

CALIFORNIA ENVIRONMENTAL QUALITY ACT

STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: Revised Explanation of Significant Differences Trader Joe's Company – Rancho Cordova Logistics Center		SITE CODING: 102576
PROJECT ADDRESS: 12100 Atlanta Circle	CITY: Rancho Cordova	COUNTY: Sacramento
PROJECT SPONSOR: Trader Joe's Company	CONTACT: Robert Camarena	PHONE/ EMAIL: (626) 599-3700 rcamarena@traderjoes.com

APPROVAL ACTION UNDER CONSIDERATION BY DTSC: Explanation of Significant Differences

STATUTORY AUTHORITY: California Health and Safety Code, Division 45

PROJECT DESCRIPTION: The proposed project activities involve design and installation of a vapor mitigation system (VMS) as part of new building construction. Project activities would be accomplished through a long-term Trader Joe's development plan for a 55-acre site located at 12100 Atlanta Circle in the city of Rancho Cordova (Site).

Background: The project applicant, Trader Joe's, plans to develop a portion of the Site. The Site is an approximately 55-acre area of land within the northwestern portion of Rancho Cordova Logistics Center (RCLC). The Site is currently developed with one unoccupied warehouse building (Building 1), paved asphalt areas, and lined stormwater features. The Site was formerly used by Aerojet for manufacturing and chemical storage.

Portions of the Site are located within the limits of the Perimeter Groundwater Operable Unit Five (OU-5) of the Aerojet Superfund Cleanup Area, and are subject to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requirements. The larger Aerojet facility was placed on the National Priorities List (NPL) in December 1983 and contains soil, soil vapor, and groundwater impacts with primary compounds of concern (COCs) including, but not limited to, trichloroethene (TCE), perchlorate, and N-nitrosodimethylamine (NDMA).

In February 2011, the U.S. Environmental Protection Agency (EPA) issued a Final Record of Decision (ROD) for soil for OU-5, which recommended installation and operation of a soil vapor extraction (SVE) system and temporary asphalt cap to improve capture of the volatile organic compounds (VOCs), institutional controls in the form of a land use covenant (LUC), and engineering controls via VMS for areas where neither soil excavation nor soil vapor extraction would be protective due to VOC migration onto OU-5 from upgradient sources. Because of the environmental conditions, the Site includes two LUCs with restrictions, prohibitions, and requirements related to groundwater (groundwater LUC) and soil vapor quality (vapor mitigation LUC).

In September 2021, a subsurface investigation was performed to evaluate soil and soil vapor that would be potentially encountered in the project area.

As described in the 2023 DTSC-approved Remedial Action Plan (RAP) and consistent with the 2011 ROD, the selected remedial action for the RCLC project consisted of the installation of a passive VMS underneath the concrete slabs of the proposed buildings (RCLC Buildings 1 and 2) to mitigate potential vapor intrusion risk.

The selected remedial action alternative aligns with the Site being subject to the DTSC remedial action agreement (RAA) and the vapor mitigation LUC, which restricts development to industrial, commercial, and office space, and requires any new buildings to include vapor mitigation measures. As a result of Aerojet's previous remediation (completion of SVE) and due to the lack of impacts in on-Site soils identified during the 2021 subsurface investigation, no soil remediation was required as part of the 2023 RAP. However, soils were required to be managed consistent with the DTSC approved Site Management Plan (SMP).

The overall basis for the Explanation of Significant Differences (ESD) is that residual VOCs remain in soil vapor beneath the Site, and the vapor intrusion LUC requires the installation and operation of VMS as part of new building construction.

Project Activities: As described in the ESD, the project activities will involve changes to the remedy selected in the 2023 RAP to accommodate the proposed Trader Joe's development project. To address potential vapor intrusion risks from VOCs, the installation of a passive VMS underneath the concrete slabs of the proposed buildings will be included as part of the development to mitigate potential vapor intrusion risk.

