT

THE FOREGOING [illegible] CORRECT COPY OF THE [illegible] OFFICE.

ATTEST: [illegible] 19 1982

[illegible] Trembley

[illegible]

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55

VOL 2493 PAGE 176

All that portion of the South half of Section 35, Township 11 North, Range 6 East, M. D. B. & M., described as follows:

Parcel A. Beginning at the South One-Quarter corner of said Section 35, thence from said point of beginning along the South line of said Section 35, South 89° 16' 53" West, 638.32 feet to the most southerly corner of that certain parcel of land described in the Deed recorded in Book 438, Page 319, Official Records of Placer County; thence along the easterly line of said parcel, North 61° 05' 58" West, 95.38 feet; thence leaving said easterly line, North 85° 41' 09" East, 186.00 feet; thence North 69° 42' 02" East, 208.90 feet; thence South 87° 34' 57" East, 257.38 feet to a point located on the east line of the Southwest One-Quarter of said Section 35; thence along said east line South 00° 30' 32" East, 163.00 feet to the point of beginning.

Parcel B. Beginning at the South One-Quarter corner of said Section 35, thence along the east line of the Southwest One-Quarter of said Section 35, North 00° 30' 32" West, 202.00 feet; thence North 89° 16' 53" East, 804.00 feet; thence South 00° 30' 32" East, 202.00 feet to the south line of said Section 35; thence along said South line South 89° 16' 53" West, 804.00 feet to the point of beginning.

EXHIBIT "A" OF FINAL ORDER OF CONDEMNATION CITY OF ROSEVILLE V. ZISK PLACER COUNTY No. 41104

13702

Vol. 2493 Page 174 et seq. OR
When embossed and printed in purple, this is certified to be a true copy of the records of the Placer County Recorders Office.
Date Aug 30 1983 Gay Trombley, Recorder
By Ethel Molini Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

FILED
APR 9 1992
CARL DePIETRO
CLERK OF THE SUPERIOR COURT

CITY OF ROSEVILLE, a municipal corporation, Plaintiff, vs WILLIAM J. ZISK, LOIS E. ZISK, et al., Defendants,	)	No. 41104 ORDER RE TRUST FUNDS ON DEPOSIT

It appearing to the court that monies placed on deposit with the clerk of this court remain unclaimed by defendants and further finds that this case has been fully litigated and final judgment has been entered.

Good cause appearing therefore, it is ordered that the clerk pay over such funds remaining on deposit to the defendants and close out such trust account.

Dated: April 9, 1992

James E. Roeder
Assistant Presiding Judge

PLEASE FORWARD WITH WARRANT

MUST BE PAID BY

PLACER COUNTY

ACCOUNTS PAYABLE DOCUMENT

(Circle Transaction Type)

33 MEMO EXPENDITURE 50 ACCOUNTS PAYABLE SET UP

16

ZISK, WILLIAM J. and LOIS E.

LAST NAME (40 Characters)

206 Thomas Street

ADDRESS (25 Characters)

Roseville, CA 95678

ADDRESS (25 Characters)

CITY (25 Characters) STATE (2 Characters) ZIP (9 Characters)

DISTRIBUTION CODE

DATE & A/P NUMBER

SHADED AREA FOR AUDITOR'S USE ONLY

№ 17496

PURCHASE REQ	P.O./CONTRACT/ ENC	PAYMENT DATE

MEMO EXPEND

FUND/ORG.	ACCOUNT	TASK	OPTION	COST ACCOUNT	ACCT. REF.	AMOUNT	INVOICE (10 Characters)	DESCRIPTION/ PA # (25 Characters)
35980	0554				01	83,154.35	41104	DP #5670 5/18/81 679-R
↓	↓				02	16,175.22	↓	#1778 10/13/81 757-C
					03			Dispersement of fund that
					04			remain in trust per Court
					05			Order 4-9-92
					06			
					07			
					08			
					09			
					10			
					11			
					12			
					13			
					14			
					15			
					16			

TOTAL 99,329.57

SOCIAL SECURITY NO. OR FED. ID

EXPENDITURES AUTHORIZED AND APPROVED

DEPT/AGENCY AUTHORIZED SIGNATURE

4-9-92

DATE

68-00160 REVISED 1-19-90 DISTRIBUTION: ACCOUNTS PAYABLE WHITE–Auditor CANARY–Auditor Remittance (Optional) PINK–Dept.

VENDOR 888888888

COUNTY OF PLACER

OFFICE OF THE AUDITOR-CONTROLLER

REMITTANCE ADVICE

A959534

ZISK, WILLIAM J AND LOIS E

APR 17, 1992

FUND/ORG	ACCOUNT	TASK	OPTION	COST ACCOUNT	PO /CONTRACT	A/P NUMBER	INVOICE	AMOUNT
035980	0554					R6452901	41104	83,154.35
035980	0554					R6452902	41104	16,175.22
LEGAL TRUST						WARRANT TOTAL		99,329.57

COUNTY OF PLACER

VOID AND CANCELLED IF NOT PRESENTED FOR PAYMENT WITHIN SIX MONTHS AFTER DATE OF ISSUE

AUBURN, CALIFORNIA 95603

11-4 / 1210

WARRANT NUMBER

A 959534

A959534

APR 17, 1992

AMOUNT

***99,329.57

PAY EXACTLY NINETY-NINE THOUSAND THREE HUNDRED TWENTY-NINE DOLLARS FIFTY-SEVEN CENTS

SECURITY PACIFIC NATIONAL BANK
Auburn, California 95603

PAY TO THE ORDER OF

ZISK, WILLIAM J AND LOIS E
205 THOMAS ST

ROSEVILLE CA

000095678

KIMBUCK WILLIAMS, JR.
PLACER COUNTY AUDITOR - CONTROLLER

⑈959534⑈ ⑆121000044⑆928⑈971327⑈

After 5 Days Return To
KIMBUCK WILLIAMS, JR.
AUDITOR-CONTROLLER
OF PLACER COUNTY
135 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603

PRESORTED
FIRST-CLASS

AUBURN CA APR 20 '92
U.S. POSTAGE 0.25
P.B. METER 6808766

PAY TO: ZISK, WILLIAM J AND LOIS E
HE ORDER: 205 THOMAS ST
OF: ROSEVILLE CA 000095678

The purpose of the DEIR is to identify, assess and quantify the impacts associated with the proposed development of a proposed bicycle trail within the Dry Creek corridor between Harding Boulevard and Royer Park on the physical, biological and socio-economic aspects of the Roseville community.

William J. Zisk and my deceased spouse, Lois E. Zisk have been resident property owners within the City of Roseville during the course of the past fifty (50) years and currently the owners, since 1966, of the 12.2 acre parcels located at 205 Thomas Street, commonly identified as assessor parcel(s) number(s) 013-040-003, 013-040-004 and 013-040-005, which includes approximately 1500 feet of Dry Creek. I/We have been consistently responding to a multitude of "proposed" bicycle trail environmental impact reports, which would directly impact our property located at 205 Thomas Street. We have consistently expressed our extreme opposition to any such proposal which has and would continue to significantly impact our property. CEQA requires the EIR to address the cumulative impacts in a unified and effective way and provide an individual project-level analysis.

For the record in this DEIR, I wish to continue to express my objection and extreme opposition to any consideration of a proposed bicycle trail on the north side of Dry Creek for the following reasons:

In order to understand the magnitude of impacts of such a proposal, it is necessary to summarize the thirty-five (35) year history of significant impacts endured by the Zisk family at 205 Thomas Street, which predate the suspect premature wrongful deaths of my spouse, Lois E. Zisk, on November 22, 2000 and my son William Zisk Jr. on February 17, 2002.

In 1966, William J. Zisk and Lois E. Zisk (Zisks') purchased the property at 205 Thomas Street (subject property), which consists of 12.2 acres geographically located in the center of Roseville and contiguous to a section of Dry Creek. The zoning and land use at that time was R1 and R1-FP, single family dwellings, medium density, and was in full compliance with the General Plan of the City of Roseville.

The Zisks have conducted a Sand and Gravel and Trucking business in Roseville since 1952, and have operated that business at 205 Thomas Street, Roseville, CA since 1966, in the same non-conforming use as did the prior owner of the subject property, and the one prior, dating back to the turn of the century.

In 1966 the Zisks embarked on a massive project to clean and restore the subject property, which had been allowed to deteriorate into an eyesore and community health problem. The primary intent of the Zisks was to construct a new home on a portion of the subject property situated adjacent to the secluded peaceful and beautiful natural setting of Dry Creek.

In the beginning of 1967, the Zisks applied to the Roseville Planning Commission for a use permit to construct a new home on the subject property. At the use permit application public hearing of **February** 23, 1967, the city attorney, who was in attendance in an advisory capacity was Keith F. Sparks. The commission conditionally approved the application of the

Zisks and continued the hearing to allow the Zisks to fulfill the requirements of the permit application. No time constraints were placed on the Zisks at the hearing, in which to complete the conditional requirements for the permit. The Zisks did in fact immediately commence the required massive streambed improvement project on Dry Creek through the subject property, which was completed on October 1, 1973.

On **March 30, 1967** the Zisks, received Streambed Alterations Notification No. 976 from the California Department of Fish and Game, purchased a dragline (dredger), and did in fact commence the major improvements to the portion of Dry Creek that traverses the subject property, as required by the Roseville Planning Commission as a condition of issuance of the use permit to construct a new home on the subject property.

Beginning in early 1968, the City of Roseville, through the City Council members, city attorneys, city commission members, agents, and City employees purposefully embarked on a vexatious, conspiratorial and collusive scheme to intentionally seize, damage and deprive the Zisks of any and all economic use and enjoyment of the subject property, in violation of the Fourth, Fifth, and Fourteenth Amendment of the Constitution of the United States, and Article I, Section 1, Section 3, Section 6, Section 7(a) & (b), Section 9, Section 13, Section 15, Section 16, Section 17, Section 19, Section 24 and Section 26 of the Constitution of the State of California.

The scheme was initiated by the City Council on **March 20, 1968** by adoption of a Park, Streambed and Recreation Element of the General Plan of the City of Roseville. The only property which has been effected by the adoption of this plan is the subject Zisk property. The plan envisioned the use of open space and floodplain zoning as a means of preserving future park sites. All of the subject Zisk property was shown on the plan for future use as a public park for the City.

Thereafter, the members of the Roseville City Councils, commissions, and city employees proceeded to adopt a series of Open Space and Floodplain Zoning Regulations which were calculated to fraudulently prevent the Zisks from any use, return or enjoyment of the subject property at 205 Thomas Street, Roseville, California 95678.

While other similarly situated properties within the City were permitted to use and enjoy their property, the Zisks were held in a falsified restraint, and the council members, commissions, and city employees proceeded with a policy of "selective enforcement" of the adopted Ordinances and Regulations

On **March 20. 1968,** by Resolution No. 68-21, the Roseville City Council adopted a Park, Streambed and Recreation Element of the General Plan of the City of Roseville, showing the entire subject Zisk property, to be planned for future use as a public park.

On **December 8. 1971,** the Roseville City Council adopted Emergency Ordinance No. 1158, AN INTERIM ORDINANCE PROHIBITING CONSTRUCTION UPON OR GRADING OF PROPERTY WITHIN CERTAIN AREAS SUBJECT TO FLOODING ADJACENT TO DRY, LINDA, CIRBY AND ANTELOPE CREEKS AND STRAP RAVINE, UNLESS A PERMIT HAS BEEN ISSUED. The Zisks applied for the required permit and on March 3, 1972 the Public Works Director,

Frederick L. Barnett, issued a grading permit to Bill Zisk to excavate the vicinity of Dry Creek, and to place excavated material adjacent to Dry Creek on the subject property, as shown on the submitted plan dated 1-24-72. The permit was issued pursuant to Chapter 70 of the Uniform Building Code and the requirements of the Department of Fish and Game of State of California. This permit was granted pursuant to Ordinance No. 1158, adopted by the City Council on 12-8-71, and was for the purpose of completing the channel improvements to Dry Creek as required by the use permit application submitted by the Zisks on February 23, 1967.

On **March 23, 1972**, the Zisks received a letter of approval from Public Works Director, Fredrick L. Barnett to place a barbwire type fence on the property boundaries in order to discourage trespassers and control livestock.

On **August 30, 1972** the City Council, by Resolution No. 72-75 approved AN INTERIM OPEN SPACE PLAN - GENERAL GOALS AND POLICIES AND ACTION PROGRAM. The plan envisioned the Zisk property be designated as open space.

On **November 29,1972** the City Council adopted Ordinance No. 1190 - ENACTING ARTICLE 8A OF THE CODE OF THE CITY OF ROSEVILLE RELATING TO ENVIRONMENTAL REVIEW OF PERMITS ISSUED BY THE CITY OF ROSEVILLE AND DECLARING THE SAME TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

On **March 1, 1973** the Zisks submitted a request to the City Planning Department for a parcel map and lot split to create a parcel for the purpose of obtaining a loan to build a new home for the owners.

On **March 14, 1973**, the City Planning Department made a determination that an environmental Impact Report was now required in connection with the Zisk permit application, despite the fact that the use permit application was submitted on February 23, 1967 and the project was commenced long before the California Environmental Quality Act (CEQA) of 1970 was enacted, and the request was in full compliance with all existing city ordinances and land use regulations, and the property was properly zoned for the intended use. The Roseville planning department made the following findings:

It is expected that the proposed parcel map and ultimate single family development of Parcel "A" will have a non-trivial effect on the environment because:

1. *Parcel ' A " is located within the floodplain of Dry Creek*
2. *Parcel "A " is included in the Park and Streambed Plan for public use and development.*

On **March 22, 1973** the Zisks appealed the denial of the request for a parcel map and lot split.

On **April 25, 1973** the City Council upheld the Planning Departments denial of the request for a parcel map and lot split, and further directed that an Environmental Impact Report be required before any further processing of the Zisk's February 23, 1967 permit application.

On **April 25, 1973** the Public Works Director, Fredrick L. Barnett sent a letter to the Zisks, advising them to cease all work within 75 feet of the waters' edge of Dry Creek on their property and re-apply for a new permit to complete the 2-23-67 use permit application requirements.

In **May, 1973** the City received the results of their requested study conducted by the U.S. Army Corps of Engineers in Sacramento entitled, FLOODPLAIN INFORMATION, DRY CREEK AND TRIBUTARIES, ROSEVILLE, CALIFORNIA, MAY 1973. It showed that a small portion of the Zisk property adjacent to Dry Creek was within the limits of a projected 100year flood. However, the maps submitted to the Corps by the City in making this determination were flown on **February 4, 1956 and April 18, 1956** and in no way reflected the physical topography of the streambed on the Zisk property in **May *1973*** especially taking into consideration the improvements to the channel of Dry Creek the Zisks had made, which improved the flow capacity by 200%. This fact was brought to the attention of the City who then requested the Corps of Engineers conduct a special study of the Zisk property. This new study revealed that the Zisk property was above and outside the projected 100-year floodplain elevations and that the Corps did not object to the building of a new home at the designated location. The City has never accepted this revised position.

Between **May 11 and June 8, 1973** the Zisks did in fact re-apply to various agencies within the City and the State of California Fish and Game for renewal of the permits, which were subsequently granted on **June 8, 1973.**

On **June 1, 1973,** the Zisks, through their engineer, Atteberry & Associates of Roseville CA., filed an Environmental Impact Report with the City, examining the effect on the environment of the construction of a single family home on a half acre portion at the westerly boundary of the Zisk property. The EIR summarized the following at page 14:

> *"The proposed project is the culmination of a seven year program undertaken by the Zisk family in 1967 to clean up and improve a portion of creek side property that had been exploited for many years and allowed to deteriorate into an eyesore and community health problem. It is in compliance with existing zoning and has no longrange unavoidable adverse impacts. The work accomplished to date by the Zisk family indicates the quality of their goals and the ultimate benefit to the community in improved health conditions and scenic qualities "*

On **June 20, 1973** the City Council adopted an Open Space and Conservation Element to the General Plan by Resolution No. 73-56, which changed the land use designation of the Zisk property from R-1 and R-I-FP, single family dwellings, to open space for park purposes.

On **July 13, 1973** the Corps of Engineers reported to the City Planning Department that the proposed lot split and construction by the Zisks would not have a significant effect on water surface elevations in the floodplain and the Corps did not object to the construction of the Zisk family new home.

On **July 24, 1973** the City Planning Director, Leo Cespedes, wrote to the Corps of Engineers asking them to restudy their determinations and further stating that the planning Department would withhold further processing the Zisk application for a Lot Split and Use Permit until a reply was received from the Corps of Engineers.

On **August 29, 1973** the City Council adopted a "tentative" plan for a "proposed trail system" on Dry Creek, but only through the Zisk property, and directed staff to send notification to Mr. Zisk. No other upstream or downstream property owners were notified or effected.

On **August 31, 1973,** the Director of Public works for the City of Roseville Frederick L. Barnett wrote to the Corps of Engineers, summarizing a determination of the Roseville Floodplain Committee that no development be allowed within the designated primary floodway, and the secondary zone of floodway fringe be utilized for greenbelt, agricultural, parks and recreation uses.

On **September 5, 1973** the Public Works Director Frederick L. Barnett in commenting on the **June 1. 1973** Environmental Impact Report submitted by the Zisks, wrote to the Planning Director and advised that although his determination of the work of excavating and grading done by the Zisks on the subject property showed a rise in the floodplain on the property, the decisive fact in evaluating the Environmental Impact Report was that construction of the home by the Zisks on the proposed lot would interfere with the "tentative" proposed bicycle path and streambed acquisition, and that, therefore the Zisk project would have an adverse impact on the environment.

On **September 7 1973** the Roseville City Manager, Robert Hutchison, wrote to the Zisks and officially notified them that the City intended to acquire portions of the subject property for a "tentative" plan for a bicycle trail and that the City's project was in conflict with the **Zisk's February 23, 1967** plan to build a home on a half acre portion of the subject property.

On **September 10, 1973** the City Planning Director wrote a memorandum to the Planning Commission recommending denial of the Zisks permit because no final Corps of Engineers report had been received as of yet and because the Zisks' development of their property interfered with and was in conflict with the "tentative" proposed bicycle path.

On **September 13, 1973** the Roseville Planning Commission denied the Zisks' application. Evidence submitted at the hearing in opposition to the Zisk application, was the proposal to build a home on the subject property conflicted with the Park and Streambed Plan, the Open Space Element of the General Plan, and the plan for proposed acquisition of a bicycle trail across the *subject* property. No adjacent property upstream or downstream was affected.

Pursuant to Notice of Appeal by the Zisks of the Planning Commission denial of the Zisk application for a permit, the Roseville City Council did on **October 3, 1973,** deny the appeal by the Zisks, ***"on the basis of evaluation by the City of the Environmental Impact Report, the conflict with the bike and pedestrian trail as tentatively approved by the City Council and conflict with its development, and further, that the plan is in conflict with the Park and Streambed Element of the General Plan, and the Council give notice that City intends to purchase a bike and pedestrian trail system along the streambed ".*** During the public

hearing the Public Works Director, Frederick L. Barnett, stated that the Zisks home site was above and outside of the 100-year floodplain. Since October 3, 1973 the Zisks did no further physical development on their property.

On **October 5, 1973**, there was a joint meeting between the Roseville Planning Commission and the City Floodplain Commission for a public hearing on Ordinance No. 1224 which was the Floodplain Ordinance to preserve everything within the boundaries as natural area for park and recreation and that the application to buy the Zisk property was consistent with the Park and Recreation element of the General Plan. No other property was affected.

On **October 25, 1973** the Roseville Planning Commission passed Floodplain Ordinance No. 1224, finding the ordinance consistent with the Open Space and Conservation element and the Park and Streambed Plan.

On **November 1, 1973**, the attorney for the Zisks, Richard F. Desmond, filed a Writ Of Mandamus in Placer County Superior Court (No. 40862) to require issuance of the qualified permit application. Within 30 days, Roseville City Attorney, William Owens, answered the Writ Of Mandamus filed by defense attorney Desmond. In furtherance of this collusive conspiratorial scheme, all further proceedings on the Writ Of Mandamus, Placer Superior Court No. 40862, were abandoned by both attorneys.

On **November 12, 1973**, the Zisks attorney, Richard Desmond filed with the City of Roseville, a claim for damages for Inverse Condemnation of their property.

On **November 26, 1973**, the City Attorney, William Owen, wrote a letter to the Mayor and City Council stating that one of the purposes of the Floodplain Ordinance is to protect Open Space and Parks and Recreation.

On **November 27, 1973** a special meeting of the Roseville Planning Commission was held to discuss acquisition of the Zisk property.

On **November 28, 1973** the City Council adopted Floodplain Ordinance No. 1224, and Floodplain Zoning Ordinance No 1227. The Zisk Property was rezoned from R-1 and R1-FP to permanent Floodway and Floodway Fringe (FW & FF).

In furtherance of the plan and scheme, on November 28. 1973 the City Council down zoned virtually the entire Zisk property to permanent floodplain (FF & FW). Prior to the down zoning, both the U. S. Army Corps of engineers and the Director of Public Works for the City of Roseville, Frederick L. Barnett, publicly acknowledged during the hearings, that the majority of the Zisk property was above and outside the limits of the 100-year floodplain. Numerous other properties throughout the city, including City property, that had been designated by the U. S. Army Corps of Engineers as being within the 100-year floodplain, were completely excluded from the boundaries of the 100-year floodplain on the Official Floodplain Zoning Map of the City of Roseville, and were allowed to be completely developed. The Zisk property is the only property that is above the 100-year floodplain that has been placed within the boundaries of the 100-year floodplain.

An actual controversy has arisen and now exists in that the floodplain zoning ordinances are tortuously false, discriminatory, invalid, illegal and unenforceable, both on their face and as construed, because they placed the subject Zisk property under floodplain zone restrictions, when the property is above the 100 year floodplain elevation, thus decreases value and prohibits the full use and enjoyment of the subject Zisk property, all of which is in violation of the Fourth, Fifth, Thirteenth and Fourteenth Amendments of the Constitution of the United States, the deprivation of Civil Rights under Title 42 of the U.S. Code, Sections 1983 and 1985, and Article I, Sections 1, 3, 6, 7, (a) (b), 9, 13, 15, 16, 17, 19, 24, and 26 of the Constitution of the State of California.

On **December 6, 1973** the Roseville Planning Commission met again to consider acquisition of the Zisk property and ended up in a tie vote.

On **December 19, 1973** the Roseville City Council acted on the Zisk claim for damages. The claim was partially approved by the Council, but the amount of damages was denied.

On the same date and time, **December 19, 1973** the City Council duly Condemnation Resolution No 73-122, authorizing acquisition of over half of the Zi: Zisks were not given an opportunity to be heard before or during adoption of the R condemn.

Prior to filing of the eminent domain action in Placer County Superior Court Zisks were never made an offer of settlement for their property, nor had their property been appraised by the City, nor had the City complied with the California Environmental Quality Act of 1970, nor did the City have an officially adopted "project", nor did the City make any attempt to acquire any adjoining property upstream or downstream of the Zisk property.

