

CEQA FINDINGS FOR A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
CALIFORNIA DEPARTMENT OF WATER RESOURCES
CEQA RESPONSIBLE AGENCY FINDINGS
CITY OF ROSEVILLE AQUIFER STORAGE AND RECOVERY PROJECT FOR MISTY
WOOD WELL PROJECT

I. ENVIRONMENTAL REVIEW PROCESS

The California Department of Water Resources (“Department”), as a Responsible Agency under the California Environmental Quality Act (“CEQA”), makes the following findings with regard to the application submitted by the City of Roseville (“City”) for state funding for a portion of the costs of constructing the City of Roseville Aquifer Storage and Recovery (ASR) Misty Wood Well (Well 19) Project (“Project”). The City, as the Lead Agency under CEQA, prepared an Environmental Impact Report in 2012, and a Supplemental Environmental Impact Report (“SEIR”) for the Project in 2020. In December 2020, the City of Roseville, as lead agency (SCH # 2009072018), filed a Notice of Determination (“NOD”).

The Project consists of the construction and operation of a groundwater recharge and municipal water supply combined well and pump station within the service area of the City. The Project and potential environmental effects resulting from the Project are described in the City’s SEIR.

The Department, as a Responsible Agency under CEQA, has reviewed and considered the documentation prepared by the City, the Lead Agency. The Department has carefully considered the environmental effects of the Project and has reached its own independent conclusion on whether and how to approve the provision of state funding for the costs of constructing the Project.

The Department’s role in the Project would be to provide funding to the City pursuant to a Funding Agreement (# 4600015463) for a portion of the Project construction costs. The Department has no police power authority over the Project, and it has no authority over the Project as a permitting or regulatory agency.

Based on its independent review of the Project, the Department makes the following findings.

II. SIGNIFICANT ADVERSE IMPACTS THAT ARE REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL BY MITIGATION MEASURES

1. Special-status Species

A. Nesting Birds: Construction and drilling activities have the potential to significantly impact nesting birds, including protected species such as Swainson’s hawk (*Buteo swainsoni*). To mitigate these effects, all construction will be conducted outside the nesting bird season if able. If construction occurs during the nesting bird season, pre-construction surveys will be conducted within 14 days before the start of construction within 500 feet of the project area. Protocol surveys for Swainson’s hawk will be conducted within a 0.5-mile radius of the project area if construction occurs between February 15 and September 15. If any nests are found, buffers of 50 feet will be put in place for nesting birds, and 0.25 miles for Swainson’s hawk, within which no construction activities will occur until chicks have left the nest.

B. Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp: Following the results of the wetland verification or determination from the United States Army Corps of Engineers (USACE), and before the start of construction, silt fencing followed by straw wattles or other erosion control measures shall be placed around the edge of potentially occurring seasonal wetlands on the Misty Woods ASR well sites to prohibit construction activities in waterways and riparian areas. Trucks and other vehicles shall not be allowed to park beyond the fencing, nor shall equipment be stored beyond the fencing. No vegetation removal or ground-disturbing activities shall be permitted beyond the fencing. The fencing shall remain intact for the duration of the construction activities.

2. Federally Protected Wetlands: The ASR well sites may support existing wetlands and other waters of the United States or waters of the state subject to USACE jurisdiction under California Water Authority (CWA) Section 404 or protected under the Porter-Cologne Water Quality Control Act or California Fish and Game Code Section 1600 et seq. CWA 404 requires that a permit be obtained from USACE before the discharge of dredged or fill materials into any waters of the United States, including wetlands. Section 404 permits generally require mitigation to offset losses of these habitat types, in accordance with Executive Order 11990, which is intended to result in no net loss of wetland values or acres. Project activities could affect the seasonal wetlands, emergent wetlands, drainages, and/or riparian habitat within 150 feet of the Misty Woods ASR well site. The impact of the potential loss of wetlands and other waters of the United States and state protected waters/wetlands would be potentially significant. This impact would be reduced to less than significant by avoiding waters of the U.S. and state-protected wetlands and waters, bringing the contribution of the modified Project to the overall cumulative impact to less than considerable, and thus, to a less-than-significant level.
3. Tree Preservation: The Misty Woods ASR well site contains native interior live oak (*Quercus wislizeni*) and valley oak (*Q. lobata*) trees that are considered protected under the City's tree ordinance. Before the start of construction, a permit shall be obtained for any regulated activity around a protected tree, as defined by the Roseville Municipal Code.

According to the SEIR, evaluation of environmental effects determined that the proposed action could have effects on protected species and habitats. With implementation of mitigation measures, effects to those resources would be reduced to less-than-significant levels. Based on the Department's independent judgment and analysis, the Department concurs in the determination by the City that there is no substantial evidence that the Project would have a significant effect on the environment.

III. SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

According to the SEIR, evaluation of environmental effects determined that no significant and unavoidable adverse impacts would occur because of the Project. Based on the Department's independent judgement and analysis, the Department concurs with the determination by the City that no significant impacts would occur.

IV. NO STATEMENT OF OVERRIDING CONSIDERATIONS OR FINDINGS
REGARDING ALTERNATIVES ARE REQUIRED

Because the Project would not have a significant effect on the environment, CEQA does not require the Department to consider alternatives to the Project or adopt a statement of overriding considerations.

V. NO SUPPLEMENTAL OR SUBSEQUENT ENVIRONMENTAL REVIEW IS
REQUIRED

The Department finds that no supplemental or subsequent environmental review is required. In particular, the Department finds that there are no substantial changes in the Project, no substantial changes in the circumstances surrounding the Project, and no new information of substantial importance, which gives rise to a new significant environmental impact or otherwise triggers the need for additional CEQA review under Section 15162 of the CEQA Guidelines.

The City of Roseville, in August 2020, prepared a SEIR to evaluate the Project for the potential to impact the environment. Based on the Department's independent review, the Department concurs in the determination made by the City.

VI. ADOPTION OF FINDINGS BY THE DEPARTMENT

The Department hereby formally adopts the findings set forth herein.

Date
5/30/2025

Steve Rothert
Title: Division Manager

Signature

A handwritten signature in black ink, appearing to read "Steve Rothert", is written over a faint horizontal line.