

Addendum to the  
Final Environmental Impact Report  
State Clearinghouse No. 2003042169  
Certified on November 14, 2006  
VISTA OAKS / HIGHLANDS PARCEL A SUBDIVISIONS

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# Vista Oaks Modification - Addendum to Previous EIR

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## SECTION 1.0 INTRODUCTION

This document is an Addendum to the Final Environmental Impact Report (EIR), State Clearinghouse No. 2003042169, prepared by the City of Rocklin (City) for the combination of the Vista Oaks and the Highlands Parcel A subdivision projects, approved by the City Council on November 14, 2006. For the Vista Oaks project, the City approved a General Plan Amendment, General Development Plan, Tentative Subdivision Map, Oak Tree Preservation Plan Permit and grading Design Guidelines. Each project has its own entitlement package; only the Vista Oaks entitlement package is relevant to this Addendum.

## SECTION 2.0 PURPOSE OF ADDENDUM

In determining whether an addendum is the appropriate document to analyze the modifications to an approved project, CEQA Guidelines Section 15164 (Addendum to an EIR or Mitigated Negative Declaration) states as follows:

- A. The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- B. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- C. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- D. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- E. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Under Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162 and 15163, a subsequent or supplemental EIR shall be prepared if any of the following criteria are met:

- A. When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
  1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental significant effects; or
  3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

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- a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration.
- b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This document provides substantial evidence demonstrating that none of the conditions of CEQA Guidelines Sections 15162 or 15163 would be met by the modified project. Thus, preparation of an addendum would provide the appropriate level of environmental review.

### SECTION 3.0 USE OF A PRIOR DOCUMENT

In *Friends of College of San Mateo Gardens v. San Mateo County Community College District* (2016) 1 Cal.5th 937, 951, the California Supreme Court held that a lead agency, in considering a proposed change to a previously approved project, has the responsibility for deciding whether the environmental document for the original project retains “some relevance” to the decision-making process for the proposed change. “[W]hether an initial environmental document remains relevant despite changed plans or circumstances—like the question whether an initial environmental document requires major revisions due to changed plans or circumstances—is a predominantly factual question. It is thus a question for the agency to answer in the first instance, drawing on its particular expertise.” (*Id.* at p. 952.) On this factual issue, lead agencies are entitled to considerable deference from reviewing courts: “‘a court should tread with extraordinary care’ before reversing an agency’s determination, whether implicit or explicit, that its initial environmental document retains some relevance to the decision-making process.” (*Id.* at p. 953.)

Here, considering the quality of the certified Final EIR, the nature of the underlying project approved in 2006, and the very limited nature of the proposed changes to that approved project, the City of Rocklin has determined that the EIR certified for the Vista Oaks/Highlands Parcel A projects (hereafter referred to as the 2006 EIR) remains relevant to the proposal at hand, which does not alter the approved Project footprint but rather just modifies certain existing Conditions of Approval. Based on the analysis set forth below, moreover, the City has also concluded that the proposed project change will not trigger the need for either a subsequent EIR or a supplement to the previously-certified 2006 Final EIR. For these reasons, the City has prepared this addendum to the 2006 EIR in order to evaluate the proposed project.

### SECTION 4.0 PROJECT DESCRIPTION

The proposed Vista Oaks project site occupies two (2) parcels totaling approximately 93 acres and would result in the construction of up to 100 single-family residences on approximately 23 of those acres, as well as the dedication to the City of roughly 61 acres of open space on four (4) parcels. The Highlands Parcel A project site occupies approximately 30 acres located directly east of and contiguous to the southern portion of the Vista Oaks site and would result in the construction of 20 single-family residences on 5.8

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acres, as well as the preservation of 22.9 acres of open space on four parcels. Both proposed projects would include multipurpose trails; the Vista Oaks project would also incorporate a bicycle/pedestrian/emergency access bridge over Secret Ravine Creek.

The Vista Oaks project consists of three (3) construction phases in three locations on the Vista Oaks project site. Vista Oaks Phase I would involve the development of 23 single family residences in the northeastern portion of the project site. Phase II, located south of Phase I and south of Secret Ravine Creek on the eastern portion of the project site, includes the development of up to 30 single family homes. Phase III, located in the southwestern portion of project site, includes the development of up to 47 single family homes.