The following changes will be made to the remedy in conjunction with the Trader Joe's development project:

- As required by the vapor mitigation LUC, the Building 1 Expansion and construction of new buildings will include the design and installation of a VMS to mitigate the potential for vapor intrusion from soil vapor beneath the buildings. The VMS for the Building 1 Expansion and Maintenance Building will consist of a vapor barrier membrane located immediately beneath the structural building slab combined with a horizontal collection and venting system installed below the vapor barrier membrane. The objective of the VMS for each building is to allow soil vapors that would otherwise collect beneath the slab to migrate and vent to the atmosphere outside the building. In the event it is necessary, each building's VMS will be designed with the capability to operate as an active system. Upon completion of construction and VMS performance monitoring, if concentrations or system performance indicate active extraction is necessary, in-line mechanical blowers will be installed on the roof level to provide active extraction of the soil vapor from beneath the Building 1 Expansion and Maintenance Building.
- The VMS for the three Guard Houses will include a subgrade gravel layer and vapor barrier membrane located beneath the concrete island where the Guard Houses will be placed. The Guard Houses are prefabricated structures constructed of aluminum with operable doors and windows and heating, ventilation, and air conditioning (HVAC) systems. Therefore, passive horizontal collection and venting of soil vapor is not currently recommended or practical as part of the VMS design for the Guard Houses. Post-construction and long-term VMS performance monitoring requirements for the new buildings intended for occupancy will be generally consistent with the approved RAP.
- The VMS for a future freezer building and freezer building expansion will also include passive VMS with the capability to operate as active; however, the freezer building and freezer building expansion will be constructed at a later date yet to be determined.

The remedy implementation timeline for the first phase of the Trader Joe's development project (Building 1 Expansion, Maintenance Building, and Guard Houses) is anticipated to start in October 2025 and be completed in May 2026 (eight months). A similar remedy implementation timeline of eight months is estimated for the second phase of the Trader Joe's development project (Freezer Building and Freezer Building Expansion).

DTSC utilized information and analysis in the Easton Research Park West Tentative Subdivision Map Project Initial Study/Mitigated Negative Declaration (MND) to support a final determination about the type of environmental document required to be prepared for the proposed *Revised Explanation of Significant Differences Trader Joe's Company – Rancho Cordova Logistics Center* as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. The City of Rancho Cordova, as the Lead Agency pursuant to the CEQA, approved the MND on November 15, 2021 (State Clearinghouse Number 2021090544). The Project consisted of a Tentative Subdivision Map to subdivide an existing 178.50-acre parcel into ten parcels for future development of an industrial warehouse campus and one landscape/right-of-way lot. Improvements would include grading the entire site along with tree and vegetation removal, demolition of existing buildings, structures, foundations, and pavement with off-site demolition debris disposal, construction of associated stormwater detention basins, parking lots, and interior private streets and involve off-site construction and reconfiguration of overhead and underground utilities to serve the Project Site on adjacent and nearby roadways and Aerojet property.

Based on the analysis, the MND concluded mitigation measures were recommended for Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, Tribal Cultural Resources, and Utilities and Service Systems.

Based on review of the MND's analysis of environmental impacts, including mitigation measures and the City's Response to DTSC Comments (October 18, 2021), DTSC determined the MND adequately encompasses the potential environmental impacts associated with the activities and measures identified in the ESD. The MND identified localized remediation history in Section 4.9 Hazards and Hazardous Materials stating, "The Project area was formerly used for manufacturing of rocket motors and chemical storage". The MND summarizes the U.S. EPA identified remedial actions

implemented by Aerojet between 2012 and 2021, including soil vapor extraction and working with the Agencies on the language for two Land Use Covenants that would restrict use of groundwater and require vapor mitigation for habitable structures on the property. Since the MND's finalization in 2021, the soil vapor extraction remedy was approved as completed by the Agencies, and the LUCs were recorded with the Sacramento County Recorder's Office (document numbers 202112270835 and 202112270836).

The MND states, "The Regulatory Agencies have concluded that the Project Property, when used in compliance with the Environmental Restrictions of the land use covenants related to groundwater and vapor mitigation, does not present an unacceptable threat or risk to present and future human health or safety or the environment. Thus, with implementation of HAZ-1 the project impacts in this area are less than significant with mitigation incorporated."

HAZ-1 identifies the incorporation of a vapor intrusion barrier as part of the construction of the warehouses stating, "Requirements for any vertical development (buildings) to include a vapor mitigation system and potentially indoor air monitoring if required by the Agencies." The VMS described in the ESD is fundamentally incorporated into the physical design of the proposed Building 1 Expansion and Maintenance Building, Guard Houses, and future freezer building and freezer building expansion and will be installed as part of the construction process for the industrial warehouse campus project as contemplated in the MND.

DTSC utilized the previously approved CEQA documents in evaluating the potential environmental effects of the proposed remedy to determine if those potential environmental impacts were addressed. DTSC prepared this Statement of Findings concluding that the Lead Agency's Final Environmental Document adequately analyzed impacts associated with the ESD remediation activities.