On **December 20, 1973,** the City Council voted to institute an action in eminent domain (Placer County Superior Court No. 41104), to take over one half (1/2) of the Zisk property for the "tentative" plan for a bicycle trail across the Zisk property. Prior to the filing of the eminent domain proceeding:

1. The Zisks were not given an opportunity to be heard at a public hearing before the adoption of a Resolution of Intent to Condemn (NO. 73-122).
2. There was no adopted "project" to necessitate condemnation.
3. There was no compliance with the California Environmental Quality Act (CEQA) of 1970.
4. There was no compliance with the requirements of Government Code Sections 7267.1 to 7267.7 inclusive.
   (a) No negotiations to acquire the Zisk property.
   (b) No appraisal of the Zisk property.
   (c) No offer of just compensation for the taking and damaging of the Zisk property.

The eminent domain proceeding (No. 41104) was filed on **December 20, 1973,** but the actual trial was delayed until **November 1, 1977.** During the four-year delay in furtherance of this collusive conspiratorial scheme, Plaintiff City Attorney, G. Richard Brown, and defense attorney, Richard F.

Desmond, "secretly" waived the statutory rights of William and Lois Zisk to recover their litigation costs in the eminent domain proceeding. And, in furtherance of this scheme, during the pleading stage and before the eminent domain action went to trial, the Third District Court of Appeal rendered a published opinion (ZISK v. CITY OF ROSEVILLE: 56C.A.3d41:127 Cal.Rptr.896), which was based on a complete reversal of the timing of the factual chronology of the merits of this action (Placer Superior Court No. 41104). The record in these proceedings verifies that fact.

Since the filing of the eminent domain proceeding (No. 41104) on the Zisk property on **December 20, 1973,** no other property within the entire City of Roseville has ever been condemned for a "tentative" plan for a bicycle trail.

On **December 20. 1973** the City of Roseville filed eminent domain action No. 41104 in Placer County Superior Court. Five (5) minutes later on the same date, Inverse Condemnation Action No. 41105 was filed by the Zisks attorney, Richard F. Desmond. The proceedings in the Inverse Condemnation Action No. 41105 were abated and were subsequently raised in the Eminent Domain Action No. 41104 by answer and cross-complaint. The inverse condemnation issues raised by the cross-complaint were abated by order of the trial court, and have not been heard by any court to the present date.

In furtherance of this collusive conspiracy, the former City Attorney, Keith F. Sparks, had extensive prior involvement with circumstances of this proceeding. First, as an attorney representing the City of Roseville, second, as a superior court judge presiding over aspects of the original eminent domain proceeding (No. 41104), and third as an associate Justice of the Third District Court Of Appeals. As attorney for the City of Roseville, Keith F. Sparks advocated then on behalf of the passage of a Floodplain Ordinance, which ultimately provided a vehicle for the City of Roseville to seize the Zisk property. As a superior court judge, he presided over the pretrial conferences in the Eminent Domain Action No. 41104, and made rulings excluding from the jury's consideration, important issues regarding the City's fraudulent use of open space and floodplain zoning to freeze development of the Zisk property.

Moreover, given the prior, personal participation of Keith F. Sparks (former City of Roseville attorney) in the decision-making process that underlies every piece of litigation generated at a time prior to his appointment as a Superior Court Judge, and Justice of the Third District Court of Appeal, it would appear that all contact with the case in a judicial role was and remains objectionable.

Keith F. Sparks (former City of Roseville attorney) presided as an appellate justice of the panel considering an appeal in a related case, attorney Richard F. Desmond v. William and Lois Zisk, 3 Civil 24543, which involved a cross-complaint for legal malpractice against the attorney representing the Zisk interests in the Eminent Domain Action No. 41104. In fact, Justice Sparks personally authored the opinion, which upheld the granting of a non-suit in favor of attorney Desmond, despite sufficient legal evidentiary support for a contrary ruling.

Keith F. Sparks (former City of Roseville attorney) presided as an Appellate Justice of the panel considering an appeal in another related case, Henderson v. Zisk and related cross-actions, 3 Civil 0000651 (26512), (Placer Superior Court No. 70229), which involved a cross-complaint for legal

malpractice against the Zisks attorney Henderson for his representation in the legal malpractice against Attorney Richard Desmond, in the Citys' Eminent Domain Action No. 41104. Keith F. Sparks (former City of Roseville attorney) also authored the Appellate opinion in that Appeal.

The City of Roseville filed the Eminent Domain proceedings, Placer Superior Court No. 41104, against the Zisks on **December 20. 1973.** The action was delayed, and did not proceed to trial until **November 1, 1977,** and was concluded on **December 15, 1977.** At the concluding portion of the Jury trial, on **November 23. 1977** the Zisks were informed by their defense counsel Desmond, of the "secret" waiver of the Zisks statutory rights to recover their litigation cost. The "secret" waiver had been signed by Attorney Desmond and City of Roseville Attorney, G. Richard Brown, on **November 6, 1974.** The Zisks were completely unaware of the "secret" waiver during the entire 3 years of representation by Attorney Richard F. Desmond.

In furtherance of this collusive conspiratorial scheme, on **March 21, 1978** the Interlocutory Judgment was entered in the City of Rosevilles' eminent domain proceedings, Placer County Superior Court No. 41104. The relevant pertinent portion of the judgment reads as follows:

> "It is hereby ordered, adjudged and decreed that the just compensation to be paid for the taking of Parcels A and B - - - is the amount of $96,381, which is the amount assessed by the verdict herein, together with interest thereon at the rate of seven percent (7%) per annum from the date of entry of Judgment herein to the date of payment of said total sum into court."

The final date that the City of Roseville was to pay the "total sum" of the judgment into court was **May 15,1981.** The City made late partial token payments into the court on **May 18,1981; October 13, 1981; June 14,1983; August 22.1983;** and **December 19,1983.** However, the City of Roseville has never paid the "total sum" of the judgment into Court, and consequently, the Zisks have never received one cent in any form of compensation to the present date.

In furtherance of the collusive plan and scheme, commencing in 1970, the City Councils, Planning Commissions, and city employees have purposefully embarked on a program to allow the streambeds and floodways within the City to be overgrown and congested, so as to obstruct and impede the free flow of floodwaters. In addition, chain link fences, footbridges, pipelines, and structures were placed across and within the floodway to further impede the passage of floodwaters. In addition, floatable materials and debris was allowed to be stored in the floodway during the winter rain season. In addition, City landfill dumpsites were maintained within the floodway, raising the land elevations within the floodway to further impede the flow of floodwaters and create uncontrolled detention facilities. In addition, fill materials, roadbeds and bridge structures were placed across the floodway, to further impede the passage of floodwaters.

In 1983 the City entered the Federal Emergency Management Agency (FEMA) flood insurance program. FEMA had conducted a study of the Dry Creek Drainage Basin within the City of Roseville, based on information and data obtained from the U.S. Army Corps of Engineers. The results of the FEMA/Corps of Engineers study placed the majority of the Zisks property above and

outside of the limits of the 100-year floodplain. The 1983 FEMA 100-year Flood Boundary Map places the Zisk property in Zone ***"B", above*** the 100-year floodplain.

On **November 30, 1983** the Roseville City Council adopted floodplain ORDINANCE NO. 1751, ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE REPEALING AND REENACTING ARTICLE 23 OF ORDINANCE 802, THE ZONING ORDINANCE OF THE CITY OF ROSEVILLE, RELATING TO REGULATION OF LAND USE IN FLOOD PRONE AREAS. In adopting Ordinance No. 1751, the City Council merely changed the text of the Ordinance to qualify for participation in the FEMA flood Insurance program. However, the boundaries of the l00-year floodplain were not changed to coincide with the 100-year floodplain boundaries as depicted on the 1983 FEMA Flood Boundary Map, which places the *subject* Zisk property in Zone "B", above the 100-year floodplain. In furtherance of the collusive plan and scheme, the subject Zisk property is the only property above the established 100-year floodplain boundary elevations on the 1983 FEMA Flood Boundary Map, that remained in the fraudulent 100-year floodplain zoning designation on the Official Floodplain Zoning Map of the City of Roseville, dated **October, *1973.*** Numerous other parcels of land, including City parcels, that were designated within the 100-year floodplain boundaries on the 1983 FEMA Flood Boundary Map, were excluded from the 100-year floodplain map as depicted on the Official Floodplain Zoning Map of the City of Roseville, dated **October 1973,** and were allowed to be filled and fully developed.

During 1983, the city attorney for the City of Roseville, Michael Dean, filed a criminal misdemeanor action in Municipal Court of Placer County at Roseville, Case No. 8062, falsely charging William J. Zisk with an alleged violation of the Zoning Ordinance of the City of Roseville. No evidentiary support was ever submitted to support the alleged zoning violation and the cause of action, Placer Municipal Court No. 8062, was dismissed in October, 1984.

In furtherance of the conspiratorial collusive plan and scheme, commencing in 1984, the members of the City Councils, City Planning Commissions, and city employees expanded the land use zoning to 4 new Specific Plan areas throughout the City, the Southeast, Northeast, North-Central and Northwest. Each specific plan was given approval on an independent "piecemeal" basis without addressing the overall "cumulative impacts" on drainage capabilities throughout the City, as required by the California Environmental Quality Act (CEQA) of 1970.

Thereafter, in **January, 1984,** in furtherance of the overall collusive, conspiratorial plan and scheme, the City of Roseville embarked on a new flood study by employing the services of Nolte and Associates of Stockton/Sacramento.

The information and data used to compile the Nolte study was as follows:

1. The resistant "n" factor of the streams within the City of Roseville were calculated and estimated from aerial photography flown on December 13, 1984, when the streams were in the most congested and overgrown condition since 1970.

2. The stream gage flow data from the gages within the Dry Creek Basin were discarded, and stream flow gage data from a drainage basin outside of the Dry Creek Drainage Basin was used to convolute estimated discharge flows.

3. The *peak* discharge flow estimates were grossly exaggerated to incorporate a "worst case scenario" for a "future" full build-out of all of South Placer County. FEMA does not recognize or except "future conditions," in a Flood Insurance Study.

4. The City of Roseville forwarded the fraudulent convoluted "future condition" study to FEMA with a request for revision of the 100-year flood boundaries within the City. The Corps of Engineers peak discharge flow on Dry Creek through the Zisk property was determined to be 7300 CFS for a 100-year flood event. The Nolte Study was commenced 60 *days after* the FEMA floodplain Maps were adopted on **December 15, 1983,** and increased the fraudulent peak discharge flow on Dry Creek through the Zisk property to 16,140 CFS for a 100-year flood event. This would constitute a falsified rise of the flood elevation on the Zisk property by 4 to 5 feet.

A duplicate verified copy of the computer runs and work product maps used in the 1984 Nolte Study have confirmed the fact that the study represents "future conditions" and not the "present conditions" as required by FEMA Flood Insurance Studies.

In **February 1986,** the City of Roseville was subjected to the most severe and prolonged concentration of rainfall on record, which resulted in the most severe flooding in Roseville of record. As a result of the foregoing negligent acts and omissions of the members of the City Councils Planning Commissions, and city employees, in furtherance of the conspiratorial collusive plan and scheme, the Zisks have been subjected to continued intentional infliction of pain and suffering, and physical and emotional damage to their health, welfare and safety, and the use and enjoyment of their property and livelihood.

On **February 17, 1988** the Roseville City Council adopted ORDINANCE NO. 2091, ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE REPEALING AND REENACTING ARTICLE 23 OF ORDINANCE OF THE CITY OF ROSEVILLE, RELATING TO FLOOD PRONE AREAS.

In adopting Ordinance No. 2091, the following Finding of Fact is stated in relevant part under Article 23, Section 23.01 (a): --- these flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities ---

Under Section 23.01 (b): Regulation of areas of special flood hazard is necessary because of the compelling need to insure safety and the availability of flood insurance to the residents of the City of Roseville, in that the Government of the United States, through the Federal Emergency Management Agency and the Federal Insurance Agency, requires that these regulations be adopted before flood insurance can be obtained by residents.

Article 23, Section 23.14 reads:

23.14 Maintenance of Pre-existing uses. Nothing in this Article shall be construed to prohibit the normal, ordinary, or necessary maintenance or repair of a pre-existing, nonconforming use or structure in accordance with Article 29 of this Zoning Ordinance. It is the intent of this section that current lawful uses of flood prone lands shall be grandfathered and permitted.

As stated earlier, the Zisks have maintained the same residence and business operation on the subject property since 1966, the same as the prior owners, dating back to the turn of the century.

On **March 2, 1989** Roseville City Attorney, Michael F. Dean, and Deputy City Attorney, Steven Bruckman filed another lawsuit against William J. Zisk and Lois E. Zisk, Placer County Superior Court No. 84527. The false allegations in Placer County Superior Court No. 84527 are virtually the same as the false allegations City Attorney Michael F. Dean filed during 1983, in the criminal misdemeanor action against William J. Zisk in Placer County Municipal Court No. 8062, which was dismissed by that court in October, 1984. As was the case in Placer Municipal Court No. 8062, no factual evidence was presented to support the allegations in Placer Superior Court No. 84527. The City of Roseville has forced the Zisks to "defend" constant litigation in the Courts for over 30 years.

On **June 29, 1988,** *City* Attorney, Michael F. Dean and former City Attorney G. Richard Brown filed another complaint in Eminent domain on the subject Zisk property, Placer County Superior Court No. 82206, for the purpose of removing a " live " 15 inch sewer line on the subject Zisk property, and installing a 63 inch sewer line in its place. The contractor employed by the City of Roseville to accomplish this task, purposefully and maliciously destroyed every single living fruit and nut tree and domestic landscaping on the Zisk property in a swath 100 feet wide and 750 feet long. In the course of construction, the Zisks were severed from access to their home and business, their domestic water supply was severed 4 times, and raw untreated sewerage was spilled on the ground and stored in cesspools on the Zisk property, creating a health problem. William Zisk sustained sores over his body and required medical attention.

On **April 17, 1989** William J. Zisk was publicly slandered in the local newspaper with false allegations of illegal activity on the subject property. A substantial character impact on the Zisk sole business and livelihood has occurred.

On **May 12, 1989** deputy City Attorney, Steve Brockman, Public Works director, Fredrick L. Barnett, City employees, agents and City excavating equipment entered onto the subject Zisk property without a writ or warrant and trenched 7 excavations to depths of 15 feet, and surveyed and photographed the entire Zisk property. Shortly thereafter, Deputy City Attorney, Steve Bruckman later seized and searched the Zisk private business records without a writ or warrant.

On **November 7, 1990,** in furtherance of the conspiratorial collusive plan and scheme, the Roseville City Council adopted ORDINANCE NO. 2374, ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE ADDING CHAPTER 9.80 TO TITLE 9 OF THE ROSEVILLE MUNICIPAL CODE RELATING TO FLOOD DAMAGE PREVENTION. This Ordinance was adopted under

TITLE 9 of the HEALTH AND SAFETY CODE of the City of Roseville, and incorporated the Federal Emergency Management Agency (FEMA) Flood Insurance Study of September 28, 1990. The **September 28. 1990** Flood Insurance Study contains and applies the falsified fraudulent "future conditions," study of the City of Rosevilles' 1984 NOLTE STUDY, which raised the flood elevations on the Zisk property by 4 to 5 feet over the previous 1983 FEMA Flood Insurance Study.

On **March 20,1991** the Roseville City Council adopted Ordinance No. 2408, ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE ADDING SECTION 23.23 TO ARTICLE 23 OF ORDINANCE 802, THE ZONING ORDINANCE, RELATING TO FLOOD PRONE AREAS. The fraudulent "future conditions" of the 1984 Nolte Study were fraudulently applied to the Official Floodplain Zoning Map of the City of Roseville. The flood elevations on the subject Zisk property have been fraudulently raised by 4 to 5 feet. The entire subject Zisk property has been systematically, purposefully and fraudulently down-zoned to "permanent floodplain." Irreparable harm, damage, and injury has been done and will further follow, unless the acts and conduct of the members of the City Councils, City Commissions, City agents, and City employees, as heretofore complained of are enjoined, because the acts and conduct have the effect of altering the course of waters traveling through the City of Roseville and purposefully redirecting and increasing the flow of waters onto property owned by William J. Zisk and Lois E. Zisk.

William J. Zisk and Lois E. Zisk seek a determination as to the validity of the Ordinances, both on their face and as applied to their property, and a judicial declaration is necessary and appropriate so that the Zisks may ascertain their rights and duties.

The members of the City Councils, City Commissions, City agents and City employees and each of them, exhibited conduct which was intentional and malicious and done for the purpose of causing the Zisks to suffer and continue to suffer humiliation, mental anguish, and emotional and physical distress, and confirmed and ratified the conduct of each of the other members of the City Councils, City commissions, City agents, City employees and each of them, and such confirmation and ratification was done with knowledge that emotional distress would be and was hereby increased.

The Zisk's have been deprived of due process and equal treatment during the ongoing proceedings in which by law, a hearing is required to be given, evidence is required to be taken, and discretion in the determination of facts is vested in the decision making body. William J. Zisk has been deprived of his inalienable right to speak freely on all subjects during the public hearings and he was restrained and abridged of his constitutional right to submit testimony on all subjects during the public hearings which related to the applications by the City of Roseville for flood encroachment permits, repugnant to the Declaration of Rights, Article 1, Section 1 of the State of California and Title 42 U.S.C.A. Sections 1983 and 1985 and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Zisks have been deprived of the fact that the Roseville City Councils and the Roseville Planning Commissions did not consider the fact that the hydraulic analysis for the applications of flood encroachment permits of past, present and future proposed projects on Dry Creek, Miners Ravine Creek, Antelope Creek, Cirby Creek and Linda Creek in Roseville, has been compared to the 1984

Nolte Flood Plain Study ***(future conditions).*** The Nolte Study measured channel widths, depths and "n" factors of the creeks in Roseville as they existed on **December 13, 1984.** The 1984 channel widths and depths were of the most congestive, restrictive and impeding conditions that existed during the course of the prior twenty-five (25) years. These 1984 congestive channel widths and depths have been considered the baseline by the City for assessing encroachments into the floodplain of the creeks within the City of Roseville. Any requests for encroachment into the floodplain are measured against the channel widths and depths as they existed in **December 1984,** *without any considerations for the significant adverse increased Peak discharge flows that have been and continue to be injected into the streams in Roseville since December 1984, and the overall cumulative effects of obstructions in areas of special flood hazards which increases flood heights and velocities.* For hydraulic modeling purposes, a significant impact has occurred, effecting significant changes in geometry, hydraulic conditions, significant increases in Manning Roughness factors ("n" values), higher floodwater surface elevations and backwater effects. The foregoing amounts to the seizure and taking and damaging of property without due process and the payment of just compensation as required by the Fourth, Fifth, and Fourteenth Amendments to the Constitution of the United States.

The Zisks have been deprived of the fact that the Roseville City Council and the Roseville Planning Commission have not considered the incremental cumulative impacts of past, present and future proposed projects, obstructing the free flow of floodwaters within the floodplain of Dry Creek, Antelope Creek, Cirby Creek, Linda Creek, and Miners Ravine Creek, which include but are not limited to:

The encroachment of approximately twenty thousand (20,000) cubic yards of fill into the designated floodplain on the west bank of Dry Creek adjacent to *Royer* Park where the public safety building currently sets; the encroachment of the basement of the main Taylor Street library into the floodway on the west bank of Dry Creek adjacent to Royer Park; the encroachment within the floodway of the concrete floodwall and gabion structures on the west bank of Dry Creek adjacent to Royer Park; the placement of a sixty-six (66) inch diameter sewer line across and adjacent to Dry Creek within Royer Park; the encroachment of gabion structures and limestone rip-rap within the east bank of the *'floodway channel'* of Dry Creek in Royer Park; the encroachment of three (3) footbridges within the *'floodway channel'* of Dry Creek in Royer Park (two have been swept away during past floods and lodged within the *'floodway channel'* during peak flows); the huge trees which have eroded away within the *floodway channel"* and lodged within the channel and against all of the bridges; chain link fences have been anchored across the *"floodway channel"* with cables, collecting floating debris (torn loose during peak flows of past floods); the Veterans Memorial Building within the floodplain, immediately adjacent to the east bank of Dry Creek in Royer Park; the twenty-four (24) inch diameter sewer line placed immediately adjacent to the foundation of the Veterans Memorial Building on the cast bank of Dry Creek in Royer Park, coupled with the gabion structures and rip-rap later placed in the *"floodway channel"* of Dry Creek, in an attempt to protect the sewer line; the placement of Rosevilles' first landfill *"dump site"* within the seventeen (17) acre portion of the floodplain of Dry Creek in what is now Saugstad Park; the fifty (50) thousand cubic yards of fill dirt imported to the Saugstad Park site to cap the raised filled *"dump site";* the sewer lines running parallel and perpendicular to the flow of Dry Creek in Saugstad Park; the Darling way bridge; the gabion structures on the east bank of Dry Creek in Saugstad Park; at the confluence of

Cirby Creek, with the raised surface exposed sewer line running perpendicular to the flow of Dry Creek; the Riverside Avenue Bridge; the BMX bicycle facility; the Vernon Street bridge; the Southern Pacific Subway Railroad Bridge; the Atkinson Road and parallel Southern Pacific Railroad Bridges and Regional Wastewater Treatment Plant settling ponds off of Booth Road.

The Lincoln Street Bridge; the sixty-six (66) inch sewer line upstream on the west bank of Dry Creek; the encroachment of an additional two hundred (200) cubic yards of rip-rap extending *into the floodway channel'* of Dry Creek at 140 Folsom Road (McCurry dental facility); the six (6) inch sewer line placed perpendicular to the flow, two (2) feet above the ground level of Dry Creek (since destroyed by prior floods); the Folsom Road Bridge; the sixty-six (66) inch and twenty-four (24) inch sewer lines, again just upstream of the Folsom Road Bridge, encroaching into the *floodway channel" of Dry* Creek with fill material, gabion structures, rip-rap structures and steel wall structures on the west bank of Dry Creek, and solid wooden and chain link fences on the east bank perpendicular to the flow of floodwaters on the east designated *"floodway" of* Dry Creek; the encroachment of five hundred (500) cubic yards of limestone rip-rap into the *' floodway channel'* on the west bank of Dry Creek at the terminus of Columbia Avenue; the gabion structure placed on the east bank *of* Dry Creek at the terminus of Marilyn Avenue (since failed and eroded, sliding directly into and obstructing the *floodway channel" of* Dry Creek; the placement of an eighteen (18) inch sewer line on the northwest bank of Dry Creek (at rear of Adelante School facility), which eroded during high waters and collapsed into Dry Creek, discharging raw untreated sewerage into Dry Creek; the placement of two hundred (200) cubic yards of broken concrete, cement dust and debris encroaching into the east bank of Dry Creek at the rear of 339 Evelyn Avenue (Marion Residence); the six hundred (600) cubic yards of concrete rubble and dust and debris currently dumped on the southeast bank of Dry Creek forming *a "wine-dam"* at the rear of 318 Maciel Avenue (Roberta Bechtel residence) and encroaching, without permission, onto property owned by William J. Zisk and Lois E. Zisk; the filling of a historical natural *"drainage swale"* and *"wetlands"* at the *rear* of 706 Atlantic Street and the placing of a three (3) story sanctuary on top of the filled drainage swale (Abundant Life Church); the encroachment into the entire width of the Dry Creek *"floodway"* and *`wetlands"* at the confluence of Antelope Creek, Secret Ravine and Miners Ravine in 1984, with the continuous solid raised filling of a four (4) lane roadbed structure at what is currently Harding Boulevard, and the placement of floatable massive bundles of wooden trusses which were stored on the upstream side (Latham lumber) of the filled Harding Boulevard structure, which floated over the top of the filled structure during the 1986 flood and lodged within the ` *floodway channel'* and against the downstream bridges. A human fatality occurred at this location during the 1986 flood.