### SECTION 5.0 SUBSEQUENT BACKGROUND / REQUESTED MODIFICATIONS

When the Vista Oaks project was originally approved in 2006 the Granite Lake Estates subdivision had already been approved (SD-2002-02 on July 11, 2002) along with a Development Agreement (Ordinance 856) that indicated that the land developer would plan, design, and construct the Monument Springs Bridge, at the [the Granite Lake Estates] developer's cost (subsection 5c). Forty- eight of 119 homes were ultimately constructed in Granite Lake Estates.

Both the Vista Oaks and Highlands Parcel A project have conditions of approval requiring that extension of Monument Springs Drive, up to and including the Monument Springs Bridge, be constructed prior to filing a final map for either Phase II or III of Vista Oaks, or for the single phase of Highlands. All three (3) current property owners (for Vista Oaks, Highlands Parcel A, and Granite Lake Estates) have cooperatively engaged consultants and created the process and timeline by which a Bond Opportunities for Land Development (BOLD) Community Financing District (CFD) might be formed to build the bridge and associated approach improvements, all of which were previously contemplated and approved. The City's bond consultant underwriter (Piper Sandler) has confirmed the methods and means presented by the landowners and their financing consultant. To create the BOLD CFD the developers must complete site improvements and build approximately 110 homes to create lien to value (LTV) and debt service coverage (DSC) sufficient to secure bond underwriting value and cover payments. The relevant Vista Oaks contribution would be 57 homes: 47 in Phase III and 10 in Phase II, approximately all of which will need to be constructed before BOLD funds would be available for the extension of Monument Springs Drive and construction of the bridge. In addition, the City previously collected approximately \$198,000 in fees towards the construction of the Monument Springs Bridge from two subdivisions and has modified its Capital Improvement Plan to include \$1.5 million of funds which will be made available for initial construction on the Monument Springs Drive extension and bridge. Vista Oaks Phase I has no restriction on construction related to building of the aforementioned bridge.

To allow this revised construction sequencing and schedule, the Vista Oaks landowner has requested a change to conditions of approval as indicated below:

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1. Condition 4. e. 4)i. – revise the condition to read as follows: If not already built the project shall be required to obtain rights of way and construct Monument Springs Drive, including the bridge, from China Garden Road to the project site prior to ~~filling a final map~~ *issuance of the 58th building permit in a combination of Phases II, and III* collectively, as shown on Exhibit A. Said Monument Springs Drive extension shall consist of 2 – travel lanes and shoulders and shall be located as indicated on the Granite Lake Estates subdivision (SD-2000-02) and Highlands Parcel A subdivision (SD-2003-05) approvals.
2. Condition 12. b. – Remove 4.e.4)i from the list\*
3. Condition 12. c. – Revise 4.e.4)i – to allow construction of ten homes in Phase 2.\*

\*Conditions 12 b and c are essentially references to Condition 4. e. 4)i.

### SECTION 6.0 ENVIRONMENTAL ANALYSIS

The following sections provide discussions of potential impacts associated with the proposed project in comparison to those previously identified in the 2006 EIR. According to CEQA Guidelines Section 15164(b), as shown above, an addendum may be prepared if only minor technical changes or additions to the previous EIR are necessary or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred. Given the limited scope of changes to the project, this Addendum provides a detailed evaluation of those select CEQA topics most affected by the changes, whereas the remaining CEQA topics are appropriately discussed at a lesser level of detail.

#### **Greenhouse Gas Emissions**

Greenhouse gas (GHG) emissions were not addressed in the 2006 EIR. However, potential impacts related to GHG emissions do not constitute “new information of substantial importance” as defined by CEQA Guidelines section 15162, as GHG emissions were known as potential environmental issues before 2006, when the original Vista Oaks / Highlands Parcel A EIR was certified.<sup>1</sup> In *Citizens for Responsible Equitable Environmental Development (CREED) v. City of San Diego* (2011) 196 Cal.App.4th 515, the Court of Appeal, Fourth Appellate District, concluded that the issue of GHG emissions and climate change could have been raised at the time that the original EIR was prepared (in 1994). For this reason, the lead agency was not required to prepare a Supplemental or Subsequent EIR. In the CREED case, the court noted that scientists and the government have been aware that GHG emissions could trigger climatic changes as early as the 1970’s, or before. Specifically, the Court of Appeal noted that in *Massachusetts v. E.P.A.* (2007) 549 U.S. 497, 507, the United States Supreme Court stated the following:

*“In the late 1970’s, the Federal Government began devoting serious attention to the possibility that carbon dioxide emissions associated with human activity could provoke climate change. In 1978, Congress enacted the National Climate Program Act, 92 Stat. 601, which required the President to establish a program to ‘assist the Nation and the world to understand and respond to natural and man-induced climate processes and their implications[.]’ [citation] President Carter, in turn, asked the National Research Council,*

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<sup>1</sup> As explained in a series of cases, most recently in *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal. App. 4th 1301. Also see, *Citizens of Responsible Equitable Development v. City of San Diego* (2011) 196 Cal.App.4th 515.

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*the working arm of the National Academy of Sciences, to investigate the subject. The Council's response was unequivocal: 'If carbon dioxide continues to increase, the study group finds no reason to doubt that climate changes will result and no reason to believe that these changes will be negligible. A wait-and-see policy may mean waiting until it is too late.'*"

The Court of Appeal concluded by stating that "[t]he effect of GHG emissions on climate could have been raised in 1994 when the City considered the FEIR." In *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, the Court of Appeal for the Fourth Appellate District adopted this reasoning as its own, reaching exactly the same conclusion on similar facts.

Again, in *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, the Court of Appeal, Sixth Appellate District, considered whether the lack of GHG and climate change analysis in a 1997 EIR and 2003 SEIR precluded adoption of an addendum. The court relied on previous case law to conclude that the potential environmental impact of GHG emissions was known or could have been known at the time of certification of the 1997 EIR and 2003 SEIR. The court thus upheld the eighth addendum that the City of San Jose had prepared after having completed the 1997 and 2003 EIRs.

The conclusions that were made in the *CREED*, *Dublin Citizens*, and *Citizens Against Airport Pollution* cases can also be made regarding the 2006 EIR. Under the law, as set forth in these cases, the City may not undertake the preparation of a Supplemental or Subsequent EIR based solely on issues relating to climate change. Thus, the overall creation of GHG emissions from development within the project site cannot under the law constitute a new significant impact or new information of substantial importance.

In addition to the City's General Plan Update, several regulations have been enacted since the 2006 EIR was approved for the purpose of, or with an underlying goal for, reducing GHG emissions, such as the California Green Building Standards Code (CALGreen Code) and the California Building Energy Efficiency Standards Code. The 2019 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2016 Building Energy Efficiency Standards, resulting in a seven percent reduction in energy consumption from the 2016 standards for residential structures. Such regulations have become increasingly stringent since the 2006 EIR was adopted. The proposed project would be required to comply with all applicable regulations associated with GHG emissions, including the CALGreen Code and California Building Energy Efficiency Standards Code. Nevertheless, the following brief analysis is offered.

New or changed land use or zoning designations are not proposed as part of the project, and the overall development area anticipated for buildout would not be modified. As such, GHG emissions associated with construction of the proposed project would not result in a new significant impact related to GHG emissions and global climate change.

### **Transportation**

The 2006 EIR performed a level of service (LOS) analysis for several roadway segments and intersections within the project vicinity. The analysis determined that, while the approved project would increase vehicle traffic on local roadways, the study roadways and intersections would operate at an acceptable level of service under all of the analyzed scenarios (existing, near-term [existing plus approved projects]),

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and cumulative<sup>2</sup>). In addition, the 2006 EIR found that the approved project would not increase demand for bicycle or transit facilities to an extent that would deteriorate existing facilities or require the construction of new facilities.

With respect to the proposed modifications to the approved project, as discussed in this Addendum, none of the changes would increase the number of vehicle trips previously anticipated for the project in the certified 2006 EIR. From this perspective, the original traffic analysis remains valid. Changes in background traffic and growth projections for the study area would be considered changes in circumstances, which must also be considered when preparing subsequent environmental review for an approved project. However, with respect to traffic, the situation is unique for the following reasons.