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: City of Rancho Cordova

Lead Agency Environmental Document Title: Easton Research Park West Tentative Subdivision Map Project, Initial Study/Mitigated Negative Declaration

Date Certified: November 15, 2021

State Clearinghouse Number: 2021090544

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

☒ The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision

☒ The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.

☒ DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.

☒ Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project and have been or will be implemented by the project proponent:

☐ Aesthetics	Mitigation Measure: None
☐ Agricultural Resources	Mitigation Measure: None
☐ Air Quality	Mitigation Measures None
☒ Biological Resources	Mitigation Measure BIO-1 through BIO-11: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021).

☒ Cultural Resources	Mitigation Measure CUL-1 and CUL-2: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021).
☐ Energy	Mitigation Measure: None
☒ Geology/ Soils	Mitigation Measure GEO-1: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021)
☒ Greenhouse Gas Emissions	Mitigation Measure GHG-1: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021)
☒ Hazards/Hazardous Materials	Mitigation Measure HAZ-1: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021).
☐ Hydrology/ Water Quality	Mitigation Measure: None
☐ Land Use/Planning	Mitigation Measure: None
☐ Mineral Resources	Mitigation Measure: None
☒ Noise	Mitigation Measure NOI-1: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021).
☐ Population/Housing	Mitigation Measure: None
☐ Public Services	Mitigation Measure: None
☐ Recreation	Mitigation Measure: None
☐ Transportation/Traffic	Mitigation Measure: None
☒ Tribal Cultural Resources	Mitigation Measure TCR-1 and TCR-2: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021).
☒ Utilities/ Service Systems	Mitigation Measure UTIL-1: refer to the Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021)
☐ Wildfires	Mitigation Measure: None

☒ Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and have been or will be implemented by the project proponent to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

☒ Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.

☒ Such changes or alterations are within the responsibility and jurisdiction of City of Santa Clara and not DTSC.

☒ Such changes have been adopted by this public agency or can and should be adopted by this public agency.

☐ Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons:

Based on the above findings, DTSC concludes:

☒ The proposed Project will not result in significant and unavoidable effects to the environment.

☐ The proposed Project will result in significant and unavoidable effects to the following environmental resources:*

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/ Soils
☐ Greenhouse Gas Emissions	☐ Hazards/Hazardous Materials	☐ Hydrology/ Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☐ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities/ Service Systems	

*Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

*In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons:

☒ None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., title 14 Section 15162 exist.

☒ In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor's Office of Planning and Research/ State Clearinghouse.

D. CERTIFICATION

Susan Scudder

07/01/2025

Project Manager Signature

Date

Susan Scudder, P.G.
Project Manager Name

Senior Engineering Geologist
Project Manager Title

(916) 255-3601
Phone #

Dominique Forrester

07/01/2025

Branch Chief's Signature

Date

Dominique Forrester, P.E.
Branch Chief's Name

Branch Chief
Title

(916) 255-3613
Phone #

**Mitigation Measures from the
Easton Research Park West Project and Initial Study/Mitigated Negative Declaration (November 2021)**

Biological Resources

Mitigation Measure BIO-1 Worker Awareness Training for Special-Status Species. Prior to start of construction activities, a qualified biologist shall conduct an education program for all persons involved with the proposed Project. The program shall consist of a presentation from the Biologist that includes a discussion of the biology and general behavior of the species discussed above, information about the distribution and habitat needs of these animals, sensitivity of these animals to human activities, and their status of legal protection.

Mitigation Measure BIO-2 Minimize Potential Significant Impacts to Vernal Pool Fairy and Tadpole Shrimp. Assume presence of Vernal Pool Fairy and Tadpole Shrimp and initiate the Section 7 consultation process with USFWS through the Clean Water Act Section 404 Process; OR conduct protocol-level surveys for these species to determine presence or absence prior to consultation.

If presence is assumed or confirmed after protocol surveys, acquire a Biological Opinion for the Project and implement all conditions of the Biological Opinion, including purchasing compensatory mitigation for permanent impacts to branchiopod habitat. Compensatory mitigation will be determined through the Section 7 process and outlined in the Biological Opinion.

Mitigation Measure BIO-3 Minimize Potential Significant Impacts to VELB. Initiate Section 7 consultation process with USFWS through the Clean Water Act Section 404 process on the Project effects to ESA-listed VELB and acquire a Biological Opinion for the Project. Implement all conditions of the Biological Opinion.