Traveling further upstream on the Antelope Creek tributary of Dry Creek; the encroachment into the floodplain and *"wetlands"* of Antelope Creek, of the placement of over twenty thousand (20,000) cubic yards of fill dirt to raise the approach to the Harding Blvd. overcrossing structure over Atlantic Street at the Southern Pacific railroad track; the filling of the Harding Blvd. on-ramp bridge over Antelope Creek at Wills Road; the encroachment into the *`floodplain and wetlands"* during the widening of Atlantic Street over Antelope Creek; the narrow Southern Pacific railroad bridge over Antelope Creek; the narrow culvert bridge crossing over Antelope Creek to the City of Roseville raised Berry Street land fill *"dump site",* and the encroachment into the *"floodplain and wetlands"* of Antelope Creek, of the City of Roseville Berry Street raised land fill *"dump site,"* itself.

Neither, the Berry Street land fill *"dump site"* (within the floodplain of Antelope Creek), nor the Saugstad Park land fill *"dump site"* (within the floodplain of Dry Creek) incorporated any barrier protection to the underground water table and neither *"dump site"* incorporated any restrictions as to the quality and contents of the disposal buried on site, nor was there conducted any environmental assessments of the proposed projects prior to commencement of the *"landfill dump sites".* Currently, erosion at the Saugstad Park dump site on Dry Creek has exposed buried *"blacktop"* and landfill debris within the " *floodway channel of* Dry Creek.

Traveling further upstream on the Miner's Ravine tributary of Dry Creek: the encroachment into the *"wetland and floodplain"* of the pristine Miners Ravine Creek with the placement of sewer lines and five *(5) restrictive and obstructive "low lever'* concrete bicycle trail bridges crossing the streambed (1994), all five (5) of the *obstructive "low level"* bicycle trail bridges failed and were heavily damaged and eroded during the peak discharge flows of the 1995 flood. All five (5) of the *obstructive "low level"* bicycle trail bridges were repaired and replaced in 1998 (using federal FEMA funding) in the identical same locations and elevations as was the original *obstructive "low level"* bridge structures.

The forgoing statements and facts relating to the incremental cumulative impacts are verified and supported by a study prepared especially for the City of Roseville by the United States Army Corps of Engineers, entitled: FLOOD PLAIN INFORMATION, DRY CREEK AND TRIBUTARIES, ROSEVILLE, CALIFORNIA, DATED, MAY 1973.

The hydrology analysis of these projects has been assessed on the basis of a "multiple choice" of hydrology studies, some of which have been fraudulently applied to achieve the purpose intended, especially on the Zisk twelve (12) acre parcel located at 205 Thomas Street.

The first and most accurate hydrology study was performed for the City of Roseville by the Sacramento Branch of Corps of Engineers in 1973. The peak discharge flows for a one hundred (100) year event on Zisk property were calculated to be 7,300 cfs.

A second hydrology study was performed by Gill & Pulver in 1983 for FEMA for flood insurance purposes. The peak discharge flows for a 100 year event on Zisk property were calculated to remain approximately the same at 7,300 cfs.

A third hydrology study was performed for the City of Roseville by Nolte and Associates in 1984. The peak discharge flows for a 100 year event on Zisk property were calculated by Nolte to be 16,140 cfs, fraudulently raising the 100 year flood elevations by approximately 5 feet on the Zisk property.

A fourth hydrology study was performed by Montgomery for Placer County in 1992. The peak discharge flows for a 100 year event on the Zisk property was calculated to be 10,360.

Currently, the City of Roseville is utilizing a Swanson Hydrology Study which does not appear to calculate peak discharge flows for a 100 year event but rather simply states that the current proposed project will not change the water surface elevations on Dry Creek. The same

Swanson Study also states that the planting of thousands of trees in the "floodway" of Dry Creek will not effect the "n" factor, backwater or water surface elevations!!

It does not take a rocket scientist to determine that the placement of thousands of trees in the "floodway", coupled with the placement of gabion structures, boulder revetments, weirs, concrete walls and sewer lines, narrowing the "floodway" width and raising the bottom of the streambeds, as well as the increases in peak discharge flows from 7,300 cfs to 16,140 cfs will obviously result in environmental consequences and significant "cumulative impacts", as well as significant impacts on human beings, either directly or indirectly. End 8a

The foregoing verified statement of the history of the property of William J. Zisk and Lois E. Zisk, 205 Thomas Street, Roseville, CA 95678 is by no means adequate and complete. It is only the tip of the iceberg.

The City of Roseville, as lead agency, in preparing this environmental document has an absolute conflict of interest in completing the preparation of CEQA/NEPA requirements. 8b

The City of Roseville, as lead agency, is utilizing federal and state financial assistance and grants to cover-up and conceal the prior thirty (30) years of extended ongoing willful and reckless disregard for health and safety; the conspiracy to violate and violations of civil rights; deprivation of the constitutional requirements of equal treatment and application of the law; damages in inverse condemnation; negligence; intentional tortuous conduct; personal injury and property damage; intentional infliction of emotional distress; constructive fraud; search and seizure; invasion of privacy; malicious prosecution; discrimination; duress and obstruction of justice that has been incurred on the 12.2 acre Zisk parcel as a result of the Zisk familys' simple request to pursue the "American Dream" to build the home of our dreams on "OUR" privately owned property, located within the quiet, peaceful, passive surroundings adjacent to Dry Creek. The quiet peaceful passive surroundings were the result of the Zisk familys' seven (7) year reclamation project "so long ago" as well as the blood and sweat and financial burdens the Zisk family endured to achieve their goals. The DEIR remains silent on all of these issues and significant impacts. 8c

The City of Roseville, as lead agency in the preparation of the DEIR remains silent on the issue of the history of the Citys' attempts to reposition the physical boundaries between the Zisk Property and the former Taylor property and the Citys' ownership uncertainties that exist at that location. (Parcel No. 013-040-003 and 013-040-004) 8d

The photographic mapping used in the DEIR to illustrate a proposed alignment of a proposed bike trail on the north side of Dry Creek does not depict an accurate current topography of the centerline of Dry Creek and the adjacent land conditions as they currently exist in relation to a proposed bike trail alignment (Parcel(s) No.(s) 013-040-003 and 013-040-005). 8e

The City of Roseville, as lead agency in the preparation of the DEIR remains silent as to the presence and existence of the historical natural drainage swale that originates at Atlantic Street and the Enwood District, travels through the Zisk property and exits into Dry Creek (Parcel(s) No.(s) 013-040-003, 013-040-004 and 013-040-005). 8f

The City of Roseville, as lead agency in the preparation of the DEIR remains silent as to the presence and existence of the Zisk family historical, established water rights, both domestic and riparian on Assessors Parcels Numbers 013-040-003, 013-040-004 and 013-040-005. 8g

The City of Roseville, as lead agency in the preparation of the DEIR remains silent as to a proposed bicycle trail alignment on the north side of Dry Creek at the west end of Parcel No. 013-040-005 and 013-040-004 that would require cutting, grading and filling of the steep embankment adjacent to the narrow section of Dry Creek at that location that has protected the Zisk property from hazards of flooding since 1966. The opposite bank of this narrow section of Dry Creek has already had the placement of over six hundred (600) yards of rip-rap placed into the channel of Dry Creek by Roberta Bechtel of 318 Maciel Drive, forming a wing dam and diverting floodwaters and currently eroding the north bank. At this same location, at the top of the north bank of Dry Creek, a proposed bike trail alignment would meet directly with a large oak tree and a large growth of elderberry bushes which provides habitat and nourishment for the protected and endangered elderberry beetle. 8h

The City of Roseville, as lead agency in the preparation of the DEIR remains silent in desperation to attempt to overcome and conceal the thirty (30) years of conspiracy and tortuous conduct as described above, by falsely claiming ownership of assessors parcels 013-040-003 and 013-040-005 of the Zisk property. By taking this position in the DEIR the city is purposefully concealing the CEQA/NEPA requirements to respond to the past, present and future "significant cumulative impacts" of a proposed alignment of a proposed bike trail on the north side of Dry Creek through the Zisk property. By taking this position the city is attempting to avoid the liabilities and responsibilities of invasion of privacy, vandalism, break-ins, thefts, trespass, property damage, noise, pollution, wildfires, and the complete destruction of the passive natural surroundings adjacent to Dry Creek that the Zisk family worked so hard to achieve so long ago. The ability of the city to maintain control of any potential trail users to stay within the confines of a proposed alignment on the north side of Dry Creek would be a near impossibility. 8i

The only logical and feasible and safe alternative alignment is to continue from the recently completed alignment of phase one on the south side of Miners Ravine Creek and continue beneath the Harding Boulevard bridge to the south side of Dry Creek and continue on the south side of "city owned" property on through to Lincoln Estates Park, and if so desired continue on through on "city owned" property to Evelyn Avenue. I have personally walked the portion of "city owned" property form Evelyn Avenue to Harding Boulevard on the south side of Dry Creek on several occasions and found that a narrow pathway currently exists in that area that is currently being used by both bicycles and pedestrians and is perfectly adaptable to expansion and use. 8j

As to the history of the Zisk property and assessors parcels number 013-040-003, 013-040-004, and 013-040-005, I believe that a full scale and thorough state and federal investigation is necessary to resolve this matter. 8k

Respectfully submitted,

William J. Zisk

I, William J. Zisk, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verified statement was executed on April 19, 2004 at Roseville, California

William J. Zisk

VERIFICATION

I, William J. Zisk, am the spouse of the deceased Lois E. Zisk in the above captioned matter. I have read the foregoing RESPONSE TO DRAFT ENVIRONMENTAL IMPACT REPORT FOR HARDING BOULEVARD TO ROYER PARK BIKEWAY PROJECT DATED FEBRUARY 2004, and am familiar with its content. The matters stated herein based on personal knowledge and information are true and correct. If called to testify as a witness in this matter I can competently testify as to matters of fact.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this April 19, 2004 at Roseville, California 95678

William J. Zisk
205 Thomas Street
Roseville, California 95678
Telephone: (916) 782-2233

Letter 9

Subject (proposed project) of bike trail.

RECEIVED
MAR 17 2004
Community Development Dept.

As an active 34 year old male. it would be a great asset on my leisure time to be able to enjoy the bike trail from Harding to Rozer park it would be convient for me and my daughter to be able to ride our bikes ~~[illegible]~~ to the park without the fear of traffic.

Sincerely from a dad who cares

Matt and Lily Kratz

Letter 10

RECEIVED
MAR 22 2004
Community Development Dept.

3/19/04

Dear Mr Morse,

I am writing in support of the proposed Royer-Harding blvd. bike trail. I believe this extension of the trail would greatly contribute to the comunity.

Sincerly
Andrew Thomann
406 B East st.
Roseville Ca.
95678

Letter 11

RECEIVED
MAR 30 2004
Community Development Dept.

March 27, 2004

To Whom It May Concern,

I am strongly in favor of the proposed bike trail project from Harding to Royer Park along Dry Creek. Providing a safe, beautiful area for residents to exercise and enjoy nature would be the perfect addition to our community. It would also be evidence that, along with the major growth Roseville is experiencing, we also want to celebrate the land and natural landmarks which have been an integral part of Roseville for many decades.

Please count me in when it comes to support for this project. I'm excited to see it get underway.

Sincerely,

Melissa R Rosker
215 Almond St
Roseville, CA 95678
(916) 521-5011

Letter 12

March 28, 2004

Community Development
Department
City of Roseville
311 Vernon St.
Roseville, CA
95678

RECEIVED
MAR 30 2004
Community Development Dept.

To Whom It May Concern:

We would like to express our support for the proposed Harding to Royer Park Bike Trail extension. We live very close to where the Bike Trail would cross Folsom Road. We would love, as a family, having close access to the wonderful bike trail system here in Roseville. We will be unable to attend the Transportation Commission meeting on April 20th but wanted you to know of our support of this project. Thank you,

Ginger Foster Ray Jellison Myka Jellison

RECEIVED
MAR 1 2004
Community Development Dept.

March 28 2004

Letter 13

Just a Note to who ever it
My Con Sirne ; My Family + I
Enjoy The use of The Bike
TRAIL AND the Chance To BE
with Nature in All Seasons of
The year . you have our
Suport in Continuing Such Nature
Development ! Keep up The
good work !

Sincely

Don Meinding

Letter 14

I Kathleen Benitez
at 812 Shearer St would love to
have the Bike trails conected to
make the trails longer my Grandchildren &
I would like to walk in Please have
wheelchair access that would help me alot

Sign Kathleen Benitez

Letter 15

I Rosemarie Sharp of 815 Shearer
would appreciate a bike trail
to continue up to Royer Park as
have three Children that would
like to enjoy that with my
family -

Thank you,
Rose Sharp

3/11/04

RECEIVED
MAR 15 2004
Community Development Dept.

3-11-04

Letter 16

RECEIVED
MAR 15 2004
Community Development Dept.

To whom it may concern,

I currently live at 1005 Shearer Street I have lived in this neighborhood since I was 6 yrs. old. I am now 35. I have 2 children that I am raising in this neighborhood and I just want to let you know I love the idea of the bike trail from Harding to Royer Park. ☺ It's safer and more productive than exploring the creek to make paths as I used to do as a child.

Thank you,
Hilda Deliz

3/9/04

Letter 17

To Whom it may concern,

a bike trail from Harding Blvd to Royer Park will benifit many people in this neighborhood and others as well. We have gotten so much use + pleasure from our new Park and this bike trail would be an added benifit. Thank you for you consideration

Thank you

Lisa B. Aguilar

RECEIVED
MAR 15 2004
Community Development Dept.

City Council

Letter 18

A bike trail connecting Harding To Royer Park would be great for our community. It would give something for families to do with their kids. It will also keep kids from riding their bikes on the street and keeping them out of danger.

Sincerly

Justin Bridges

JUSTIN BRIDGES

RECEIVED
MAR 15 2004
Community Development Dept.

Dear City Council,

Letter 19

I believe that many people would get use from a bike trail starting in our neighborhood (Harding), and ending at Royer Park. It will be good for fun + exercise

Sincerely,
John Aguilar

RECEIVED
MAR 15 2004
Community Development Dept.

Letter 20

RECEIVED

MAR 11 2004

Community Development Dept.

Mark Morse
Community Development

03/09/04

RE: Roseville Bike Trails

I am writing in support to extend the bike trail along the creek towards Royer Park. Harding Avenue to Royer Park bike trail.

Sincerely,

Denise LaFazia
8064 Halesworth Drive
Roseville, CA 95747

March 8, 2004

Letter 21

RECEIVED
MAR 11 2004
Community Development Dept.

Community Development
311 Vernon St.
Roseville, CA
95678

Please consider this written request to continue a bicycle trail from William Taylor Park to Folsom Road.

This trail would not only provide a safe path for excersice to build a happier, healthier community, but a safe alternative to Atlantic Street (Blvd.). A bicycle trail would give the citizens a safe detour to access Roseville Square, Royer Park + the Old Roseville Library.

I appreciate, in advance, any consideration to this matter.

Sincerely,
Tara Edon

TARA EDON
1057 SHEARER ST.
ROSEVILLE, CA 95678

3-04
Letter 22

RECEIVED
MAR 0 9 2004
Community Development Dept.

About the Bike Trail

1. There will be some downsides, yes. There will be a few transients on the bike trail and occasionally maybe some other problems. But, think of the upsides - the many children of all ages, the young couples with children - with buggies, strollers and what have you - even some old codgers like myself - not including my wife, of course she's younger. Don't we owe it to the young people to give them wholesome recreation close to nature. What a place for them to sort them-selves out away from some of the bad influences of these days.

2. The proposed trail is on the highest ground available through most of its length. There is also old roadbed on at least 3/4ths of the trail site. Usually I see two jack rabbits during daylight hours and some turkeys. The turkeys seem to spend as much time in neighbor-hoods on both sides of the creek as they do on the floodplane. All in all the trail will be a wonderful addition to the Cnewood area.

Thank you

Bob Kraft
301 Center St
Roseville Ca. 95678

Letter 23

March 8, 2004

To Community Development
Roseville.

RECEIVED
MAR 0 9 2004
Community Development Dept.

I want to add my support to the proposed Bike Trail from Harding Street to Royer Park. Feel it would be an asset to the area. We have a lot of bike riders and it would be great for them to have a safe trail to ride.

Sincerely,
Dorothy Warnock
Member of the Board of the
Enwood Neighborhood Association

Letter 24

RECEIVED
MAR 0 9 2004
Community Development Dept.

March 7, 2004

Community Development
311 Vernon St.
Roseville, CA 95678

Commission for designing bike paths in Roseville,

I am writing regarding my concern for bike paths in Roseville. I have resided in Roseville for 35 years, all my life. One thing that has kept me staying here in this great city is its commitment to community and to our children. This has always been a city that constantly changes to be as child safe, child friendly and environmentally sensitive.

Our family has always enjoyed outdoor activities. We have tremendous enjoyment for the existing bike paths. We would love to see more bike paths that connect with other existing paths throughout the city. This would not only allow for more recreational use, but it could also allow bicycle commuters to spare the air.

Currently, my husband, John, commutes from Roseville to downtown Sacramento on his bike multiple days a week. I worry every day that some of the areas in Roseville and the Antelope are very dangerous to ride along until he connects with the bike path in Rio Linda.

For these reasons we would love to see bike paths that extend to east Roseville west Roseville, and connect through central Roseville. We would also like to see a trail that could lead out to city limits to get commuters off the road and onto their bikes.

Sincerely,

Marianne Appelbaum / John Appelbaum

John and Marianne Appelbaum

Letter 25

COMMUNITY DEVELOPMENT. MAR 6 2004

I'M WRITING THIS LETTER TO LET YOU KNOW I'M FOR THE BIKE + WALKING TRAIL ALONG DRY CREEK BETWEEN HARDING AND LINCOLN ST I LIVE AT 815 PARRY ST. AND IT IS NICE FOR ME TO WALK NOW I HAVE TO GO UP TO ATLANTIC STREET SO I HOPE SOON YOU'LL START TO PROCEED ON THIS PROJECT

Sincerely
Duane Hunter

ADDRESS + PHONE NUMBER
DUANE HUNTER
815 PARRY ST.
ROSEVILLE CA. 95678
PHONE (916) 7835490

RECEIVED
MAR 08 2004
Community Development Dept.

Letter 26

RECEIVED
MAR 05 2004
Community Development Dept.

627 Reardon Court
Roseville, CA 95678
Phone: 916 783-8775
Fax: 916 783-8807

PUBLIC RELATIONS • MARKETING • ADVERTISING

McINTYRE
MARKETING
COMMUNICATIONS

March 4, 2004

Mark Morris, Community Development
City of Roseville
311 Vernon Street
Roseville, CA 95678

Dear Mr. Morris:

As you consider the bike trail extension from Harding Boulevard to Royer Park, I would like to speak on behalf of my late father Myron McIntyre who donated 15 acres along the creek in that area to the City of Roseville.

Myron was a bicycle and creek-side lover and would like nothing more than to see the citizens of Roseville access the natural beauty of the creek area through this bike trail extension.

I'm confident he would also like to have the trail disturb as little foliage as possible, which probably makes the high ground on the north side the best choice.

I hope any detractors will back off their personal agendas so this thing can move forward. That creek is the greatest natural beauty Roseville has to offer and it should be enjoyed by everyone, not just reserved for a selfish few.

Sincerely,

Paul McIntyre

Paul McIntyre
paulmc@rcsis.com

Letter 27

Tom and Virginia Hawthorn
Hawthorn's Antique Audio
77 Columbia Avenue
Roseville, CA 95678 USA
Phone or Fax (916) 773-4727

RECEIVED
MAR 04 2004
Community Development Dept.

March 2, 2004

Mark Morse
Roseville Development Department
311 Vernon St.
Roseville, CA 95678

Dear Mr. Morse:

I heartily support the construction of the Harding Blvd. to Royer Park Bikeway project. This project will link together two excellent existing bike trails and provide walkers and cyclists with an unbroken path through some of the most scenic parts of Roseville.

My property is directly across from the planned route, and I feel that this project will definitely enhance the value of my home. I note that many of the recently developed properties adjacent to existing trails are those with "premium" homes built on them, indicating that these properties are among the most desirable. Private properties along the proposed trail will not only have the benefit of easy use of the trail, but should see some increase in their resale value.

The city of Roseville has an excellent record in maintaining the existing trails, and I'm sure the currently proposed trail would fall under the same maintenance program. I commend the city of Roseville for it's efforts in maintaining open space, but even more so I appreciate their efforts to make that space available to the residents of the city.

Please feel free to contact me if there is any way I can help with this worthwhile project.

Sincerely,

Tom Hawthorn

Tom and Virginia Hawthorn
Hawthorn's Antique Audio
77 Columbia Avenue
Roseville, CA 95678 USA
Phone or Fax (916) 773-4727

April 20, 2004

To: City of Roseville Transportation Commission

Subject: Harding Blvd. to Royer Park Bikeway - Proposed Route A

Roseville is a different city than it was 30 years ago. 30 years ago, it was basically a bedroom community for Sacramento and a retirement area for those who enjoyed the quiet of a small town. Today it is a fast growing city of retail and industry, attracting much younger and much more active residents who live. play and work in the city rather than commute. The recently opened Sports Center is a good example of the change of focus in the city. 30 years ago such a facility would have hardly been used. Today, this center is a hub of activity, used and enjoyed by a majority of the residents. I believe the same goes for the system of bike trails. 30 years ago they would have had only occasional use. Today, you can see residents enjoying them from sunup to sundown. It's almost impossible to walk more than a short distance on any trail without encountering another hiker or cyclist.

Wildlife and environmental issues are sometimes cited as concerns. When walkling on the existing trails, I have personally seen many deer, rabbits, raccoons, possums, lizards, field mice, hawks, egrets, herons, swallows, wild turkeys - the list goes on and on. There is an abundance of foliage, especially along the creek banks, and there is no evidence of undue erosion or stream blockage. Based on the evidence of my own eyes, it is hard to believe that these trails cause any sort of environmental harm. Anyone who thinks different only has to take an early morning walk on a trail and open his eyes.