The law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used LOS to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. Mitigation measures typically took the form of capacity-increasing improvements, which often had their own environmental impacts (e.g., to biological resources). Depending on circumstances, and an agency's tolerance for congestion (e.g., as reflected in its general plan), LOS D, E, or F often represented significant environmental effects. In 2013, however, the Legislature passed legislation with the intention of ultimately doing away with LOS in most instances as a basis for environmental analysis under CEQA. Enacted as part of Senate Bill 743 (2013), Public Resources Code section 21099, subdivision (b)(1), directed the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed CEQA Guidelines addressing "criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. In developing the criteria, [OPR] shall recommend potential metrics to measure transportation impacts that may include, but are not limited to, vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. The office may also establish criteria for models used to analyze transportation impacts to ensure the models are accurate, reliable, and consistent with the intent of this section."

Subdivision (b)(2) of section 21099 further provides that "[u]pon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion *shall not be considered a significant impact on the environment* pursuant to [CEQA], except in locations specifically identified in the guidelines, if any." (Italics added.)

Pursuant to Senate Bill 743, the Natural Resources Agency promulgated CEQA Guidelines section 15064.3 in late 2018. It became effective in early 2019. Subdivision (a) of that section provides that "[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on

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<sup>2</sup> The cumulative scenario was evaluated using the City's then current 2020 Travel Demand Model. According to pg. J-24 of the Draft EIR, the model represented regional growth in both the Rocklin area and surrounding areas. This model took future land uses and roadway assumptions and predicted traffic volumes on area roadways. The study area was assumed to be built-out. Buildout of the study area was estimated by assuming all vacant residential parcels have been developed. This represents 378 single-family residences. No additional non-residential land uses were assumed in the study area, except for the expansion of a hotel on China Garden Road.

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automobile delay shall not constitute a significant environmental impact.”<sup>3</sup>

Subdivision (c) of section 15064.3 (Applicability) states that “[t]he provisions of this section shall apply prospectively *as described in section 15007*. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.” (Italics added.)

CEQA Guidelines section 15007, subdivision (b), provides that “[a]mendments to the Guidelines apply *prospectively only*. New requirements in amendments will apply to steps in the CEQA process not yet undertaken by the date when agencies must comply with the amendments.” Subdivision (c) adds that “[i]f a document meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved.” (Italics added.)

These provisions, read together with section 15064.3, subdivision (c), make it clear that the VMT requirement did not apply to Draft EIRs issued before July 1, 2020. And where a Draft EIR has been issued prior to July 1st, the Final EIR need not address the issue either. This position was articulated by Jeannie Lee, legal counsel in the Governor’s Office of Planning and Research, in publicly broadcast webcasts in 2020.

In *Citizens for Positive Growth & Preservation v. City of Sacramento* (2019) 43 Cal.App.5th 609, 625-626 (*Citizens for Positive Growth*), the Court of Appeal refused to address the merits of a pending CEQA appeal involving the sufficiency of an EIR’s LOS-based analysis of transportation-related impacts. The court found that this particular challenge was moot, in that, if the court were to find problems with the analysis and remand the matter back to the respondent city, the city would be under no obligation to undertake additional LOS-based analysis. After noting that section 15064.3 “was promulgated, in part, pursuant to section 21099 and certified by the Secretary of the Natural Resources Agency before being approved by the Office of Administrative Law on December 28, 2018,” the court reasoned as follows:

“In mandamus proceedings like this one, “the law to be applied is that which is current at the time of judgment in the appellate court.” [Citations.] Under section 21099, subdivision (b)(2), existing law is that “automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment” under CEQA, except for roadway capacity projects. Accordingly, the 2035 General Plan’s impacts on LOS (i.e., automobile delay) cannot constitute a significant environmental impact, as Citizens argues, rendering Citizens’ traffic impacts argument moot.”

In short, as of December 28, 2018, “automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment” under CEQA, except for roadway capacity projects. Thus, the former obligation under CEQA to address LOS in transportation analyses ceased to exist as of that date, except (at agencies’ discretion)

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<sup>3</sup> Subdivision (b)(2) of section 15064.3 (“transportation projects”) provides that “[t]ransportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.”



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with respect to transportation projects. Addenda to EIRs for land use projects such as the Vista Oaks Modification Project are therefore not required to address LOS issues; and “automobile delay,” as described in terms of LOS, “shall not be considered a significant impact on the environment.”