Elderberry shrubs will be avoided to the extent practicable. For any impacts to elderberry shrubs, appropriate avoidance measures and a mitigation plan will be developed in consultation with USFWS and implemented during the appropriate timeframe.

The area surrounding avoided elderberry shrubs shall be fenced and/or flagged as close to construction limits as possible.

As much as feasible, all activities that could occur within 165 feet of an avoided elderberry shrub will be conducted outside of the flight season of VELB (March - July).

Herbicides will not be used within the drip line of any elderberry shrubs. Insecticides will not be used within 100 feet of an elderberry shrub and will be applied using a backpack sprayer or similar direct application method.

The potential effects of dust on VELB will be minimized by applying water during construction activities or by presoaking work areas that will occur within 100 feet of any potential elderberry shrub habitat.

Mitigation Measure BIO-4 Minimize Potential Significant Impacts to Western Spadefoot. Preconstruction surveys for western spadefoot will be conducted within the limits of construction to detect adults, larvae, and/or egg masses, within 48 hours prior to the start of construction.

If no western spadefoots are found, no further measures pertaining to this species are necessary.

If adults, larvae, or egg masses are found, they will be relocated to suitable habitat within an on- or off-site preserve(s), in consultation with CDFW.

Mitigation Measure BIO-5 Nesting Birds. A preconstruction survey for nesting birds will be conducted by a qualified biologist within 14 days (or fewer if recommended by CDFW) of commencement of Project activities. The survey will occur within the Project Area and a 100-foot buffer. If an active nest is located, a no-disturbance buffer will be established as determined by the biologist in consultation with CDFW and maintained until the nest is confirmed to be no longer active by the biologist.

Mitigation Measure BIO-6 Raptors. A preconstruction survey for nesting raptors will be conducted within 14 days of commencement of Project activities by a qualified wildlife biologist within the Project Area and a 500-foot buffer. If an active nest is located, a no-disturbance buffer will be established as determined by the biologist in consultation with CDFW and maintained until a qualified biologist determines the young have fledged and are no longer reliant upon the nest for survival.

Mitigation Measure BIO-7 Swainson's Hawk. A preconstruction survey for nesting Swainson's hawk will be conducted by a qualified biologist within 14 days of commencement of Project activities within the Project Area and a 0.25-mile buffer. As described above, if Swainson's hawks are found to be nesting in the vicinity, a no-disturbance buffer will be established in consultation with CDFW and maintained until a qualified biologist determines the young have fledged and are no longer reliant upon the nest for survival.

Mitigation for permanent impacts to SWHA foraging habitat has been purchased for the portions of the Project Area that overlap with the Glenborough Project in accordance with the CEQA Environmental Impact Report Mitigation Measures for that Project.

Mitigation for permanent impacts to SWHA foraging habitat for the remaining portions of the Project Area is required (see Appendix B, Figure 3). Compensatory mitigation should be consistent with the Sacramento County SWHA Ordinance.

Mitigation Measure BIO-8 Burrowing Owl. A preconstruction survey for nesting burrowing owl will be conducted by a qualified biologist within 14 days prior to commencement of Project activities within the Project Area and a 250-foot buffer. Surveys shall be conducted at appropriate times and in appropriate weather conditions to maximize detection. If active burrowing owl burrows are found, an avoidance buffer will be immediately established, and an avoidance plan will be prepared in consultation with CDFW prior to the commencement of any ground-disturbing activities.

Mitigation Measure BIO-9 Pallid Bat. Prior to commencement of Project activities, a qualified biologist will survey for all suitable roosting habitat (e.g., manmade structures, trees, rock outcrops) within the Project Area proposed for removal and or disturbance. If no suitable roosting habitat is identified, no further measures are necessary.

If suitable roosting habitat is identified, a qualified biologist will conduct an evening bat emergence survey that may include acoustic monitoring to determine whether or not bats are present. If roosting bats are found, consultation with CDFW is required prior to initiation of construction activities.

Mitigation Measure BIO-10 Waters of the U.S. and State. For aquatic resources within the Glenborough Permit area where mitigation has not been purchased, purchased mitigation credits as required by the Glenborough Permit.

For aquatic resources outside of the Glenborough Permit area, a permit authorization to fill wetlands under the Section 404 of the federal Clean Water Act (Section 404 Permit) will be obtained from USACE prior to discharging any dredged or fill materials into any Waters of the U.S. Final mitigation measures will be developed as part of the Section 404 Permit process to ensure no net loss of wetland function and values.