The issue of privacy is also occasionally raised. Let me emphasize that I live directly across Dry Creek from the proposed Route A. My property couldn't be any closer unless it was in the creek itself. Residents using the existing dirt road have a full view of my back deck and the side of my house. It has been my pleasure for years to wave hello to the hikers and bikers, and talk to the kids fishing in the creek. They are always a friendly bunch, and I have had no problems from these folks for the nearly 10 years I have lived there. Likewise, when I walk along sections of existing trail, such as the one in False Ravine, I can look into the back yards of the residents of Stone Canyon - a very upscale gated community. I wave and talk to the homeowners and they wave back. Friendliness is always returned, whether you are in your own back yard or hiking on the trail. Living in reasonable privacy should not be confused with living in a state of total seclusion.

There are four houses on my block of Columbia Avenue, plus one on the corner of Columbia and Maciel. I asked these folks if they supported the proposed Route A. Every one of them did, and they all have submitted letters to that effect. That's a 100% showing in favor from my neighborhood, and I expect if you were to ask the residents of adjoining streets, you would come up with the same strong show of support. At the last meeting of the Transportation Commission there were seven speakers in favor of Route A and only one against. I think this clearly indicates public enthusiam for this project, and I urge the Transportation Commission to expedite the approval and construction of the proposed bike trail as soon as possible. This will reflect the wishes of the residents of Roseville today, and keep the city on track for future growth.

Sincerely,

Tom Hawthorn
77 Columbia Ave.
Roseville, CA 95678

3-8-04

Letter 29

Subject: Proposed bike trail from Harding Blvd. to Boyer Park

The proposed bike trail from Harding to Boyer will be the best thing (outside of our Taylor Park) to happen for the Enwood Neighborhood. There are so many children who ride bikes in the neighborhood as well as some parents and grandparents. I being one of the grandparents who loves to bike ride and take my grandchildren on bike rides would love to have the trail so close to us; for, 8 of our ten grandchildren live in this neighborhood. I have taken these grandchildren on bike rides crossing busy streets, illegally riding on sidewalks instead of the bike lanes along the streets which can be very dangerous if kids get unsteady and could fall into on coming traffic. I'd have to yell at them to watch for cars backing out of driveways on residental streets. Bike rides were fun but also very nerve racking for me on the busy streets. Many times I'd pack the bikes into the back of our small pick-up truck (only could take my bike + 2 kids bikes at a time) and take them to Sun City where they have a golf cart lane where I would ride in and a wide bike lane close to the sidewalk where they would ride in. That was a lot of work packing + unpacking the bikes but Sun City was less busy with cars and had safer and wider lanes to

ride in. I've been taking 9 grandchildren either 1 at a time or groups of two or three at a time on bikes rides. In a few years our 2½ yr. old will be ready for a bike ride.

As you can see the kids and I and also grandpa would enjoy having a bike trail to enter on from our neighborhood.

Thank you,

Barbara Kraft
301 Center St.
Rsvl. Ca. 95678

RECEIVED
0 9 2004
Community Development Dept.
RECEIVED
MAR 0 9 2004
Community Development Dept.

Letter 30

To whom it may concern:

our family at 926 Parry St Roseville CA 95678 is in favor of the extension of the bike trail from Harding to Royer Park.

We always need family bike rides.

if you have any questions or comment please feel free to give us a call at 916 773-6316

The Preszler family
926 Parry Street
Roseville, CA 95678

Thank you.

Received
MAR 18 2004
Transportation

APPENDIX D. COST COMPARISON

City of Roseville
Phase II Bike Trail
Royer Park to Harding Blvd.

Exhibit/Option	Item Description	Rounded Cost
1 North Side Algnmt	Construction	$1,790,000
	Design	$270,000
	Construction Mngmt	$270,000
	Right of Way	$260,000
	Say	$2,580,000
2 North Side Algnmt w/ Alt 6 Bridge	Construction	$2,090,000
	Design	$320,000
	Construction Mngmt	$320,000
	Right of Way	$260,000
	Say	$2,980,000
3 North Side Algnmt w/ Alt 6 Box Culvert	Construction	$1,530,000
	Design	$230,000
	Construction Mngmt	$230,000
	Right of Way	$260,000
	Say	$2,240,000
4 South Side Algnmt w/ Alt 4	Construction	$2,420,000
	Design	$370,000
	Construction Mngmt	$370,000
	Right of Way	$260,000
	Say	$3,400,000
5 South Side Algnmt w/ Alt 5	Construction	$3,840,000
	Design	$580,000
	Construction Mngmt	$580,000
	Right of Way	$260,000
	Say	$5,250,000
6 Northerly Alignment to Route B	Construction	$1,140,000
	Design	$260,000
	Construction Mngmt	$260,000
	Right of Way	$260,000
	Say	$1,900,000

Prepared by
URS Corporation

Option Cost Summary
EXHIBIT

Option 1

"North Side Alignment"

Preliminary Estimate of Costs:

Construction = $ 1,790,000

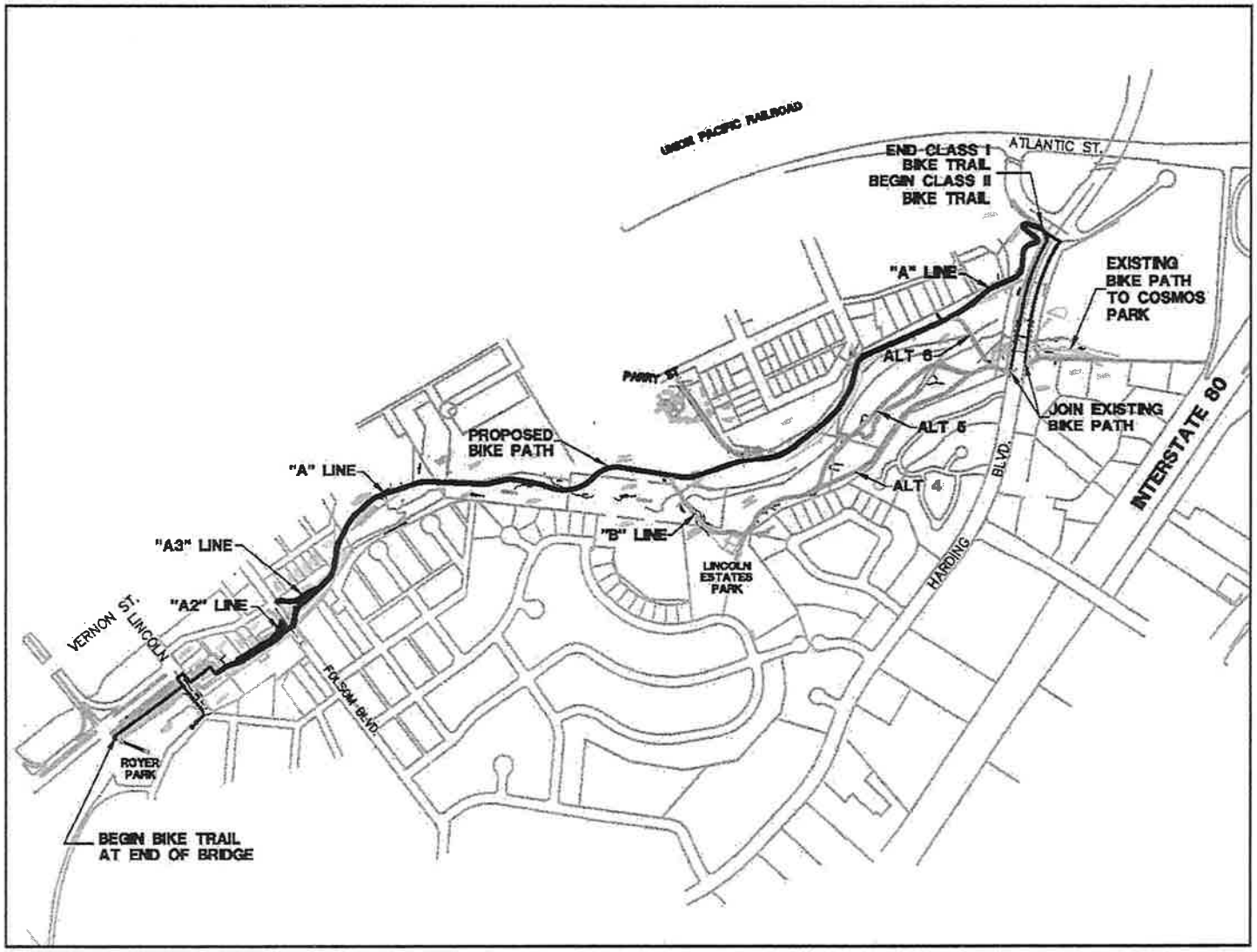
Design = $ 270,000

Constr Mgmt = $ 270,000

Right of Way = $ 260,000

PreliminaryEstimate of Say Total Cost:

$ 2,580,000



Prepared by
URS Corporation

City of Roseville
Phase II Bike Trail - Royer Park to Harding Blvd

Option 2

"North Side Alignment w/ Alt 6 Bridge"

Preliminary Estimate of Costs:

Construction = $ 2,090,000

Design = $ 320,000

Const Mgmt = $ 320,000

Right of Way = $ 260,000

PreliminaryEstimate of Say Total Cost:

$ 2,980,000

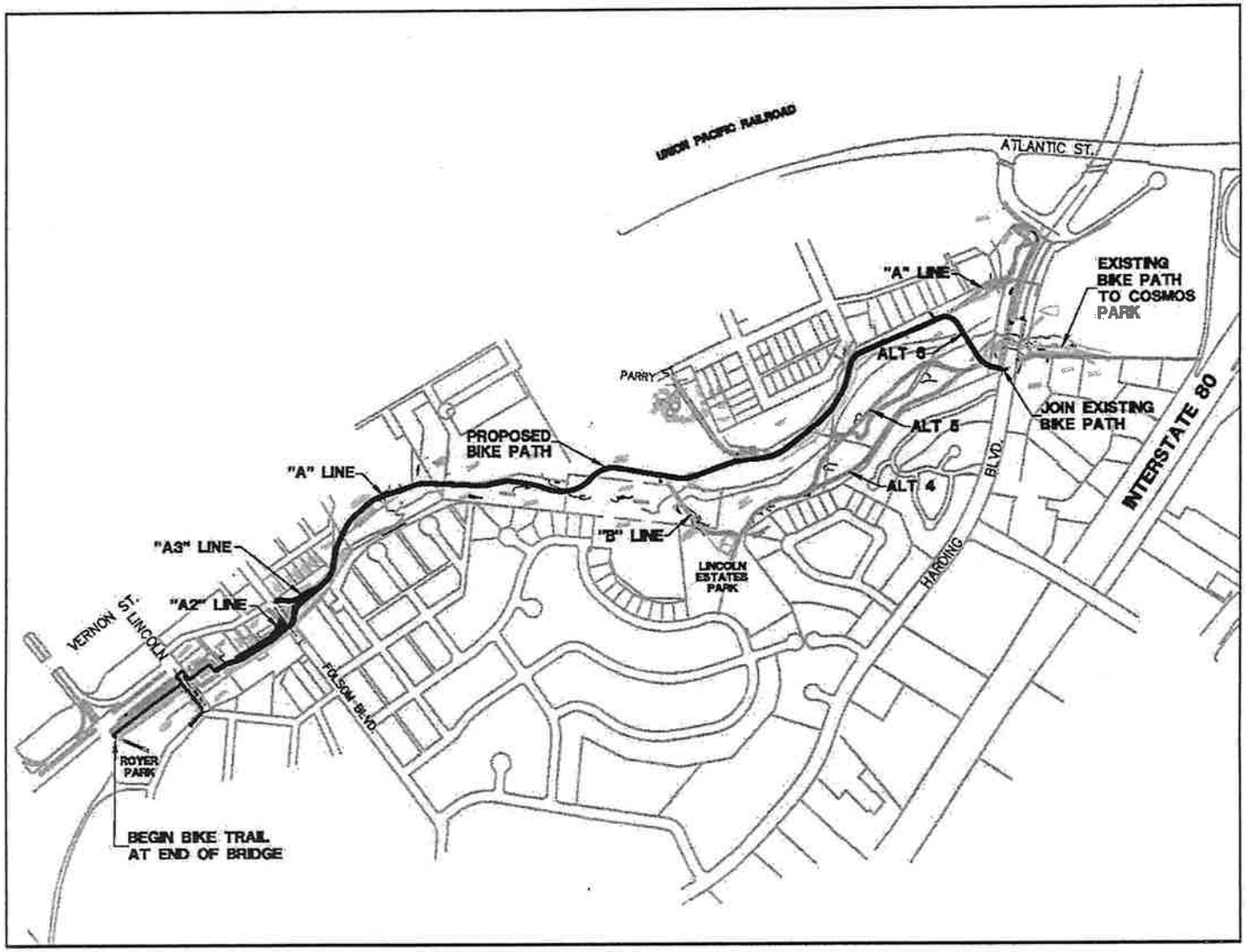


Exhibit 2

Option 3

"North Side Alignment w/ Alt 6 Box Culvert"

Preliminary Estimate of Costs:

Construction = $ 1,530,000

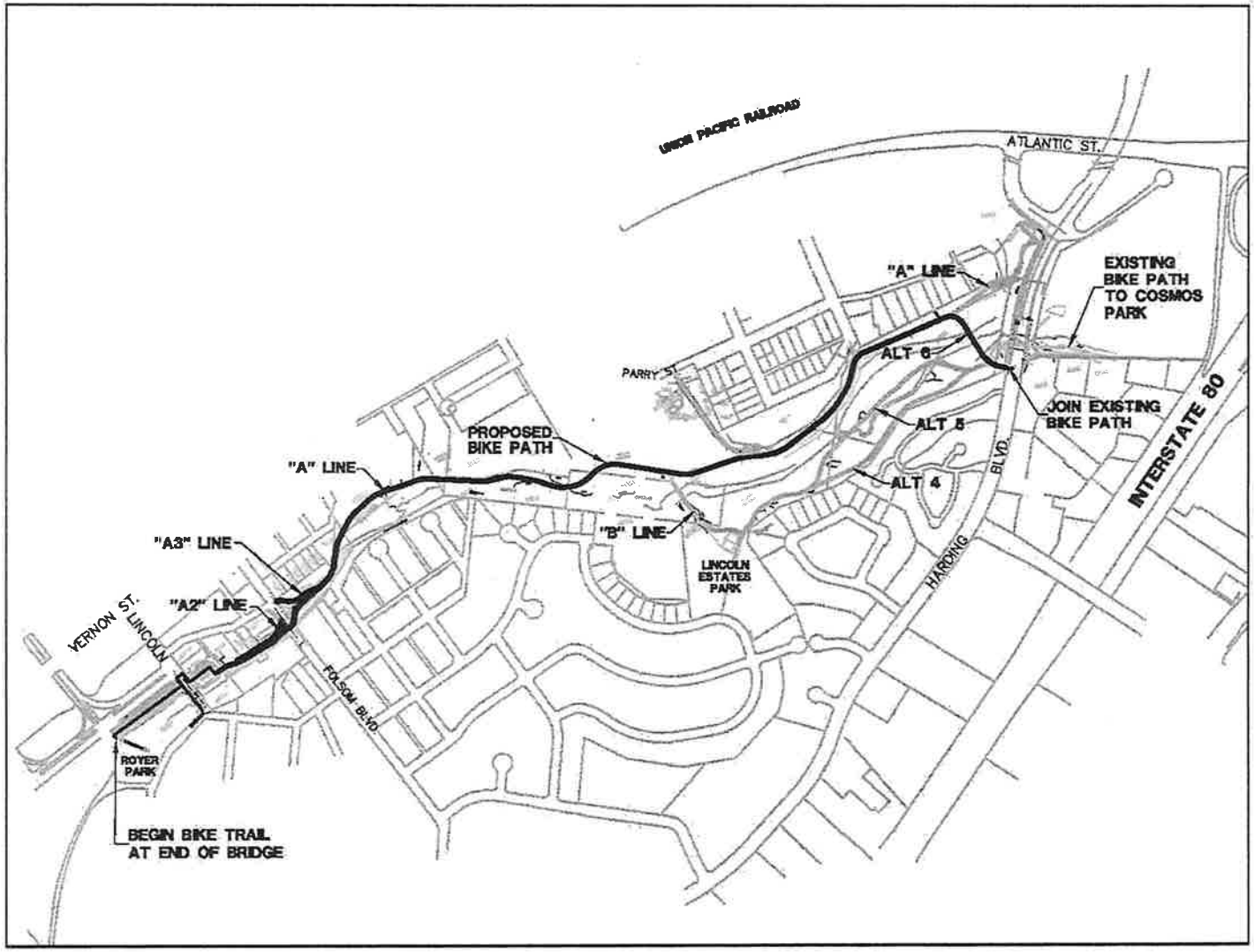
Design = $ 230,000

Const Mgmt = $ 230,000

Right of Way = $ 260,000

PreliminaryEstimate of Say Total Cost:

$ 2,240,000



Prepared by
URS Corporation

City of Roseville
Phase II Bike Trail - Royer Park to Harding Blvd

Option 4

"South Side Alignment w/ Alt 4"

Preliminary Estimate of Costs:

Constr = $ 2,420,000

Design = $ 370,000

Construction Mgmt = $ 370,000

Right of Way = $ 260,000

PreliminaryEstimate of Say Total Cost:

$ 3,400,000

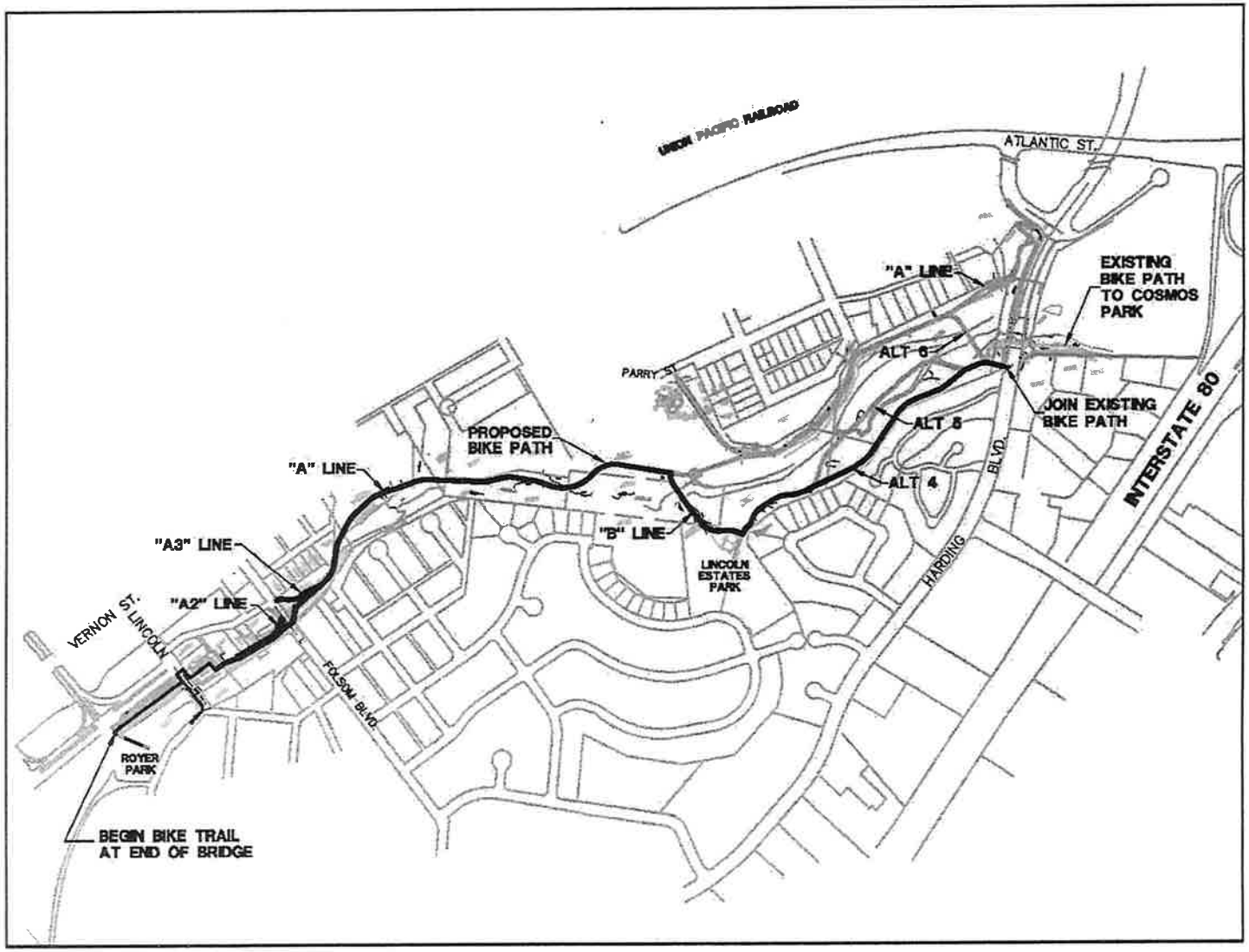


Exhibit 4

Option 5

"South Side Alignment w/ Alt 5"

Preliminary Estimate of Costs:

Construction = $ 3,840,000

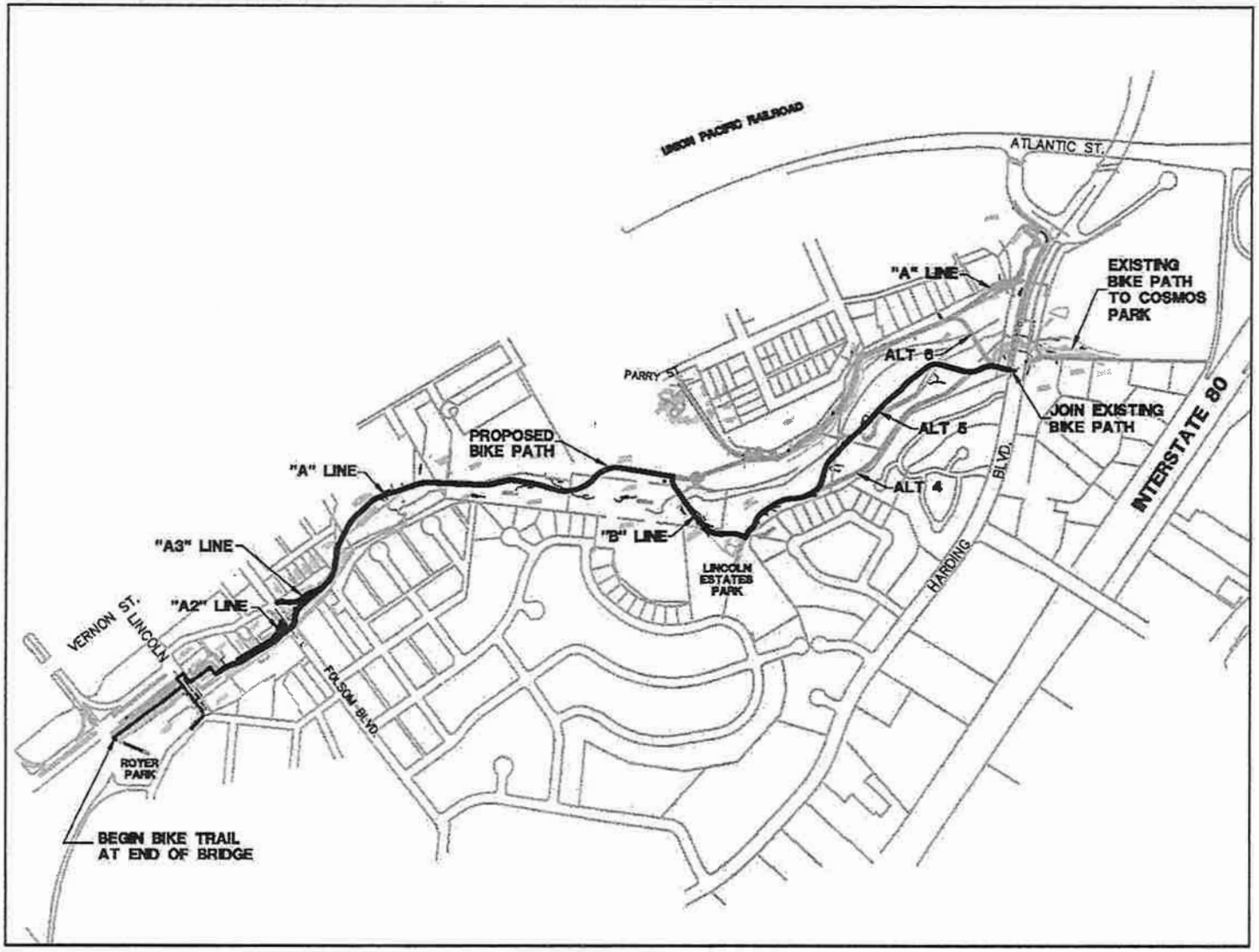
Design = $ 580,000

Constr Mgmt = $ 580,000

Right of Way = $ 260,000

PreliminaryEstimate of Say Total Cost:

$ 5,250,000



Prepared by
URS Corporation

City of Roseville
Phase II Bike Trail - Royer Park to Harding Blvd

Option 6

"Northerly Alignment to Route B"

Preliminary Estimate of Costs:

Construction = $ 1,140,000

Design = $ 260,000

Constr Mgmt = $ 260,000

Right of Way = $ 260,000

PreliminaryEstimate of Say Total Cost:

$ 1,900,000

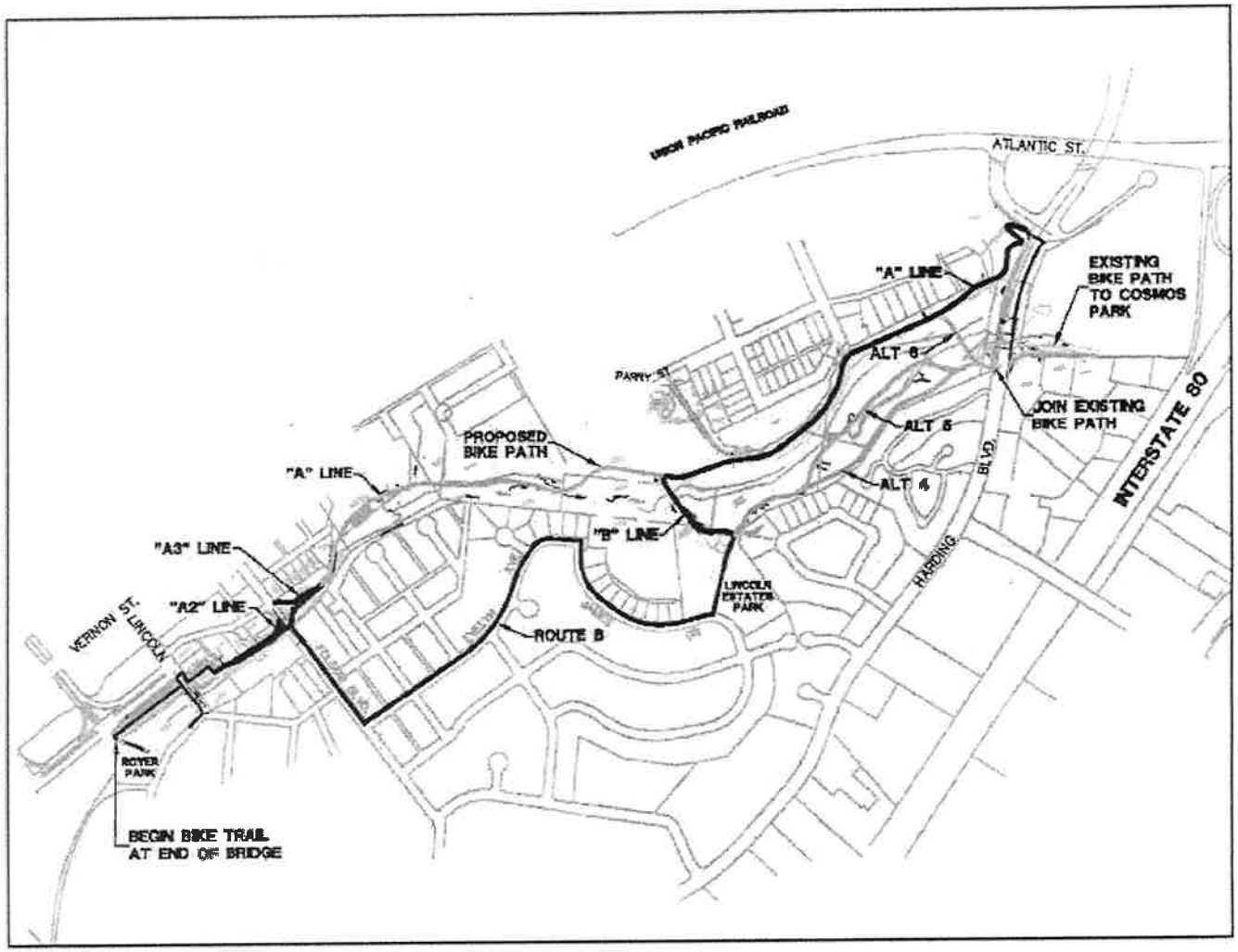


Exhibit 6

Mitigation Monitoring Plan

The City of Roseville, as the lead agency under the California Environmental Quality Act (CEQA), has developed a mitigation monitoring plan (MMP) for the Harding Boulevard to Royer Park Bikeway Project. This MMP is designed to ensure that the mitigation measures identified in the environmental impact report for the project are implemented.

Table MMP-1 represents the MMP. For each mitigation measure, Table MMP-1 identifies:

- the particular entity responsible for implementation,
- the timing of implementation,
- the monitoring agency/entity and monitoring action, and
- a field for sign-off verifying completed implementation.

The City of Roseville (or its designees) is responsible for implementing the measures listed in the MMP.

Table MMP-1. Mitigation Monitoring Plan for the Harding Boulevard to Royer Park Bikeway Project

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Completion Sign-Off Date
GEOLOGY					
BMP EIR MMP [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures. During the design phase of individual Class I bikeway projects, the City shall conduct a site-specific geotechnical study to ensure that bikeways are designed to minimize geologic impacts and erosion impacts on the surrounding habitats and waterways. The geotechnical study shall address, at a minimum, the following issues: • fill control, • expansive soils, • differential settlement, • slope and foundation instability, • streambank protection, and • other significant geologic characteristics pertinent to development of the project site. The study shall provide grading and design recommendations to address potential slope and foundation instability. The study shall also determine which soil types must be tested for shrink-swell potential to identify load-bearing and strength concerns. Requirements of the City's improvement standards shall be implemented. As part of the process for	City Public Works Department	Prior to approval of any grading or improvement plans for a specific Class I bikeway	The Public Works Department, Engineering Division shall review results of all studies and verify that all findings have been incorporated into final plans.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
obtaining a grading permit, the City must prepare a site-specific geotechnical study and improvement or grading plans along with a site-specific erosion and sedimentation control plan. The requirements for submittal of each of these documents are detailed in Section 11, "Grading", of the City's improvement standards and in Chapter 16.20 of the Roseville Municipal Code. An NPDES permit will be required by the SWRCB if grading would affect 1 acre or more on a given bikeway route. If this permit is required, the City shall prepare an SWPPP. The objectives of the SWPPP would be to identify sources of sediment and other pollutants that affect the quality of stormwater discharges and to ensure implementation of practices to reduce sediment and other pollutants in stormwater discharges. The SWPPP must identify source reduction measures such as temporary silt fences, temporary sedimentation basins, mulching, and diversion ditches.					
BMP EIR MMP [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. The City shall comply with the following requirements regarding impacts on stormwater runoff and water quality to minimize impacts on area waterways resulting from bikeway construction: (a) City improvement standards: An erosion control plan shall be prepared and implemented as part of the City's improvement standards. The erosion control plan must contain a description of the project site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls. Improvements must be constructed in compliance with the specifications of the PCFCWCD's Storm Water Management Manual requirements. (b) SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable: If a particular project would disturb more than 1 acre, or after the State of California adopts its revised general construction activity permit, the City will be required to obtain a general construction activity stormwater permit under the NPDES. Under this permit, the City shall prepare an SWPPP that includes compliance with SWRCB best management practices. These practices include schedules of activities, prohibitions of practices, management practices, and maintenance procedures (i.e., straw bales, dikes, silt fences, sediment traps, or similar methods) to prevent or reduce pollution. In areas where the risk of flooding or erosion and sedimentation is found to be high, structural measures could include perimeter controls, diversion channels, sedimentation collection systems, and soil stabilization. Operational measures may include maintaining landscaping to reduce nutrients, pesticides, and insecticides, and conveying stormwater using grassed swales.	City Public Works Department	Before and during construction	The Public Works Department shall prepare and implement an erosion control plan. The Public Works Department shall obtain the required permit, as necessary, from the SWRCB. As part of this process, the City or contractor will prepare a SWPPP and identify appropriate BMPs. The Public Works Department will require in plans and specifications that the contractor implement BMPs, GMPs, and water quality protection measures identified in the SWPPP.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks. The City and its contractors shall comply with improvement standards for preparation and implementation of rough and final grading plans, which would include erosion control measures such as those identified in SWRCB's Storm Water Best Management Practices Handbook. In addition, drainage structures for Class I bikeways along creeks and in open space areas shall be designed so that changes in drainage patterns do not substantially change the overall drainage patterns of the surrounding area.	City Public Works Department	Concurrent with approval of grading / improvement plans or building permit for development in or adjacent to drainages	The Public Works Department shall review design of facilities in floodplain.		
AIR QUALITY					
Mitigation Measure 3.4-1: Comply with each of the mitigation measures recommended by the Placer County Air Pollution Control District for reducing construction-related impacts to the maximum extent possible. The Placer County APCD has recommended implementation of several standard measures that can be used to reduce fugitive dust. These measures include the following: • Water the site twice a day. • Spread soil binders on the site, unpaved roads, and parking areas. • Apply approved cellulose-based soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas that remain undisturbed for 96 hours). • Reestablish ground cover on the construction site through seeding and watering. • Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares. • Reduce traffic speeds on all unpaved road surfaces to 15 miles per hour or less. • Suspend all grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour. • Wash off trucks leaving the site.	City Public Works Department	During construction	The Public Works Department shall monitor implementation of the emissions / dust control plan approved for the project by the Placer County APCD.		
BIOLOGICAL RESOURCES					
Mitigation Measure 3.5-1: Retain an environmental monitor (recommended). The City will retain a biologist to monitor construction activities in sensitive biological resource areas. The biologist will be responsible for determining the placement of orange barrier fencing, maintaining fences, providing environmental briefings to instruct construction crews on impact avoidance measures, ensuring compliance with permit requirements, removing wildlife that enter the construction zone, and providing status reports to the City, permitting agencies, and other resource agencies.	City Public Works and Planning Departments	Before and during construction	The Planning and Public Works Departments shall hire a qualified biological resources specialist to conduct training, monitoring, reporting, and agency coordination related to biological resources affected by the project.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
Mitigation Measure 3.5-2: Minimize impacts on sensitive biological resources during project design. Impacts on riparian forest and scrub habitat and special-status species habitat will be minimized to the extent possible during the project design phase by making minor adjustments to the route to avoid elderberry shrubs, high-quality riparian habitat, and large native trees. A qualified biologist will work with the City environmental staff and project engineer to make minor revisions to the route alignment that will reduce impacts on sensitive biological resources where possible.	City Public Works and Planning Departments	Before construction	The Planning and Public Works Departments shall hire a qualified biological resources specialist to collaborate with City engineering and planning staff during final design.		
Mitigation Measure 3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction. Sensitive biological resources located adjacent to the construction corridor will be protected by placing orange construction barrier fencing or stakes and flags (where appropriate and depending on the type of resource). Adjacent resources that may require protection include oak trees, riparian vegetation, elderberry shrubs, and seasonal wetlands. Staking will be placed at least 25 feet (or, in the case of valley elderberry longhorn beetle, the maximum feasible distance) from the outer dripline of elderberry shrubs. The locations of sensitive resources will be clearly identified on the construction drawings and marked in the field by the environmental monitor. Fencing or other barriers will remain in place until all construction and restoration work that involves heavy equipment is complete. In cases where woody riparian vegetation must be cleared, the vegetation will be trimmed rather than uprooted, where possible, to allow resprouting.	City Public Works and Planning Departments	Before and during construction	The Planning and Public Works Departments shall hire a qualified biological resources specialist to field-locate sensitive biological resources present within the area affected by all project activities. The biological specialist shall conduct or provide direction for placement of protective barriers or markers. The biological specialist shall provide environmental monitoring during construction to ensure protection of identified resources and appropriate trimming of riparian vegetation.		
Mitigation Measure 3.5-4: Compensate for permanent impacts on woody riparian vegetation. The City will compensate for the loss of any riparian habitat by enhancing or replacing similar habitat near Dry Creek in the project area and vicinity. The compensation ratio will be 3:1 (3 acres created or enhanced for every 1 acre removed). This mitigation ratio was established on the basis of communications with DFG (Pereze pers. comm.) and is consistent with the ratio recommended by NMFS. Potential mitigation sites in the Dry Creek and Antelope Creek corridors that could be used to create or enhance riparian habitat include riparian areas that currently support nonnative species (e.g., tree of heaven, Sesbania, and giant reed) that could be removed and replanted with native riparian species,	City Public Works and Planning Departments	Before, during, and after construction	The Planning and Public Works Departments shall hire a qualified restoration ecologist to prepare a habitat mitigation plan for the replacement or enhancement of		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
and sparsely vegetated or degraded riparian areas that could be enhanced through planting of native woody species. Such locations will be identified and prioritized in the City's creek and riparian management and restoration plan (currently under development). Another option for the City would be to purchase mitigation credits from a local mitigation bank (e.g., Orchard Creek mitigation bank in Placer County). Potential mitigation sites must be evaluated as part of a formal habitat mitigation plan, as described in the BMP update EIR and as discussed in the soon-to-be-completed creek and riparian management and restoration plan, before the suitability of these sites to sustain riparian plantings can be determined. The following factors would be assessed as part of this mitigation plan: soils, hydrology (including groundwater levels and surface inundation), land use, potential disturbances, habitat functions, costs associated with maintaining the plantings, and overall potential for survival. The City will retain a restoration ecologist to develop a mitigation plan that identifies erosion control, habitat replacement, and maintenance and enhancement of habitat as the primary mitigation goals. The habitat mitigation plan will include a list of recommended species, design specifications, an implementation plan, a maintenance program, and a monitoring program. A minimum of 5 years of monitoring (or longer if required as a condition of permits) will be conducted to document the degree of success or failure in achieving success criteria and to identify remedial actions. Annual monitoring reports will be submitted to DFG, USFWS, NOAA Fisheries, Caltrans, and other interested agencies. Each report will summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria described below, and discuss any remedial actions performed. After the 5-year monitoring period, the mitigation plan will be considered successful when the following criteria are met: • Establishment of a riparian habitat that is composed of a mix of native species similar to those present in the riparian corridor along Dry Creek or Antelope Creek; • Development of at least 75% absolute cover of native woody riparian vegetation in the mitigation area; • Growth of riparian species that rate good or excellent in vigor or growth (based on a qualitative comparison of leaf turgor, stem caliber, leaf color, and foliage density in the planted sites with individuals of the same species in the adjacent riparian areas); • determination that plantings at each site are self-sustaining without human support (e.g., weed control, rodent control, or irrigation); and • if success criteria are not being met, additional restoration measures will be developed and implemented. Additional reporting requirements that may be specified as permit conditions will be incorporated into the mitigation plan.			riparian habitat. The City's restoration ecologist shall manage the City's implementation of the riparian habitat mitigation plan, conduct annual performance monitoring of replacement or enhancement actions, prepare written reports of annual monitoring, and assess the degree of success for the mitigation actions after 5 years from mitigation work.		
BMP EIR MMP [1] AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas. In open space areas where riparian habitat would be removed during the construction of bikeways, the City shall replant using drought-tolerant native or compatible plant species to create a more natural visual environment, to provide potential habitat, and to reduce long-term water consumption.	City Public Works Department	Before construction	The Public Works Department shall replant in open space areas where riparian habitat was removed.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures. *(Repeated from Geology)* During the design phase of individual Class I bikeway projects, the City shall conduct a site-specific geotechnical study to ensure that bikeways are designed to minimize geologic impacts and erosion impacts on the surrounding habitats and waterways. The geotechnical study shall address, at a minimum, the following issues: • fill control, • expansive soils, • differential settlement, • slope and foundation instability, • streambank protection, and • other significant geologic characteristics pertinent to development of the project site. The study shall provide grading and design recommendations to address potential slope and foundation instability. The study shall also determine which soil types must be tested for shrink-swell potential to identify load-bearing and strength concerns. Requirements of the City's improvement standards shall be implemented. As part of the process for obtaining a grading permit, the City must prepare a site-specific geotechnical study and improvement or grading plans along with a site-specific erosion and sedimentation control plan. The requirements for submittal of each of these documents are detailed in Section 11, "Grading", of the City's improvement standards and in Chapter 16.20 of the Roseville Municipal Code. An NPDES permit will be required by the SWRCB if grading would affect 1 acre or more on a given bikeway route. If this permit is required, the City shall prepare an SWPPP. The objectives of the SWPPP would be to identify sources of sediment and other pollutants that affect the quality of stormwater discharges and to ensure implementation of practices to reduce sediment and other pollutants in stormwater discharges. The SWPPP must identify source reduction measures such as temporary silt fences, temporary sedimentation basins, mulching, and diversion ditches.	City Public Works Department	Prior to approval of any grading or improvement plans for a specific Class I bikeway	The Public Works Department, Engineering Division shall review results of all studies and verify that all findings have been incorporated into final plans.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. *(Repeated from Geology)* The City shall comply with the following requirements regarding impacts on stormwater runoff and water quality to minimize impacts on area waterways resulting from bikeway construction: (a) City improvement standards: An erosion control plan shall be prepared and implemented as part of the City's improvement standards. The erosion control plan must contain a description of the project site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls. Improvements must be constructed in compliance with the specifications of the PCFCWCD's Storm Water Management Manual requirements. (b) SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable: If a particular project would disturb more than 1 acre, or after the State of California adopts its revised general construction activity permit, the City will be required to obtain a general construction activity stormwater permit under the NPDES. Under this permit, the City shall prepare an SWPPP that includes compliance with SWRCB best management practices. These practices include schedules of activities, prohibitions of practices, management practices, and maintenance procedures (i.e., straw bales, dikes, silt fences, sediment traps, or similar methods) to prevent or reduce pollution. In areas where the risk of flooding or erosion and sedimentation is found to be high, structural measures could include perimeter controls, diversion channels, sedimentation collection systems, and soil stabilization. Operational measures may include maintaining landscaping to reduce nutrients, pesticides, and insecticides, and conveying stormwater using grassed swales.	City Public Works Department	Before and during construction	The Public Works Department shall prepare and implement an erosion control plan. The Public Works Department shall obtain the required permit, as necessary, from the SWRCB. As part of this process, the City or contractor will prepare a SWPPP and identify appropriate BMPs. The Public Works Department will require in plans and specifications that the contractor implement BMPs, GMPs, and water quality protection measures identified in the SWPPP.		
BMP EIR MMP [1] HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks. *(Repeated from Geology)* The City and its contractors shall comply with improvement standards for preparation and implementation of rough and final grading plans, which would include erosion control measures such as those identified in SWRCB's Storm Water Best Management Practices Handbook. In addition, drainage structures for Class I bikeways along creeks and in open space areas shall be designed so that changes in drainage patterns do not substantially change the overall drainage patterns of the surrounding area.	City Public Works Department	Concurrent with approval of grading / improvement plans or building permit for development in or adjacent to drainages	The Public Works Department shall review design of facilities in floodplain.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] B-1: Provide for no net loss of wetlands. The City shall be required to obtain a Section 404 permit from the Corps before beginning any construction activity on bikeway routes that would affect jurisdictional waters of the United States, as determined through field surveys and a verified wetland delineation. A Section 1601 streambed alteration agreement could also be required for work in, along, and over streams and associated riparian habitat. Compliance with Corps and USFWS permit requirements for no net loss of wetland habitat value and acreage would ensure that the impacts of bikeway construction and operation on wetlands are reduced to less-than-significant levels. Under CEQA, compliance with Corps and USFWS requirements is recognized as adequate mitigation to offset the loss of wetland areas. State and federal regulations state that, preferably, project-related impacts shall be avoided to the fullest extent feasible first, and then remaining unavoidable impacts shall be minimized to the extent feasible. To compensate for unavoidable impacts, the City shall implement one or more of the following to ensure that there is no net loss of wetlands and wetland habitat: • Restore and/or enhance affected habitats in the project area, • Acquire for preservation or restore and enhance similar habitats elsewhere at an approved compensation ratio, or • Purchase credits in a certified mitigation bank. USFWS requires participation in certified mitigation banks. Such mitigation banks are recognized by the federal government as acceptable mitigation tools. If the City chooses to use a certified mitigation bank to mitigate impacts, the City shall acquire credits for the types of habitats and area specified in the permit conditions in direct proportion to wetland losses as determined by a verified wetland delineation.	City's Biologist	Before approval of a grading permit or FEP for bikeway routes or segments that would affect jurisdictional waters of the United States.	The City shall obtain a Section 401 permit from the Corps. As Section 1601 agreement with DFG may also be necessary. The City shall implement one or more of the following: restore and/or enhance affected habitats in the project area; acquire for preservation or restore and enhance similar habitats elsewhere at an approved compensation ratio; or purchase credits in a certified mitigation bank.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] B-2: Implement construction protocols. The City shall implement appropriate construction protocols to minimize the disturbance of wildlife and surrounding land uses during construction. These protocols shall include the following: (a) Restrict construction activities to areas away from preserved oak and riparian habitat. Contractors shall minimize construction activities near oak trees. Laydown, staging, refueling, and parking areas shall not be located next to previously undisturbed open space oak or riparian zones. Construction activities that, by necessity, occur near oak woodlands and riparian zones to be preserved shall be supervised onsite by a responsible compliance officer designated by the City (preferably a qualified biologist). Encroachments or damage that have not been authorized by a tree permit are prohibited, and measures to prevent damage to trees near construction activities shall be implemented as detailed in the Tree Preservation Chapter of the Roseville Zoning Ordinance and in Mitigation Measure B-5. (b) Erect temporary barrier fencing to delimit protected areas. Temporary fencing, consisting of 5-foot-tall orange construction drift fence, flagging, signs, or other markings, shall be erected around open space areas and restricted areas and shall be maintained for the duration of construction to prevent inadvertent damage to natural resources. Fencing shall be maintained and shall be the responsibility of an onsite compliance officer designated by the City. (c) Identify and implement dust suppression measures to avoid generating substantial particulate matter. The City shall implement dust suppression measures identified in the construction emissions/dust control plan approved by the Placer County APCD. (See Mitigation Measure AQ-1 in Section 3.2 of this EIR for a more detailed description of this plan.) (d) Prepare and implement an erosion and sediment control plan to avoid excessive offsite runoff and sediment transport to nearby waterways. The City shall require contractors to prepare and implement an erosion and sediment control plan as required under the City's improvement standards.	City Public Works Department	Before and during construction	Contractors shall minimize construction activities near oak trees. The Community Development Department shall designate an onsite compliance officer to maintain temporary fencing. The Community Development Department shall implement dust suppression measures. The Public Works Department shall require contractors to prepare and implement an erosion and sediment control plan.		
BMP EIR MMP [1] B-5: Implement construction protocols for stream activities. For construction involving stream activities the City will: • Restrict construction to the dry season (June 1 until September 30) to avoid steelhead; • Ensure no excessive turbidity or sedimentation to creeks; • Avoid restricting stream flow and thereby fish passages; and • Ensure that no hazardous waste products enter the creeks.	City's Biologist	During construction	The Community Development Department and Engineering Department shall implement construction protocols for stream activities.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
BMP EIR MMP [1] B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success. The City shall comply with requirements of its tree preservation ordinance to avoid, minimize, or compensate for the removal or disturbance of native oak trees greater than 6 inches d.b.h. during construction. If native oak trees will be affected by a project, a tree mitigation plan shall be prepared that identifies trees that qualify for protection on specific bikeway routes and specifies mitigation for impacts. Where possible, trees shall be avoided completely by rerouting during the final design phase. For any oak trees that would be removed, the City shall either replace the habitat on an inch-by-inch basis as required by the ordinance (plant one 5-gallon tree per inch d.b.h. removed), purchase land with previously unprotected oaks and protect those trees, or pay an in-lieu fee to a mitigation bank for the protection of an equivalent amount (in inches d.b.h.) of oak trees. The mitigation plan shall also identify success criteria for the survival of replacement trees, establish a monitoring program to ensure that appropriate levels of mitigation are reached, and provide for the replacement of mitigation trees. Where construction activities would take place adjacent to protected trees or involve impacts that fall short of complete removal, such as trimming or root cutting, a qualified arborist shall be retained to direct all construction activities involving trees, the installation of protective fencing around trees, and the monitoring of tree health following construction. Trees that require eventual removal due to construction-related damage shall be mitigated in the same manner as trees removed directly for construction, as described above.	City Public Works Department	During and after construction	The City will comply with the requirements of its tree preservation ordinance. Where applicable, a qualified arborist shall direct all construction activities involving trees.		
BMP EIR MMP [1] B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and compensate for loss of occupied burrows. To ensure that the possible impacts on western burrowing owls are less than significant, the City shall implement the following measures: (a) Before any ground disturbance related to construction activity, a qualified biologist shall conduct a pre-activity survey to identify any western burrowing owl or habitat features (e.g., burrows). The biologist shall evaluate use by burrowing owls, in accordance with DFG's current survey guidelines (California Department of Fish and Game 1995). Surveys shall be conducted by walking the proposed disturbance area and areas within 500 feet of the disturbance area where feasible. (i) For project activities occurring during the burrowing owl breeding season (February 1 through August 31), surveys shall be conducted during the breeding season and at most 30 days before construction. The purpose of the breeding-season surveys shall be to document whether burrowing owls are nesting on or directly next to any disturbance areas. (ii) For project activities occurring during the non-breeding season (September 1 through January 31), surveys shall be conducted during the non-breeding season and at most 30 days before construction. The purpose of the surveys shall be to document whether burrowing owls are using the area during the non-breeding season on or directly next to any disturbance area. If burrowing owls are found during the breeding or non-breeding season, measures (b), (c), and/or (d) shall be implemented. (b) If burrowing owls are found during the breeding season (February 1 through August 31), the City shall avoid all burrowing owl nest sites that could be disturbed by project construction during the breeding season or while the nest is occupied by adults or young. Avoidance shall include the establishment of a non-disturbance buffer zone up to 250 feet in diameter around the nest sites. The buffer zone shall be marked by highly visible, temporary construction fencing. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the nest site is no longer used by	City's Biologist	Before and during construction; surveys during breeding season (February 1 – August 31) and non-breeding season (September 1 – January 31) in the same calendar year that construction begins	A qualified biologist shall conduct surveys for nesting and roosting burrowing owls. If owls are found, the City shall notify DFG. For construction during the breeding season, the City shall require that the contractor avoid occupied nest sites and remain outside the 250-foot buffer zones established by the biologist at the site. Construction may occur at the site during the breeding season if the biologist determines that burrowing owls no longer use the site.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Completion Sign-Off Date
burrowing owls. (c) If burrowing owls are found during the non-breeding season (September 1 through January 31), the City will avoid the owls and their active burrows to the extent feasible. Avoidance shall include the establishment of a 160 foot-diameter non-disturbance buffer zone around the burrow(s) being used. The buffer zone shall be marked by highly visible, temporary construction fencing. If burrowing owls cannot be avoided, the City shall conduct passive relocation by installing one-way doors in burrow entrances that are used or may be used by the owls. After the one-way doors have been installed and owls are not using the burrows following a one week monitoring period, the burrows can be excavated to prevent reoccupation by owls. The one-way doors would collapse or degrade as a result of construction activities. This measure shall be implemented and monitored following DFG's recommendations (California Department of Fish and Game 1995).			For construction during the non-breeding season, the City shall require that the contractor have burrowing owls passively relocated from burrows that cannot be avoided.		
BMP EIR MMP [1] B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions. To ensure that unauthorized take of legally protected birds of prey does not occur during project construction as a result of direct nest removal or indirect disturbance (e.g., dust, noise, vibration), the City shall implement the following measures: (a) When feasible, all tree removal shall occur between August 30 and March 15 to avoid the breeding season of legally protected bird species that could use the area and to discourage birds from nesting near an upcoming construction area. This period may be modified if authorized by DFG. (b) If avoidance during the nesting season is not feasible (i.e., if construction activities must take place between March 15 and August 30), then before grading may begin, all trees within 350 feet of any grading or earthmoving activity shall be surveyed for active nests by a qualified biologist. If active nests are found within 350 feet of potential construction activity, a fence shall be erected around the nest at a distance of up to 350 feet, depending on the species, from the edge of the canopy to prevent disturbance from construction and intrusions on the nest area. The appropriate buffer width shall be determined by the City in consultation with DFG. (c) No construction vehicles shall be permitted within restricted areas unless directly related to the management or protection of the legally protected species. (d) If a nest is abandoned despite efforts to minimize disturbance, and if the nestlings are still alive, the City shall contact DFG and, subject to DFG approval, fund the recovery and hacking (controlled release of captive, reared young) of the nestlings. (e) If the nest of a legally protected species is located in a tree designated for removal, the removal shall be deferred until after August 30 or until the adults and young of the year are no longer dependent on the nest site, as determined by a qualified biologist.	City Public Works Department	Before and during construction	The City shall conduct pre-construction surveys for raptor nests or require that contractors construct outside of raptor nesting season. If construction activities must take place during nesting season, then a qualified biologist shall survey all trees within 350 feet for active nests.		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
TRAFFIC AND CIRCULATION					
BMP EIR MMP [1] T-1: Prepare and implement a traffic management plan. The City shall prepare a traffic management plan that would apply to the construction period of each individual bikeway project. The plan shall identify general methods by which construction could take place without substantial delay to traffic. Methods identified in the plan shall address the following topics: • Appropriate sequencing of activities (e.g., segment phasing, timing of grading, hours of construction), • Maintenance of traffic flow, • Maintenance of emergency access through the construction area, • Protection or separation of work zones, • Accommodation of pedestrian access, • Limitation of lane closures to off-peak traffic periods, and • Coordination with the press, schools and emergency service providers, and the community, including advance warning of construction activities and alternate routes. Contractors shall implement the construction methods identified in the plan as they pertain to individual bikeway projects.	City Public Works Department	Before and during construction	The Public Works Department shall prepare a traffic management plan that allows for construction without substantial delays to traffic. City contractors shall implement the plan.		
BMP EIR MMP [1] T-2: Install appropriate signing and striping at sidewalk and roadway intersections. As part of project implementation, stop signs and striping shall be installed on Class I bikeways at roadway approaches, and signs warning bicyclists of pedestrian crossings shall be installed at sidewalk crossings. Signing or markings on sidewalks to alert pedestrians of bikeway crossings shall also be installed. Project-specific implementation of this measure shall include installation of a stop sign and striping on the bikeway at the sidewalk approach and a sign warning bicyclists of a pedestrian crossing at Lincoln Street and Folsom Road. Signing or markings on the sidewalk to alert pedestrians of the bikeway crossing shall also be installed. The sidewalk area at the bikeway entrance should be ramped to encourage bicyclists to leave the sidewalk and enter the roadway on Folsom Road and Lincoln Street. Bollards will be installed at bikeway entrances to prevent access by unauthorized vehicles. Class III bike route signs that identify the Lincoln Street and Oak Street parking lots as part of a bike route will be posted to give motorists notice of the presence of the bike route.	City Public Works Department	During and after construction	The Public Works Department shall install signs and striping on Class I bikeways as appropriate.		
CULTURAL RESOURCES					
BMP EIR MMP [1] CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out. If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are discovered during ground-disturbing activities, contractors shall stop work within 100 feet of the find until a qualified cultural resource specialist can assess the significance of the find. If necessary, the specialist shall develop appropriate treatment measures in consultation with the SHPO and appropriate agencies. In the event that human remains of Native American origin are discovered during project construction, the City and contractors shall comply with state laws relating to the disposition of Native American burials. The disposition of such burials is in the jurisdiction of NAHC (Pub. Res. Code Section 5097). In the event that human remains are discovered or recognized in any location	City Public Works Department	Before and during construction	The Planning / Public Works contractor shall monitor all ground-disturbing activities and contact appropriate City personnel if cultural resources are found. A cultural resources		