The court in *Citizens for Positive Growth* also emphasized that “CEQA Guidelines section 15064.3 is prospective” and did not require lead agencies to undertake VMT analysis until July 1, 2020. (43 Cal.App.5th at p. 626.) As noted above, even as of that date, the VMT requirement only applied to projects for which draft EIRs (or negative declarations) had not yet been issued. An addendum is considered together with a certified Final EIR. (CEQA Guidelines, § 15164, subd. (d).) An addendum thus represents a very late stage in the CEQA process that follows long after the issuance of a draft EIR. The new VMT requirement, then, does not apply to an addendum. Here, the EIR at issue was certified in 2006. It was completed approximately 14 years before the VMT requirement took effect.

In light of the foregoing, the City is not required to consider, and indeed may not consider under CEQA, the extent to which the changes in traffic circumstances have affected the LOS analysis performed in the Certified Final EIR. Because LOS shall no longer be considered a significant impact on the environment, and since VMT analysis is not required for an addendum to an EIR that was issued in draft form prior to July 1, 2020, additional traffic analysis is not required for this Addendum. Even if this Addendum was required to analyze VMT for the modified project, there would be no net increase in VMT from the originally approved project, as modifications do not result in an increase in density. Thus, VMT associated with the full buildout would be the same as the version of the project evaluated in the Certified Final EIR.

### **Remaining Environmental Resource Areas**

The site plan is the same as previously considered in the adopted 2006 EIR; therefore, the footprint of the total development area would be same as the previously approved project. As a result, impacts related to agricultural resources, biological resources, geology and soils would be the same as analyzed in the original Vista Oaks/Highlands Parcel A project. In addition, because the proposed project would include the same development intensity, impacts related to the following issue areas would be the same: aesthetics; light and glare; population and housing; public services and utilities; recreation; and growth-inducing impacts.

Given that the project would include the same number of dwelling units with a design the same as with the original design, the project would result in the creation of a similar amount of net new impervious surfaces as was considered in the 2006 EIR. Because the overall site plan and proposed use would not change, the proposed project is not expected to result in new or different impacts related to stormwater runoff of water quality. The Certified Final EIR for the project required a stormwater pollution prevention plan (SWPPP) to be prepared to control runoff and erosion during construction. Development of the proposed project would continue to be required to comply with regulations involving the control of pollution in stormwater discharges under the City’s NPDES permit.

Per the Phase I Environmental Site Assessment (ESA) prepared for the project site by TerraSearch, Inc. in 2001, further environmental assessment of the subject site was not warranted. Given site conditions have not changed, the proposed development would not result in new or more significant impacts related to hazards and hazardous materials than would have occurred under the previously approved project.

As previously mentioned, the proposed project would not introduce new land use or zoning designations. The proposed project would be consistent with the previously approved project, as well as existing development in the surrounding area. Therefore, the proposed project would not physically divide an

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established community or conflict with any applicable policies governing land use. Thus, impacts related to land use would be similar to those of the previously approved project.

Noise associated with operation of the proposed project would be anticipated to be similar to that of the previously approved project. Residential developments typically include sources of noise such as increased traffic and landscaping equipment. Thus, the proposed project would not result in any new or significantly more severe impacts related to noise compared to what has been previously analyzed in the 2006 EIR. In addition, the proposed project would result in construction at a duration and intensity that is similar to what was previously analyzed in the 2006 EIR. Therefore, the proposed project would not result in new or substantially more severe significant noise impacts. The following mitigation measures from the 2006 EIR would still apply to the proposed project: 4.9MM-1a and 1b and 4.9MM-2. 4.9MM-1a requires mufflers to be installed on all equipment with high engine noise potential, the equipment to be turned off when not in use, and equipment warm-up areas, water tanks and equipment storage areas to be located in areas as far away from existing residences as is feasible. 4.9MM-1(b) requires the project applicant to comply with the City of Rocklin Construction Noise Compatibility Guidelines. 4.9MM-2 requires the installation of noise barriers to shield the project's residences from roadway noise from Interstate 80 and State Route 65.

The 2006 EIR determined that population growth rate associated with the approved project was consistent with the City of Rocklin's General Plan. In addition, the designations and zoning for the site assumed the site would be developed with such a density. The 2006 EIR, thus, determined that the impact of the approved project on population and housing would be less than significant. Because the proposed project would not modify the overall site plan, the proposed project would not result in any new or substantially more severe environmental impacts, including population and housing, relative to what has been previously analyzed.

The 2006 EIR found that the approved project could increase vehicle traffic on local roadways; however, under all of the analyzed scenarios, the study roadways would operate at an acceptable level of service. In addition, the 2006 EIR found that the approved project would not increase demand for bicycle or transit facilities in a way that would deteriorate existing facilities or require the construction of new facilities. The proposed project would not alter the existing circulation system in a way that would result in any new or more severe impacts. Furthermore, the proposed project would include a similar site plan and the same number of lots. As such, the number of trips generated from the proposed project would be similar. Therefore, because the proposed project would not significantly differ from the previously approved site plans, the proposed project would not result in impacts beyond those identified in the 2006 EIR.

Impacts related to wildfire were not addressed in the 2006 EIR. According to the CAL FIRE Fire and Resource Assessment Program, the project site is not located within or near a State Responsibility Area or lands classified as a Very High Fire Hazard Severity Zone (VHFHSZ). In addition, development of the proposed project would include the installation of fire suppression systems (e.g., fire hydrants, fire sprinklers, smoke detectors) and would be designed in accordance with the latest requirements of the California Fire Code. Therefore, the proposed project, as compared to the previously approved project, would not result in any new significant impacts related to wildfire.

### **Modification of Building Permit Limit Related to Bridge Construction**

The 2006 EIR assumed that the Monument Springs Drive Bridge over Secret Ravine Creek would be constructed before or with development of homes during Phase II and Phase III of the project. As previously discussed, the primary proposed modification to the Conditions of Approval is to allow the issuance of 57 building permits in a combination of Phases II and III prior to completion of the bridge to help ensure the

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construction of homes on developed lots provides the increased underlying secured land values necessary to provide adequate bond collateral and investor support for the Community Facilities District (CFD) financing necessary to help fund a portion of the cost to construct the Bridge.

Enabling this flexibility in timing of bridge construction is not anticipated to trigger any of the criteria in CEQA Guidelines Section 15162 (e.g., generate a new significant impact not previously identified in the 2006 EIR, or substantially increase the severity of a previously identified significant impact). The following discussion is provided to substantiate this determination.

The current Conditions of Approval require the off-site bridge to be completed prior to, or with the development of Vista Oaks Phase II, or III. Modifying this limitation would not affect the overall footprint of the proposed project, and thus would not affect the sufficiency of the original environmental analysis for footprint-related categories of environmental impacts such as aesthetics, agricultural and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, population and housing, and tribal cultural resources. Nor would any impacts in these categories be worsened by the changes to the proposed project's conditions of approval.

The modification of the building permit limitation would not result in more intensive on-site construction activities. The bridge's location is roughly a mile away from the Vista Oaks project site. Infrastructure (roads, wet and dry utilities) leading to the bridge and a necessary component of the Vista Oaks Phase II and Highlands Parcel A was going to be installed as part of the anticipated overall construction. All of the previously contemplated and required construction related noise, air quality and erosion control mitigation measures will be implemented. These circumstances do not change as a result of requested condition modification, nor are any wholly new significant impacts expected to occur. Therefore, there are no new significant effects or substantial increases in the severity of previously-identified significant effects. Based on the above, none of the criteria identified in CEQA Guidelines Section 15162 would be triggered by modifying the timing of bridge construction.

### SECTION 7.0 ENVIRONMENTAL FINDINGS

As presented in the discussions above, the proposed project would not result in any new information of substantial importance, new significant impacts, or a substantial increase in the severity of previously identified significant impacts associated with greenhouse gas emissions or transportation that would require major revisions to the previous EIR. The feasibility of mitigation measures or alternatives previously identified would not be modified with implementation of the proposed project, and new or more severe impacts would not occur. The proposed project would be required to implement all applicable mitigation measures set forth in the previous EIR. As a result, new information of substantial importance, which was not known and could not have been known at the time the previous CEQA document was prepared, has not come to light from what has been previously analyzed.

### SECTION 8.0 CONCLUSION

The proposed project would not result in any new information of substantial importance, new significant impacts, new or revised alternatives, or a substantial increase in the severity of previously identified significant impacts that would require major revisions to the original 2006 EIR. As such, the proposed project would not result in any conditions identified in CEQA Guidelines Sections 15162 and 15163, and neither a subsequent EIR nor a supplement to the 2006 EIR is required. Rather, the appropriate supplemental review document is this Addendum, prepared pursuant to CEQA Guidelines section 15164.