Project Commitment	Implementation Responsibility	Implementation Timing	Monitoring Agency and Action	Completion Sign-Off Initials	Date
other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie the human remains until: a) The coroner of the county has been informed and has determined that no investigation of the cause of death is required; and b) If the remains are of Native American origin, – The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or – NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (section 8100), and disturbance of Native American cemeteries is a felony (section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact NAHC. Resources found during construction activities shall be donated to the Maidu Park Cultural Center if appropriate.			specialist shall evaluate the find. If remains are found of Native American origin, the City and contractors shall comply with state laws relating to the disposition of Native American burials.		
NOISE					
Mitigation Measure 3.8-1: Implement measures to minimize noise impacts. The following measures shall be implemented to ensure that noise levels during bikeway construction are minimized: • Impact tools and equipment shall be equipped with intake and exhaust mufflers that are recommended by the equipment manufacturer. • Construction specifications shall conform with construction practices identified in Caltrans Standard Specifications, Section 7, "Sound Control Requirements". These specifications require the contractor to comply with local regulations and ordinances relating to construction noise and to equip all internal combustion engines with a manufacturer-recommended muffler. • Where feasible, stationary noise sources (e.g., generators and compressors) shall be located at least 300 feet from occupied residences, or contractors shall be required to provide appropriate noise-reducing engine housings. • Equipment warmup areas, water tanks, and equipment storage and staging areas shall be located as far away from existing residences as is feasible. • A noise complaint hotline shall be established for the project. The City shall be informed of any construction noise complaints and shall work with the contractor to identify and implement ways to minimize construction noise to address the complaint.	City Public Works Department	Before and during construction	The Public Works Department shall develop and implement a construction noise abatement program.		

Note:
1. BMP EIR MMP indicates measures that are required by the updated Bicycle Master Plan Environmental Impact Report Mitigation Monitoring Report.

CITY OF ROSEVILLE
TRADITION·PRIDE·PROGRESS

City Clerk
311 Vernon Street
Roseville, California 95678-2649

FILED
JUL -8 2004
JIM MCCAULEY
PLACER COUNTY CLERK
BY L. Rhodes
DEPUTY

NOTICE OF ENVIRONMENTAL DETERMINATION for an ENVIRONMENTAL IMPACT REPORT

TO: Placer County Clerk
Recorder's Office
2954 Richardson Drive
Auburn, CA 95603

State Clearinghouse
Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

FROM: CITY OF ROSEVILLE
Sonia Orozco, City Clerk
311 Vernon Street, Roseville, CA 95678

DATE: July 8, 2004

SUBJECT: NOD FILING, AS REQUIRED BY CEQA (Public Resources Code Section 21152)

PROJECT TITLE: Harding Boulevard to Royer Park Bikeway Project

PROJECT APPROVAL DATE: July 7, 2004

STATE CLEARINGHOUSE NUMBER: 2000122078

CONTACT PERSON: Mark Morse, Community Development Dept., and (916) 774-5334

Project Description/Location: The project site is located in the City of Roseville in southwestern Placer County. The project area encompasses the riparian corridor along Dry Creek and various existing surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west. The proposed bikeway (Route A) would be located on the north side of Dry Creek between Harding Boulevard and Royer Park. The proposed bikeway would utilize the existing Harding Boulevard Bridge to link the existing Miners Ravine Bike Trail (located on the south side of Dry Creek) with the proposed alignment (on the north side of Dry Creek). Route A would also include a bridge over Antelope Creek. Various other on and off-street alternatives are examined in the Final EIR and may be considered by the Council in combination with the Preferred Route A.

DETERMINATIONS FOR AN ENVIRONMENTAL IMPACT REPORT (EIR)

This notice is to advise interested parties that the Roseville City Council (Lead Agency) has approved and made the following determinations regarding the above-described project:

- An Environmental Impact Report was prepared and certified for this project by the Lead Agency, the City of Roseville, pursuant to the provisions of CEQA.
- The information contained in the Final EIR was presented to the Roseville City Council and was reviewed and considered by the Council prior to approving the project.
- The Final EIR reflects the Lead Agency's independent judgment and analysis.
- As approved, the project will have a significant effect on the environment.
- Written Findings were prepared for significant impacts identified in the EIR (CEQA Guidelines, Section 15091).
- A Statement of Overriding Considerations was adopted for significant/unavoidable impacts (CEQA Guidelines Section 15093).
- Mitigation measures were made "required conditions of approval" for the project and a Mitigation Monitoring Plan was approved as part of the project.

The environmental documentation and record of project approval may be examined at the City of Roseville, Office of the City Clerk, 311 Vernon Street, Roseville, CA 95678; Monday - Friday, 8 a.m. to 5 p.m. (774-5263).

July 8, 2004
DATE

POSTED JUL 08 2004
through
JIM McCAULEY, COUNTY CLERK
By L. Rhodes
Deputy Clerk

Sonia Orozco
Sonia Orozco, City Clerk

#2188

CITY OF ROSEVILLE
311 VERNON STREET
ROSEVILLE, CA 95678

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NO. 00249412

DATE 06/30/04

PAY EIGHT Hundred EIGHTY Dollars and ZERO Cents $ *******880.00

TO THE ORDER OF

PLACER COUNTY CLERK-RECORDER
2954 RICHARDSON DR
AUBURN, CA 95603

W. Craig Robinson
Russell C. Brown

⑈00249412⑈ ⑆121122676⑆1534021443 20⑈

00249412		CITY OF ROSEVILLE		06/30/04	
DATE	INV. NO.	ACCOUNT NO.	P.O. NO.	NET INVOICE	DESCRIPTION
06/25/04	FEES	90004 5650 009002 32		850.00	HARDING ROYER FEIR
06/25/04	FEES	90004 5650 009002 32		30.00	HARDING ROYER FEIR
			TOTAL:	880.00	

RESOLUTION NO. 04-246

CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT RELATING TO THE HARDING BOULEVARD TO ROYER PARK BIKEWAY PROJECT, MAKING FINDINGS OF FACT AND STATEMENTS OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING PROGRAM.

WHEREAS, the City of Roseville (CITY) proposes the Harding Boulevard to Royer Park Bikeway Project; and

WHEREAS, CITY has determined that an environmental impact report (EIR) should be prepared for the Project pursuant to the California Environmental Quality Act (CEQA - Public Resources Code Section 21000 et seq.); and

WHEREAS, a notice of preparation of an EIR for this segment of the bike trail was issued in December 2000; and

WHEREAS, On February 18, 2004, the Draft EIR for the Harding Boulevard to Royer Park Bikeway Project (State Clearinghouse No. 2000122078) was distributed to the public for review and comment. The review and comment period for this document ended April 20, 2004; and

WHEREAS, on March 16, 2004 and April. 20, 2004, the Transportation Commission received public comment for the Harding Boulevard to Royer Park Draft Environmental Impact Report (DEIR); and

WHEREAS, all public comments submitted in writing have been received, and responses to those comments have been prepared and are presented in the Final EIR; and

WHEREAS, the Draft EIR and Final EIR have been presented to the City Council and the City Council has reviewed and considered the information in the Draft EIR and Final EIR, which are attached as Exhibits C and D to the accompanying council communication; and

WHEREAS, the Council intends to adopt a mitigation monitoring program (MMP) for the Project, incorporated herein by this reference in Exhibit D to the accompanying council communication and to make certain findings of fact for the MMP in compliance with CEQA, attached as Exhibit "A" and incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville as follows:

1. Certification of the Final EIR

A. The City Council (Council) hereby certifies that it has reviewed the Final EIR prepared for the Project, all staff reports pertaining to the Project, and all other pertinent

documents relating to the preparation of the Final EIR, including the Draft EIR and all comments received thereon, and that the Final EIR has been prepared and completed in compliance with CEQA.

B. It is hereby certified that the Final EIR reflects the independent judgment of the City of Roseville.

C. The Final EIR, as certified, is hereby adopted for the Project.

2. Findings on Environmental Impact

The Council finds:

A. The Final EIR identifies several impacts as less-than-significant which do not need mitigation and several less-than-significant impacts for which mitigation is suggested to further reduce impacts. The Council finds the impacts as set forth in Section 2 to Exhibit "A" are less-than-significant.

B. The Final EIR identifies some significant and potentially significant effects which can be mitigated to less-than-significant levels. The Council makes the findings and statements of fact with respect to significant impacts as set forth in Section 3 of Exhibit "A."

C. The Final EIR identifies two cumulatively significant environmental impacts which cannot be mitigated to less-than-significant levels. Therefore the Council, as stated in Section 5 of Exhibit "A," adopts the statement of overriding considerations regarding the Project, incorporated therein.

3. Findings on Project Alternatives

The Council hereby finds that three project alternatives were identified in the Final EIR to address effects on land uses adjacent to the intersection. The Council hereby makes the findings and statements of fact with respect to project alternatives as set forth in Section 4 of Exhibit "A."

4. Adoption of Mitigation Monitoring Plan

It is hereby certified that the Council makes findings of fact regarding mitigation measures as set forth in Section 6 of Exhibit "A," and adopts the Mitigation Monitoring Plan as set forth in Exhibit D to the council communication for the Project, incorporated herein by reference.

5. Project Approval and Posting the Notice of Determination

The City Clerk is directed, after the City Council adopts this Resolution, to post a Notice of Determination, together with this Resolution and its exhibits, in the Office of the

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County Clerk of Placer County in accordance with Public Resources Code Section 21152, and shall cause such Notice to be posted in the City Clerk's Office, all within five working days following adoption of this Resolution.

PASSED AND ADOPTED by the Council of the City of Roseville this 7th day of July, 2004, by the following vote on roll call:

AYES COUNCILMEMBERS: John Allard, Richard Roccucci, Jim Gray, Rocky Rockholm

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: Gina Garbolino

MAYOR

ATTEST:

City Clerk

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EXHIBIT "A"

CITY OF ROSEVILLE HARDING BOULEVARD TO ROYER PARK BIKEWAY PROJECT

CEQA FINDINGS OF FACT
And
STATEMENT OF OVERRIDING CONSIDERATIONS

Prepared for:

City of Roseville

Prepared by:

Roseville Community Development Department

June 2004

Reso 04-

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Table 1: Findings for Significant, Potentially Significant, and Significant/Unavoidable Effects

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1. INTRODUCTION

Overview

These findings have been prepared to comply with the California Environmental Quality Act (CEQA) (Public Resources Code §21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, §15000 *et seq.*). (See esp. Pub. Resources Code §21081; Cal. Code Regs., Title 14, §15091.)

The Environmental Impact Report (EIR) for the City of Roseville Harding Boulevard to Royer Park Bikeway project evaluates the potential environmental effects of the proposed construction and operation a one mile segment of Class I bike trail that follows the Dry Creek corridor along the north side of the creek, from Harding Boulevard to Royer Park. Several alternative trail alignments are also analyzed in the Final EIR, including alternatives located on the south side of Dry Creek, and on-street alternatives. The project area encompasses the riparian corridor along Dry Creek and various surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

This document presents the Findings of Fact for the proposed project, based on substantial evidence in the record including the Final EIR. Because no impacts are identified as significant and unavoidable in the Final EIR, no statement of overriding consideration is required for the project.

Project Description

The project site is located in the City of Roseville in southwestern Placer County. The project area encompasses the riparian corridor along Dry Creek and various existing surface streets between Lincoln Estates Park and Royer Park. The project area is generally bounded by Atlantic Street on the north, Harding Boulevard on the south and east, and Douglas Boulevard on the west.

General Characteristics. The proposed bikeway has been designed to be consistent with City design and construction standards and design guidelines provided in Chapter 1000, "Bikeway Planning and Design," of the California Department of Transportation (Caltrans) Highway Design Manual (California Department of Transportation 1995). Off-street facilities would conform to the criteria set for a Class I bikeway. On-street facilities would also conform to Caltrans and City standards and guidelines for Class II and III bike routes. By definition, a Class I bikeway (bike path) provides a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross-flow minimized; a Class II bikeway (bike lane) provides a striped lane for one-way bicycle travel on a street or highway; and a Class III bikeway (bike route) provides for shared use with pedestrian or motor vehicle traffic.

A design speed of 25 mph was assumed in the preliminary routing layout. For this speed, the minimum horizontal curve for Class I bikeways is 155 feet. The alternative routes developed for this study typically use 155 feet as a minimum; however, at certain locations, the radius is reduced to less than 155 feet.

The Americans with Disabilities Act recommends a maximum grade of 5.0% for Class I bikeways. Steeper grades with landing areas can be used in compliance with the act for short segments of up to 500 feet long. Although almost all of the proposed bikeway can be constructed to grades no steeper than 20:1 (or 5.0% maximum), preliminary plans for the connector ramp heading downstream from Folsom Road will exceed 5% grade, with a short segment at about a 15% grade. The excess slope cannot be avoided by the off-street bikeway alignment because of the existing proximate driveway and slope of the Dry Creek bank at that location.

The minimum paved width allowed by Caltrans for a two-way bike path is 8 feet. The proposed Class I bikeway would be constructed in accordance with City standards, which call for a 10-foot-wide paved trail with 2-foot-wide shoulders. This standard is flexible and allows for reduced width, if necessary, to accommodate environmental or other constraints. This paved width would be consistent with the existing Miners Ravine and Darling-to-Douglas bikeways. The current design maintains the City's 10-foot-wide design standard throughout the entire alignment.

Any work on banks, including bank fortifications and bridge work, may involve dewatering a portion of the channel and diverting streamflow around the work area. However, the impoundment of water or complete dewatering of the channel would not be necessary. Dewatering or diversion would take place only during April 15–October 15 to avoid disturbing anadromous fish.

The final design and construction of the proposed bikeway will be consistent with the relevant visual resources goals and policies in the City's community design guidelines, which promote use of high-quality building materials, architectural and site designs, landscaping, and signage and encourage projects that preserve, enhance, and incorporate natural resources into the designs.

Grading. Grading would be allowed only as necessary to construct the bikeway. In flat areas adjacent to creeks, grading would be required only for the pavement section and to conform to the adjacent ground contours. In areas where ramps and hillside trails must be constructed, a 2:1 maximum cut-and-fill slope is anticipated. As part of final project design, a geotechnical engineering report would provide the necessary information to adequately design cut-and-fill slopes. All grading activities would comply with the City of Roseville Improvement and Construction Standards and the requirements of a Floodway Encroachment Permit (FEP) issued by the City for the project.

Paving, Slope Protection, and Retaining Walls. The proposed Class I bikeways would have a minimum structural section of 2-inch-thick asphalt concrete (AC) on a 6-inch-thick aggregate base. Similar to the Miners Ravine bikeway, a structural section of Portland cement concrete (PCC) under roads and freeway bridges is proposed. In these areas, the trail would be constructed of a 6-inch-thick layer of PCC on a 6-inch-thick aggregate base. The structural sections for the bikeways would be provided in a geotechnical engineering report during the final design stage. It is anticipated that the structural section of the trail would be designed to accommodate sewer access vehicles to provide maintenance access to manholes.

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The PCC pavement section under bridges would provide protection from high-velocity flows and their scouring effects, which frequently occur under and around bridges in the project area. In addition, gabions (wire baskets filled with rock) would be constructed under bridges as necessary for added protection from erosion and scour.

Rock slope protection likely would be used at some locations to prevent bank erosion. Rock slope protection is anticipated to be used at two locations along the preferred alignment: at the Folsom Road undercrossing and at the approximate the midpoint of the project route (as identified in Figure 2.1-2). At the latter location, three methods of slope protection were considered for erosion control and are discussed in more detail below under "Design Variations."

Retaining walls would also be used at locations where excessive slope cuts are required to accommodate trail construction. Retaining wall construction is currently anticipated to be used at two locations: at the Folsom Road undercrossing (89 feet long with an average height of 8 feet) and at a point approximately 350 feet upstream of Folsom Road (122 feet long with an average height of 8.5 feet).

Bikeway Bridge Crossing. A bridge would be located near Harding Boulevard over Antelope Creek (Figure 2.1-2). The bridge would be either a prefabricated steel bridge on concrete abutments or a precast reinforced concrete bridge on steel I-beam girders. A reinforced concrete abutment will be firmly anchored to the ground at each end of the bridge to withstand large stormflows. Gabions or rock slope protection would be placed around each abutment to provide protection from erosion and scouring.

Railings. A 54-inch-high railing would be installed along the bike trail bridge crossing, in areas where steep slopes are adjacent to the bikeway, and underneath road bridges to protect bicyclists and pedestrians. To minimize potential impacts on the 100-year floodplain associated with Dry Creek, the railings would be constructed parallel to the stream channel where installed at flood-prone locations. At bridge crossings, the railing design would be similar to replacement bridge railings designed for the Miners Ravine bikeway. Bridge railings would minimize the potential for obstruction during flood events by using a design that is able to rotate parallel to streamflows during high-water events. This rotational capability will prevent debris from collecting and blocking the flow of water through the area.

Lighting. Lighting is not proposed for most of the trail. However, lighting would be installed below the bridge at the Folsom Road Bridge under crossing.

Easement Acquisition. The bikeway alignment crosses various privately owned properties. The amount of right-of-way acquisition required depends on which route is selected. A detailed discussion of property ownership, land acquisition, and related land use impacts is provided in the land use section of the Final EIR.

Access. The existing Miners Ravine Bikeway is equipped with gated access points so that the trail can be closed in the event of unsafe conditions. Because of the physical constraints of the Harding Boulevard to Royer Park trail and the trail's location in the floodplain, similar access controls would be implemented during periods of heavy rain. Although bicyclists and pedestrians would not be expected to use the bikeway during such periods, this would be an extra

precaution to enhance public safety. The trail will also provide access for fire protection or emergency vehicles if needed for fire suppression or emergency response in remote areas along the bike trail.

Proposed Project – Route A. Route A is a bikeway alignment that would maximize off-street access to the scenic corridor along the north side of Dry Creek. This alignment would complete the bikeway link between Harding Boulevard and Royer Park, providing an alternative mode of transportation and passive recreation opportunities (bicycling and walking) in the open space areas along Dry Creek.

The eastern end of Route A would begin at Harding Boulevard, which has existing on-street bicycle facilities. Route A would connect with the existing Miners Ravine bikeway near the downstream side of the Harding Boulevard bridge. A connecting ramp constructed as part of the Sculpture Park to Harding Boulevard bikeway project would allow access to the southbound bicycle lane on Harding Boulevard. Using the Harding Boulevard bicycle lanes as connecting links to the Miners Ravine bikeway, Route A would continue as an off-street bike trail from the south-side crosswalk at the intersection of Harding Boulevard and Wills Road. The route would continue southward to a bridge crossing over Antelope Creek.

From the bridge crossing, the alignment would continue on city-owned land adjacent to residential and undeveloped properties to William L. Taylor Park, which is a neighborhood park at the end of Parry Street, across Dry Creek from the existing Lincoln Estates Park. An unpaved, all-weather trail connection would be constructed between the bike trail and East Street. The bike trail will connect to the existing path at the park site. From this point, the main bikeway route would continue west along the north side of Dry Creek through City and private residential parcels at varying distances from the stream channel. Some bank stabilization work would be required at a location approximately 500 feet downstream of William L. Taylor Park to maintain the trail alignment on city-owned property (see description of design variations below). The route would pass under Folsom Road and continue west through three commercial properties and one apartment complex on Linda Drive. A connecting link would be provided on both sides of the bridge between the trail and Folsom Road.

Continuing downstream, the alignment would connect to the City's parking lot on the east side of Lincoln Street. The alignment would continue through the parking lot to Lincoln Street, where it would become a Class III route. The alignment would extend north to Oak Street, cross the street at the stop sign, and continue south to the city parking lot on the west side of Lincoln Street. The alignment then would continue west through the parking lot as a Class III trail to the existing Royer Park footbridge. The Royer Park footbridge would provide a connection to the existing Darling-to-Douglas bike trail.

Design Variations. At one location at the approximate midpoint of the proposed project route (identified in Final EIR Figure 2.1-2), the streambank has eroded substantially. The remaining bank width presents a physical constraint to constructing a durable bike trail on City property through this portion of the project area. Three design variations (Appendix I of the Final EIR) that address bank protection were developed for analysis in the EIR:

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- Design Variation 1 consists of installing a gabion wall along a 190-foot segment of the streambank. A portion of the streambank would be excavated to accommodate a 24-foot-high gabion wall.
- Design Variation 2 would treat the same segment, but would consist of constructing a retaining wall built on a pile foundation. The degree of excavation would be similar to that proposed for Variation 1. The retaining wall would have a total height of 24 feet, which would include 1 foot above finished grade.

- Design Variation 3 also treats the same segment, but would consist of installing rock slope protection along the streambank. This variation would require substantially less excavation and would slope downward to the stream instead of creating a vertical drop-off along the constructed edge of the streambank.

Design Variation 3 is preferred for this project, due to minimal (if any) effects on the cross-sectional area of Dry Creek and greatest expected cost-effectiveness.

Project Objectives. By implementing the proposed project, the City intends to fulfill three main purposes or objectives:

Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.

The objectives of the proposed project are based on the goals and policies described in the Circulation Element and the Open Space and Conservation Element of the Roseville General Plan. The goals of the Circulation Element and the Open Space and Conservation Element include the following:

- Open Space Element Goal 3—Provide access to public open space areas through the establishment of a series of public linkages, that will be adequately managed and protected.

- Circulation Element Goal 1—Provide a safe, comprehensive and integrated bikeway and trail system that encourages the use of bikes and walking for commuting, recreational and other trips.

The policies include the following:

- Open Space Policy 1—Provide an interconnecting system of open space corridors which, where feasible, incorporate bikeways and pedestrian paths.

- Circulation Policy 1—Develop a comprehensive and safe system of recreational and commuter bicycle routes and trails that provides connections between the City's major employment and housing areas and between its existing and planned bikeways.

- Circulation Policy 2—Coordinate Roseville's bikeway and trail system with those of neighboring jurisdictions.

In addition to these adopted goals and policies, the BMP provides goals that specifically address development of bicycle trails through Roseville. These goals include the following:

- Recreation—Increase the range of recreational amenities and opportunities for Roseville residents.

- Commuting—Reduce traffic congestion by providing a viable alternative to the automobile.

- Interconnectivity—Provide a bikeway system that will offer convenient routes between employment centers, residential areas, recreation centers, parks, schools, shopping centers, transit stops, train stations, and will close gaps in the existing system.

- Connectivity—Provide a bikeway system that offers connections to adjacent and regional bikeways.

- Safety—Improve safety for bicycle riders through public awareness campaigns, bicycle safety education, and other amenities, where needed, such as call boxes, lighting, signs, etc.

- Environment—Reduce traffic, noise and improve air quality by providing a viable alternative to the automobile.

Other goals from the BMP are the development of an implementation plan to ensure that construction and maintenance of the bikeway system are adequately funded, and the development of a list of bikeway project priorities for use in securing funding.

Objective 2: Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.

The Dry Creek riparian corridor is a valuable natural resource for Roseville. The corridor includes riparian communities containing native vegetation and high-quality wildlife habitat. This type of open space is rare in an urbanized setting. Currently, the general public can reach this corridor on foot from William L. Taylor Park, Royer Park, Lincoln Estates Park, and Saugstad Park and from the Miners Ravine and Darling-to-Douglas bikeways. Because contiguous private property exists along most of the Dry Creek corridor, public access for compatible passive recreation is limited. Constructing a bikeway through this corridor would greatly improve access to this corridor and increase the value of this unique land for passive recreational use. This objective is consistent with goals and policies in the Roseville General Plan Circulation Element and Open Space and Conservation Element that describe providing access to public open space areas with linkages such as bikeways.

Objective 3. **Seek the most effective and efficient balance of capital cost, operational and maintenance costs, environmental or community impacts, and public benefits when improving passive recreational access to the Dry Creek corridor and in pursuing the achievement of goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.**

In providing the many public benefits of the proposed bikeway facility, the City must balance expected benefits with costs associated with design, construction, operation, and long-term maintenance. Comparative assessment of design alternatives is an essential step in planning a project, enabling the City to:

- Evaluate site, operational, and financial constraints;
- Develop different approaches to solve design and operational challenges and minimize impacts;
- Evaluate and compare the capital improvement and on-going costs of different design and construction solutions;
- Assess the performance of design and construction alternatives in achieving expected benefits; and
- Select a project alternative that can achieve greatest benefit for the least costs and impacts within the limitations of available funding.

Direct consideration of cost issues is not required under CEQA. However, efforts to attain this objective are part of the design process employed by the City in meeting its health, welfare, and economic obligations to the citizens of Roseville.

Record of Proceedings

For the purpose of CEQA and the Findings of Fact set forth herein, the record of proceedings for the City of Roseville's decision on the proposed project consists of the following documents:

- All public notices issued by the City of Roseville in conjunction with the proposed project;
- The Draft and Final EIRs for the City of Roseville Harding Boulevard to Royer Park Bikeway Project, dated February 2004 and June 2004 respectively (State Clearinghouse No. 2000122078).

In addition, the record of proceedings includes any and all other documents identified in Public Resources Code §21167.7(e), including:

- All project application materials.
- All staff reports and related documents prepared by the respondent public agency with respect to its compliance with the substantive and procedural requirements of this division and with respect to the action on the project.
- All staff reports and related documents prepared by the respondent public agency and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the respondent agency pursuant to this division.
- Any transcript or minutes of the proceedings at which the decisionmaking body of the respondent public agency heard testimony on, or considered any environmental document on, the project, and any transcript or minutes of proceedings before any advisory body to the respondent public agency which were presented to the decisionmaking body prior to action on the environmental documents or on the project.
- All notices issued by the respondent public agency to comply with this division or with any other law governing the processing and approval of the project.
- All written comments received in response to, or in connection with, environmental documents prepared for the project, including responses to the notice of preparation.
- All written evidence or correspondence submitted to, or transferred from, the respondent public agency with respect to compliance with this division or with respect to the project.
- Any proposed decisions or findings submitted to the decisionmaking body of the respondent public agency by its staff, or the project proponent, project opponents, or other persons.
- The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in paragraph (3), cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to this division.
- Any other written materials relevant to the respondent public agency's compliance with this division or to its decision on the merits of the project, including the initial study, any drafts of

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any environmental document, or portions thereof, which have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the respondent public agency's files on the project, and all internal agency communications, including staff notes and memoranda related to the project or to compliance with this division.

- The full written record before any inferior administrative decisionmaking body whose decision was appealed to a superior administrative decisionmaking body prior to the filing of litigation.

The custodian of the documents comprising the record of proceedings is Mr. Mark Morse, Environmental Coordinator, Community Development Department, City of Roseville.

The City of Roseville City Council has relied on all of the documents listed above in reaching its decisions on the proposed project, even if not every document was formally presented to the Council as part of the City files generated in connection with the project. Without exception, any documents set forth above not found in the proposed project files fall into one of two categories:

Many of them reflect prior planning or legislative decisions with which the City Council was aware in approving the proposed 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 the City staff or consultants, who then provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the City Council's decisions relating to the adoption of the proposed project (See Pub. Ressources Code Section 21167.6, subd. (2)(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.)

Findings Required Under CEQA

Public Resources Code §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." (Emphasis added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of the proposed project and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (Emphasis added.) 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."

The mandate and principles announced in Public Resources Code §21002 are implemented, in part, through the requirement that agencies must adopt Findings before approving projects for which EIRs are required (see Pub. Res. Code §21081(a); CEQA Guidelines, §15091(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 the 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 effects as identified in the EIR." (CEQA Guidelines §15091(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 agency or can and should be adopted by such other agency." (CEQA Guidelines §15091(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(a)(3).) Public Resources Code §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." CEQA Guidelines §15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* ("*Goleta II*") (1990) 52 Cal.3d 553, 565.)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that the desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

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. Public Resources Code §21081, on which CEQA Guidelines §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. Res. Code §21002.)

For the 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. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-527, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the "visual impact problem") less than significant.

Although CEQA Guidelines §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, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant. Moreover, although §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 EIR.

In short, 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(a)(b).)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a *feasible environmentally* superior alternative, a public agency, after adopting proper Findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations. The statement of overriding considerations sets forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines §§15093, 15043(b); see also Pub. Res. Code §21081(b).) The California Supreme Court has stated that, "[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal.3d at p. 576.)

Legal Effects of Findings

To the extent that these Findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement 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 City decisionmakers formally approve the proposed project.

Alternatives

The Final EIR described and evaluated a total of 11 alternatives to the proposed project (Route A). Alternatives 1-7 were briefly considered in the draft EIR but were rejected from further EIR analysis for reasons described in the EIR. Alternatives that were considered but rejected include:

- Harding Boulevard-Folsom Road On-Street South Alternative—Alternative 1
- Harding Boulevard-Folsom Road On-Street North Alternative—Alternative 2
- Adelante High School-Doyle Street Connector Alternative—Alternative 3
- South-Side Alternative (along Condominium Properties)—Alternative 4
- South-Side Alternative (along Dry Creek)—Alternative 5
- Harding Boulevard Bike Bridge Alternative—Alternative 6
- Lincoln Street to Royer Park Off-Street Alternative—Alternative 7

The Final EIR's alternatives analysis was then focused on the following three Alternatives:

- Route A1
- Route B

- No Project Alternative

In addition, four design variations for the proposed Route A were also considered. A description of these alternatives and Findings related to them are presented in Section 4 of this document.

Mitigation Monitoring Program

A Mitigation Monitoring Plan (MMP) has been prepared for the project and has been adopted concurrently with these findings. (See Pub. Res. Code §21081.6(a)(1).) The City of Roseville will use the MMP to track compliance with project mitigation measures. The MMP will remain available for public review during the compliance period. Findings of adopting the MMP are presented in Section 6 of this document.

Significant Effects and Mitigation Measures

The Final EIR identified nine significant or potentially significant environmental effects (also referred to as "impacts") that would be caused by implementation of the proposed project. The Final EIR analysis conclusion was that the severity of all of these significant or potentially significant environmental effects could be reduced to a less-than-significant level through mitigation. None of the identified impacts would remain potentially significant or significant after mitigation. Sections 2 through 4 present in greater detail the City of Roseville City Council's Findings with respect to the environmental effects of the proposed project.

2. FINDINGS FOR LESS-THAN-SIGNIFICANT IMPACTS

Project-Specific Impacts

Finding: The direct and secondary impacts of the project concerning the following issues were considered in the Final EIR and determined to be less than significant, or non-existent, and in compliance with all applicable policies and regulations. Therefore, no mitigation is required. Numbering refers to the impact numbering contained in the Final EIR.

Land Use

- 3.1-1: Consistency with general plan or BMP policies, goals, or objectives.
- 3.1-2: Compatibility with adjacent land uses.

Geology

- 3.2-1: Potential increase in bank or slope instability from construction of the bikeway.

Water Resources

- 3.3-1: Potential water quality degradation during construction activities.
- 3.3-2: Increase in 100-year water surface elevations.

Biological Resources

- 3.5-1: Loss or disturbance of approximately 3.3 acres of ruderal grassland.
- 3.5-5: Short-term disturbance of common wildlife species.
- 3.5-7: Temporary disturbance of habitat for northwestern pond turtle.
- 3.5-8: Potential indirect impacts on habitat for valley elderberry longhorn beetle.

Traffic and Circulation

- 3.6-2: Increased demand for parking.
- 3.6-3: Potential bicyclist-motorist conflicts at the Lincoln Street and Oak Street parking lots.

Noise

- 3.8-1: Generation of temporary construction noise.
- 3.8-2: Generation of operation-related noise.

Hazardous Materials

- 3.9-1: Risk of potential exposure to hazardous substances or conditions.

Public Services and Safety

- 3.10-1: Potential increase in the demand for police and fire protection services in the project area.
- 3.10-2: Potential increase in maintenance costs and access coordination associated with the bikeway.

Aesthetics

- 3.11-1: Changes in views of the project site from parks and roadways.
- 3.11-2: Changes in views of the project site from adjacent residences.
- 3.11-3: Changes in views from residences along the middle portion of the route.

Cumulative Impacts for Project Facilities

Finding: The cumulative impact of the project concerning the following issue was considered in the Final EIR and determined to be less than significant, or nonexistent, and in compliance with all applicable policies and regulations. Therefore, no mitigation is required.

- Flooding

The Final EIR identified project contributions to cumulative impacts in the areas of biological resources and water quality, and Findings related to these impacts are therefore discussed in Section 3 below.

3. FINDINGS FOR SIGNIFICANT, POTENTIALLY SIGNIFICANT, AND SIGNIFICANT/UNAVOIDABLE EFFECTS

Introduction

The Final EIR for the proposed project identified significant, potentially significant, and significant/unavoidable impacts associated with the proposed project, and the level of significance before and after implementation of feasible mitigation measures. These impacts are discussed below in Table 1. Table 1 provides Findings for each potentially significant impact of the project, including direct, indirect and cumulative impacts. The table also contains proposed mitigation measures for each impact and the level of impact significance after mitigation.

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TABLE 1

FINDINGS FOR SIGNIFICANT, POTENTIALLY SIGNIFICANT, AND SIGNIFICANT/UNAVOIDABLE EFFECTS

EFFECT	FINDINGS OF FACT	EVIDENCE SUPPORTING THAT FINDING AND LINKS BETWEEN THE FINDINGS AND THE EVIDENCE	LEVEL OF SIG. AFTER MITIGATION
Geology Impact 3.2-2: Potential siltation of Dry Creek from erosion of exposed soils **Level of Significance:** Potentially Significant	*Finding: Changes have been required in the project which substantially lessen the potentially significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR G-1: Conduct site-specific geologic and soil studies and comply with City improvement standards, including erosion control measures. RATIONAL: BMP EIR G-1 will be implemented as part of the project. Implementation of soil study recommendations will ensure proper design and compliance with City improvement standards will ensure Dry Creek is protected from siltation and erosion. This mitigation measure is expected to alleviate Potential siltation of Dry Creek from erosion of exposed soils.	Less Than Significant
Air Quality Impact 3.4-1: Temporary generation of construction-related air pollutant emissions **Level of Significance:** Potentially Significant	*Finding: Changes have been required in the project which substantially lessen the potentially significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: 3.4-1: Comply with each of the mitigation measures recommended by the Placer County Air Pollution Control District for reducing construction-related impacts to the maximum extent possible. RATIONAL: mitigation measure 3.4-1 will be implemented as part of the project. The Air Pollution Control District and the City have determined that this mitigation will reduce temporary construction-related air pollutant emissions to a less than significant level.	Less than Significant

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Biological Resources Impact 3.5-2: Placement of approximately 0.044 acre of fill material into a water of the United States (Dry Creek). **Level of Significance:** Significant	*Finding: Changes have been required in the project which substantially lessen the significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR 1 B-1: Provide for no net loss of wetlands. BMP EIR 1 B-5: Implement construction protocols for stream activities. BMP EIR 1 HY-1: Comply with City improvement standards including requirements of the PCFCWCD's Storm Water Management Manual; and SWRCB general construction activity stormwater discharge permit requirements and best management practices, if applicable. BMP EIR 1 HY-3: Comply with City improvement standards regarding grading plans and erosion control, and design drainage structures to minimize drainage into creeks. RATIONAL: The above mitigation measures will be implemented as part of the project. These measures will reduce impacts associated with the filling of waters of the U.S., and related water quality concerns to a less than significant level.	Less than Significant
Biological Resources Impact 3.5-3: Loss or disturbance of approximately 0.05 acre of riparian forest and scrub habitat **Level of Significance:** Significant	*Finding: Changes have been required in the project which substantially lessen the significant environmental as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: 3.5-1: Retain an environmental monitor (recommended). 3.5-2: Avoid or minimize impacts on sensitive biological resources during project design. 3.5-3: Avoid or minimize impacts on adjacent sensitive biological resources during construction. 3.5-4: Compensate for permanent impacts on woody riparian vegetation (as required in Corps and DFG permit conditions). BMP EIR 1 B-2: Implement construction protocols. BMP EIR 1 AE-2: Revegetate where necessary using native or compatible landscaping plants in open areas. RATIONAL: The above mitigation measures will be implemented as part of the project. These measures will reduce riparian habitat impacts to a less than significant level.	Less than Significant

Biological Resources Impact 3.5-4: Potential disturbance of and direct loss of approximately 13 native oak trees. **Level of Significance:** Significant	*Finding: Changes have been required in the project which substantially lessen the significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR 1 B-2: Implement construction protocols. BMP EIR 1 B-6: Comply with requirements of the Tree Preservation Chapter of the Roseville Zoning Ordinance and monitor tree replacement to ensure its success. RATIONAL: The above mitigation measures will be implemented as part of the project. These measures will reduce impacts to native oak trees to a less than significant level.	Less than Significant
Biological Resources Impact 3.5-6: Potential loss or disturbance of special-status and common raptors **Level of Significance:** Potentially Significant	*Finding: Changes have been required in the project which substantially lessen the potentially significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR 1 B-8: Conduct pre-construction surveys for western burrowing owls; implement appropriate restrictions and compensate for loss of occupied burrows. BMP EIR 1 B-9: Construct outside of the raptor nesting season or conduct pre-construction surveys for raptor nests and implement appropriate restrictions. RATIONAL: The above mitigation measures will be implemented as part of the project. These measures will reduce impacts to special status and common raptors to a less than significant level.	Less than Significant
Biological Resources Impact 3.5-9: Disturbance to chinook salmon and steelhead habitat **Level of Significance:** Potentially Significant	*Finding: Changes have been required in the project which substantially lessen the potentially significant environmental impact as identified in the Final EIR*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR 1 B-1: Provide for no net loss of wetlands. BMP EIR 1 B-2: Implement construction protocols. BMP EIR 1 B-5: Implement construction protocols for stream activities. RATIONAL: The above mitigation measures will be implemented as part of the project. These measures will reduce potentially significant impacts to chinook salmon and steelhead to a less than significant level.	Less than Significant

Traffic and Circulation Impact 3.6-1: Potential bicycle-pedestrian conflicts at Lincoln Street and Folsom Road **Level of Significance:** Potentially Significant	*Finding: Changes have been required in the project which substantially lessen the potentially significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR 1 T-1: Prepare and implement a traffic management plan. BMP EIR 1 T-2: Install appropriate signing and striping at sidewalk and roadway intersections. RATIONAL: The above mitigation measures will be implemented as part of the project. These measures will reduce potentially significant impacts to pedestrian/vehicle conflicts to a less than significant level.	Less than Significant
Cultural Resources Impact 3.7-1: Potential damage to currently unknown cultural resources **Level of Significance:** Potentially Significant	*Finding: Changes have been required in the project which substantially lessen the significant environmental impact as identified in the Final EIR.*	The following mitigation is included in the Final EIR which is proposed for certification: BMP EIR 1 CR-2: Stop work if buried cultural resources are discovered until proper treatment measures can be identified and carried out. RATIONAL: The above mitigation measure will be implemented as part of the project. This measure will reduce potentially significant impacts to unknown cultural resources to a less than significant level.	Less than Significant
Cumulative Vegetation Impact: The project would contribute to a cumulative loss of biological resources, including annual grassland and riparian woodland. **Level of Significance:** Cumulatively Significant	*Finding: Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.*	RATIONAL: The city is preparing a Creek and Riparian Management and Restoration Plan that addresses cumulative impacts to grasslands and riparian woodlands within Roseville. The City is also conducting water quality monitoring in accordance with a monitoring agreement with NOAA Fisheries. Implementation of the Creek Plan and continued monitoring will assist to minimize cumulative vegetation impacts, but not to a less than significant level. Thus, <u>statements of overriding consideration are required</u>.	Cumulatively significant

Cumulative Water Quality Impact: The project will include soil disturbing construction activities, including vegetation removal, grading, excavation and filling. The bikeway would also result in runoff from impervious surfaces, which is often contaminated by hydrocarbons, heavy metals, nutrients, or organic pollutants. These factors would contribute to the cumulative degradation of water quality. **Level of Significance:** Cumulatively Significant	*Finding: Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.*	RATIONAL: The City has adopted standards that require erosion control plans and control measures, including best management practices that reduce impacts on water quality during construction. Implementation of general plan policies, compliance with applicable state permit requirements for storm water runoff, and migration proposed in the final EIR would reduce potential degradation of water quality, but not to a less than significant level. Thus, statements of overriding consideration are required.	Cumulatively significant

4. FINDINGS FOR PROJECT ALTERNATIVES

Introduction

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. As noted earlier in these Findings, an alternative may be "infeasible" if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. Thus, 'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project. (*City of Del Mar, supra*, 133 Cal.App.3d at 417; see also *Sequoyah Hills, supra*, 23 Cal.App.4th at 715.)

The City's review of project alternatives is guided primarily by the need to reduce potential impacts associated with the project, while still achieving the basic objectives of the project. Here, the City's primary objectives that apply to the project are as follows:

> *Objective 1. Achieve or substantially contribute to the achievement of the goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element and the City of Roseville Bikeway Master Plan.*
>
> *Objective 2. Improve access for passive recreation activities along the Dry Creek natural scenic corridor, a valuable natural resource for which there is currently only limited public access.*
>
> *Objective 3. Seek the most effective and efficient balance of capital cost, operational and maintenance costs, environmental or community impacts, and public benefits when improving passive recreational access to the Dry Creek corridor and in pursuing the achievement of goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.*

Project objectives are further refined in Draft EIR Chapter 1.

Project Alternatives

Alternatives Considered and Eliminated from Further Consideration

In February 2004 the City released the Draft EIR for the Harding to Royer Bikeway project. The Draft EIR evaluated Route A, the Preferred Alignment, and nine alternatives and/or variations to Route A. Of the nine alternatives considered, seven were rejected and two were carried forward for further analysis. During the Draft EIR review period the City received a public comment suggesting consideration of a Route A "hybrid" alternative. This alternative was evaluated in the Final EIR and found to be infeasible.

Project alternatives that were considered but eliminated form further consideration are described below. The location of these alternatives is shown in Final EIR Figure 4.0-1.

Harding Boulevard-Folsom Road On-Street South Alternative—Alternative 1

At Harding Boulevard, the bikeway alignment would continue southward to the intersection of Harding Boulevard and Estates Drive. The alignment would continue westward to Folsom Road, then northward on Folsom Road to Dry Creek. From this point, the alignment would become an off-street bikeway following the same route as Route A-1 to Royer Park. This alternative was rejected because it would not satisfy several of the project objectives (see Draft EIR Section 1.1 for discussion of project objectives). Because of the numerous roadway intersections along this route, this alignment would create traffic hazards for bicyclists by repeatedly requiring them to cross streets and commercial driveways with high traffic volumes. In addition, this route is less direct and would not facilitate the commuting or recreational objectives of the project.

Harding Boulevard-Folsom Road On-Street North Alternative—Alternative 2

Other on-street alignments were considered for travel through the residential neighborhood that is bounded by Dry Creek on the north, Lincoln Estates Park on the east, Harding Boulevard on the south, and Folsom Road on the west. Streets that would be affected under this alternative include Macario Court, Zola Avenue, Sharon Way, Evelyn Avenue, Marilyn Street, and Maciel Avenue. This alternative was rejected because it would not satisfy several of the project objectives. Because of the numerous roadway intersections along this route, this alignment would create traffic hazards for bicyclists. Many of the intersections along this route have stop sign-controls or no traffic controls at all. In addition, this route is less direct and would not facilitate the commuting or recreational objectives of the project.

Adelante High School-Doyle Street Connector Alternative—Alternative 3

This minor variation to Route A was suggested during public scoping. Under Alternative 3, a connecting bikeway would be constructed along Doyle Street between Atlantic Street and the off-street bikeway along Dry Creek. This alternative was eliminated from further consideration because not only would the connector add substantial costs to the project as a result of restrictive terrain on the south side of the high school, where the bikeway would be constructed, but it would contribute very little toward accomplishing the City's goals for this project.

In addition, although the connector would increase access to the Dry Creek corridor to some extent, the cost of constructing the corridor and mitigating probable environmental effects would be prohibitive compared to the limited benefits that would be gained by constructing this connector. Finally, Adelante High School has recently constructed a "natural footpath" to provide a connection between the high school and the Dry Creek floodplain. Thus, a connection at this location has already been provided by the school district.

South-Side Alternative (along Condominium Properties)—Alternative 4

This route was considered a variation to the eastern portion of the preferred alignment. At Harding Boulevard, this route would follow the property lines for a condominium complex and other private residential properties on the south side of Dry Creek. At Lincoln Estates Park, the route would connect to Route A via a new bridge. This alternative was not considered feasible because of the low elevations along this portion of the creek, unstable soil, and the susceptibility of this area to flooding and sediment deposition. From a design standpoint, significant

maintenance and repair costs would be associated with building a bikeway in this area. The bikeway would also be constructed very close to residential properties because of the limited clearance along the top of the streambank.

South-Side Alternative (along Dry Creek)—Alternative 5

A second south-side alternative was considered in the same area as Alternative 4; however, Alternative 5 would be constructed closer to the stream channel. This alternative was not considered feasible because of the low elevations along this portion of the creek, unstable soil, and the susceptibility of this area to flooding and sediment deposition. As described previously, significant maintenance and repair costs would be associated with building a bikeway in this area. In addition, riparian habitat would be adversely affected along most of this route.

Harding Boulevard Bike Bridge Alternative—Alternative 6

Under Alternative 6, a bike bridge would be constructed downstream from Harding Boulevard to allow bicyclists to cross from the south side of Dry Creek to the north side. The north side has more suitable terrain for construction of a bikeway than the south side does. This alternative was not considered feasible because of the high costs associated with constructing a bridge at this location. A relatively long structure (compared to the Antelope Creek crossing under Route A) would be required to span the creek without adversely affecting floodflows. An adequate bridge structure at this location would be very costly, especially considering that the existing Harding Boulevard Bridge can provide this crossing.

Although this alternative was considered and rejected for cost reasons in the Draft EIR, the City of Roseville Transportation Commission recommended that the City Council reconsider the alternative as a means of achieving more of the project objectives. As a result, the City Council will consider the feasibility of Alternative 6 at the time of Final EIR certification.

Lincoln Street to Royer Park Off-Street Alternative—Alternative 7

Under Alternative 7, the route would remain an off-street route through the entire downstream segment. At the parking lot on the east side of Lincoln Street, the route would continue as a Class I bikeway along the edge of the parking lot (resulting in the removal of several existing parking spaces) to the Lincoln Street Bridge. At that point, it would continue under the bridge and along the top of the streambank to the end of the project. Stairs would be constructed at the bridge to assist bicyclists with traveling down the bank and under the bridge. Lighting would be installed below the bridge. This alternative was rejected because of the high costs associated with construction so close to the streambank and under the bridge; the environmental effects associated with disturbing the streambank, including recently installed restoration plantings; bicycle safety issues associated with use of the stairs to cross under the Lincoln Street Bridge; and the loss of approximately 31 parking spaces in an already underserved part of the city. In addition, other feasible but less damaging alternatives are available.

Design Variations

At one location at the approximate midpoint of the proposed project route, the streambank has eroded substantially. The remaining bank width presents a physical constraint to constructing a durable bike trail on City property through this portion of the project area. Four design variations for protecting the streambank were considered originally for the proposed project:

Design Variation 1 would consist of installing a gabion wall along a 190-foot segment of the streambank. A portion of the streambank would be excavated to accommodate a 24-foot-high gabion wall.

Design Variation 2 would treat the same segment, but would consist of constructing a retaining wall built on a pile foundation. The degree of excavation would be similar to that proposed for Variation 1. The retaining wall would have a total height of 24 feet, which would include 1 foot above finished grade.

Design Variation 3 also treats the same segment, but would consist of installing rock slope protection along the streambank. This variation would require substantially less excavation and would slope downward to the stream instead of creating a vertical drop-off along the constructed edge of the streambank.

Design Variation 4 proposed moving the trail alignment away from the creek to provide additional setback from the eroding streambank. This variation would require acquisition of private property to increase buffer distance from the bank.

Design Variation 4 was considered and rejected because of the lengthy process and potential costs associated with acquiring land from a potentially unwilling seller. Design Variations 1 and 2 were rejected for cost feasibility reasons.

Route B "Hybrid" Alternative

During the Draft EIR public review period, comment was received requesting that the City consider a Route B "hybrid" Alternative. This Alternative would begin at Harding Boulevard and follow Alternative 4 as a Southern Route Alternative to Lincoln Estates Park. At the park, the route would then continue west as an off-street Class 1 trail and emerge onto the ramped end of Evelyn Avenue. From that point, the hybrid route would follow a modified form of on-street Route B, turning right on to Marilyn Avenue and left on an alley past Maciel Avenue. From there the trail would transition back to a Class 1 facility, cross an empty lot on Columbia Avenue, and follow the south bank to cross under Sutter Street into Royer Park.

As described, the hybrid alternative would be less effective than Route A in achieving project objectives, which call for a recreational creek side trail and improving access to public open space. The hybrid alternative would also pose a greater risk of potential vehicle conflicts, because it relies on surface streets rather than a graded separated Class 1 bike trail. In addition, this less direct route does not facilitate commuting. Because the southern route alignments are located at lower elevations in the floodplain, the direct impact associated with implementing Alternative 4 would be much greater than the impacts associated with the northern route. As

discussed above, the construction of Alternative 4 requires a substantial amount of fill. The construction techniques required to elevate a southern route trail would also incur a much higher cost compared to Route A, which would be constructed mostly at grade. The hybrid would also traverse through riparian habitat where it climbs the side slope to connect with Evelyn Avenue. Mitigation costs for related riparian impacts is also expected to be substantial under this alternative. The proposed hybrid route would also pass through a potentially sensitive cultural resource area. Additional archaeological field tests would be required to determine if related impacts would be significant and mitigation required. For these reasons, the hybrid alternative was rejected.

No other feasible alternative routes were examined.

Alternatives Selected for More Detailed Analysis

Project objectives and feasibility narrowed the alternatives for analysis in the EIR to those described below. The No Project Alternative (Alternative 1) and three "action" project alternatives were selected to represent the range of project options for purposes of evaluating environmental impacts. Each of these alternatives is briefly described below.

Alternative 1: No Project Alternative

This alternative is a "no action" alternative. Under this alternative, the proposed project would not be developed. The basic landform within the project area would remain in its present condition, and a Class 1 Bikeway would not be built. Under this alternative, adverse and beneficial effects associated with the proposed project would not occur.

Finding: Alternative 1 – No Project Alternative – Significant and unavoidable cumulative impacts associated with the proposed project related to water quality and biological resources would not occur with Alternative 1, and Alternative 1 would therefore avoid the cumulatively significant environmental effects of the proposed project.

Alternative 1 is considered infeasible because the principle objectives of the proposed project would not be achieved, and the benefits that would be gained by constructing the bikeway facilities (i.e., alternative transportation and passive recreational opportunities) would not occur, and this component of the 1994 BMP would not be implemented. As a consequence, bicyclists and pedestrians would be required to use the existing street network to connect between the Miners Ravine and Darling-to-Douglas bike trails. This on-street connection likely would involve the use of Wills Road, Atlantic Street, Vernon Street, and Lincoln Street. Under the No-Project Alternative, none of the environmental effects resulting from construction of the bikeway would occur.

Route A Linda Drive Bypass—Route A1

Route A1 is a variation of the portion of Route A between Lincoln Street and Folsom Road. Instead of continuing along the stream channel under the Folsom Road Bridge, Route A1 would bypass this area on Linda Drive. The upstream portion of the route would connect to Linda Drive at Folsom Road. A crosswalk would be constructed at this location to allow passage

across Folsom Road. The route would become a Class III bike route on Linda Drive. At Lincoln Street, the route would cross at an existing crosswalk and continue as a Class III bike route to the city parking lot on the west side of Lincoln Street, where it would follow the same alignment as Route A.

Finding: Route A Linda Drive Bypass—Route A1– Significant and unavoidable cumulative impacts associated with the proposed project related to water quality and biological resources could be slightly lessened under Alternative Route A1, because Route A1 would replace construction of a creek side Class 1 trail between Folsom Road and Lincoln Street as called for under the Preferred Alignment. Although significant and unavoidable cumulative impacts associated with the proposed project related to water quality and biological resources could be slightly lessened under Alternative Route A1, this route would result in more potential traffic conflicts because it relies on surface streets in an area where the preferred alignment would consist of a Class 1 bike trail. This alternative also doesn't meet the recreational, Class 1 bike trail linkage, and commuting project objectives. However it could provide for a lower cost interim trail alignment between Folsom Road and Lincoln Street until funding can be identified to implement the Preferred Alignment. This scenario would be more consistent with project objectives over the long-term because it would provide an off-street trail through this section, better implementing the recreational, Class 1 bike trail linkage, and commuting project objectives. For these reasons, implementation of Route A1 is considered infeasible because it doesn't meet project objectives in the long-term, but feasible in the short-term.

<u>On-Street Segment Alternative—Route B</u>

During the public scoping process, the Route B alternative was suggested for consideration to address privacy concerns of adjacent landowners on the north side of Dry Creek, downstream of Lincoln Estates Park. This alternative is consistent with BMP goals encouraging a bikeway system that enhances connections between parks and residential areas. Route B differs from Route A only along the western portion of the route, which would be located on existing public streets. The eastern portion would be constructed along Dry Creek in the same off-street alignment as Route A.

Between Harding Boulevard and William L. Taylor Park, Route B would include the Route A off-street alignment on the north side of Dry Creek, as described in subsection Draft EIR Section 2.3 (Figure 4.0-1). The bikeway would proceed from William L. Taylor Park through City-owned land to a bridge over Dry Creek. The bridge would be either a prefabricated steel bridge on concrete abutments or a precast reinforced concrete bridge on steel I-beam girders. Concrete abutments would be reinforced and anchored firmly to the ground to withstand large stormflows. Gabions or rock slope protection would be placed around each abutment to provide protection from erosion and scouring. After crossing to the south side of the bank, the Route B segment alternative would follow an existing Class I bike path through Lincoln Estates Park, then connect with James Drive. Route B then would leave the Dry Creek corridor and continue west and north on James Drive as an on-street Class III bike route to Evelyn Avenue. The alignment would continue west on Evelyn Avenue to Folsom Road. A new crosswalk would be required across Folsom Road at Evelyn Avenue to allow bicyclists traveling south on Folsom Road to cross the roadways safely and continue on Evelyn Avenue. At Folsom Road, the alignment would continue northwest to the Dry Creek Bridge. At this bridge, the alignment would join Route A again, continuing along the north side of Dry Creek to Royer Park.

Route B would be combined with the portion of Route A extending upstream from Lincoln Estates Park to form a complete bikeway route. Where Route B would cross Dry Creek at Folsom Road, the alignment also could be combined with Route A1 as a variation between Folsom Road and Royer Park.

Finding: On-Street Segment Alternative—Route B – Significant and unavoidable cumulative impacts associated with the proposed project related to water quality and biological resources would not be substantially lessened under Alternative Route B, because Route B would not reduce riparian habitat impacts. This Alternative would require the clearing of a substantial amount of vegetation to allow construction of a properly designed bridge over Dry Creek (for flood reasons). Bridge construction would also increase the potential for contribution to cumulative water quality impacts. Consequently, Route B would add to the project's direct and cumulative biological impacts and could add incrementally to the project's cumulative water quality impacts. It also results in more potential traffic conflicts because is relies on surface streets in an area where the preferred alignment would consist of a Class 1 bike trail. This alternative also doesn't meet the recreational, Class 1 bike trail linkage, and commuting project objectives since it replaces a Class 1 trail under the Preferred Alignment with an on-street Class 3 Bike Route. For these reasons, implementation of Route B is considered infeasible.

5. STATEMENT OF OVERRIDING CONSIDERATIONS

When a project results in significant unavoidable adverse effects, CEQA requires the decision making body of the lead agency to balance the benefits of the project against its unavoidable adverse effects in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." CEQA requires the lead agency to state in writing the specific responses to support its actions based on the FEIR and/or information in the record. This written statement is known as the statement of overriding consideration.

The City of Roseville has adopted all feasible mitigation measures with respect to the unavoidable significant impacts identified in Table 1 and discussed in the Final EIR. Although these mitigation measures may lessen the impacts, they would not reduce the potential cumulative impacts to biological resources and water quality to a level of insignificance.

Moreover, the City of Roseville has examined a reasonable range of alternatives to the project. Based on this examination, the City of Roseville has determined that none of these alternatives satisfies the following three criteria: (1) clearly meets project objectives; (2) is clearly environmentally preferable to the proposed project; and (3) is economically feasible.

The statement of overriding considerations identifies the project's general economic, social, and other benefits as a justification for choosing to allow the occurrence of specified significant cumulative environmental effects identified in the Final EIR that have not been at least substantially mitigated. The statement explains why, in the judgement of the agency, the benefits of the project outweigh its unavoidable significant effects.

The City of Roseville finds that the project would have the following benefits:

- The proposed project would create a Class 1 bike trail that minimizes at grade street crossings to the degree feasible and provides an alternative commute mode.

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- The proposed project will improve access to public open space and improve passive recreational opportunities.

- The proposed project implements goals and policies of the Roseville General Plan Circulation Element and Open Space and Conservation Element, and the City of Roseville Bikeway Master Plan.

Implementation of the City of Roseville Harding Boulevard to Royer Park Bikeway project will result in the benefits described above, which outweigh the significant cumulative impacts. Therefore, these unavoidable environmental effects will be considered acceptable. This finding is supported by substantial evidence in the record.

6. FINDINGS OF ADOPTING MITIGATION MONITORING PROGRAM

Section 15097 of the California Environmental Quality Act (CEQA) requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The City of Roseville has prepared a Mitigation Monitoring Plan (MMP) for mitigation measures contained in the Final EIR for the City of Roseville Retention Basin project. The MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation.

Finding: The mitigation measures presented in Table 1 have been included in the Mitigation Monitoring Program for the City of Roseville Retention Basin Project. These mitigation measures will mitigate the direct significant and potentially significant effects associated with the proposed project. The Roseville City Council will adopt the Mitigation Monitoring Plan to ensure implementation of these measures.