For aquatic resources outside the Glenborough Permit area, a Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained from the RWQCB for Section 404 permit actions.

For aquatic resources outside the Glenborough Permit area, pursuant to the Porter-Cologne Water Quality Act, a permit authorization from the RWQCB is required prior to the discharge of material in an area that could affect Waters of the State. Mitigation requirements for discharge to Waters of the State will be developed in consultation with the RWQCB.

No features that may be subject to Section 1600 of the Fish and Game Code were identified in the Study Area; therefore, a Streambed Alteration Agreement from CDFW pursuant to Section 1602 of the California Fish and Game Code is not required.

Mitigation Measure BIO-11 Tree Protection. The following measures are recommended to comply with the City of Rancho Cordova's Tree Preservation Ordinance if trees will be impacted as part of the Project: Prior to tree removal, an arborist survey will be conducted for any areas within the Project Area not previously surveyed (see Attachment C in Appendix B).

If the proposed Project activities occur within the dripline of, or require the removal of, any trees, a Tree Permit will be required, and the City of Rancho Cordova tree ordinance shall be consulted for tree mitigation and preservation measures. This will include the development of a tree protection plan or its equivalent. This plan will provide arborist recommendations for preserved trees and general recommendations during and after construction activities as well as specific recommendations for long term maintenance.

Cultural Resources

Mitigation Measure CUL-1 Discovery of Unknown Archeological Resources. If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. The qualified archaeologist shall be called upon to evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.

If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the CRHR or NRHP. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not eligible for or CRHR or NRHP; or 2) that the treatment measures have been completed to their satisfaction.

Mitigation Measure CUL-2 Discovery of Unknown Human Remains. If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sacramento County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, who then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC may mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

Geology and Soils

Mitigation Measure GEO-1 Discovery of Unknown Paleontological Resources. If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until the City of Rancho Cordova is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples should be collected and processed to determine the small fossil potential on the Project Site. If the Project applicant resumes work in a location where paleontological remains have been discovered and cleared, the Project applicant will have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation activities should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

Greenhouse Gas Emissions

Mitigation Measure GHG-1 Greenhouse Gas Emissions Reductions. In coordination with the Sacramento Metropolitan Air Quality Management District and City of Rancho Cordova Planning Department, the Project applicant shall purchase greenhouse gas emissions/carbon offsets to counterbalance the Project operational greenhouse gas emissions exceeding the annual significance threshold from a Sacramento Metropolitan Air Quality Management District-approved registry, including:

- (i) the Climate Action Reserve, the American Carbon Registry and Verra, which are all approved by CARB;
- (ii) any entity approved at any time by CARB to act as an “offset project registry” under the state’s cap-and-trade program;
- (iii) other regulatory or voluntary credits that demonstrate, based on substantial evidence, that the offsets are real, permanent, quantifiable, verifiable, enforceable, and additional.

The specific amount of offset credits necessary to reduce potential GHG emission-related impacts to less than significant levels shall be determined through consultation with the Sacramento Metropolitan Air Quality Management

Hazards and Hazardous Materials

Mitigation Measure HAZ-1 Compliance with Environmental Restrictions in Land Use Covenant for Subsurface Contamination. Prior to redevelopment, the Project applicant must receive USEPA's approval that all remedial actions have been completed to USEPA's satisfaction. The Project applicant must also comply with all restrictions and requirements contained in any land use covenants approved and executed by Aerojet and applicable federal and state regulatory agencies which may include USEPA, RWQCB, and DTSC. General components of the expected land use controls may include, but not necessarily be limited to:

- Restrictions on future site use to industrial/commercial purposes only;
- Prohibitions on groundwater extraction other than for remediation;
- Requirements that excavation or construction work below ground surface at the site may only be performed under a permit program that mitigates potential exposures and properly manages any contaminated soil that is disturbed; and
- Requirements for any vertical development (buildings) to include a vapor mitigation
- System and potentially indoor air monitoring if required by the Agencies.

Details of these land use controls will be proposed and approved by the Agencies before the overall remedy will be deemed complete.

Noise

Mitigation Measure NOI-1 Nighttime Construction Noise Impacts. In the case that construction occurs between the hours of 8:00 p.m. and 6:00 a.m. on weekdays and between 8:00 p.m. and 7:00 a.m. on weekends, a temporary noise barrier or enclosure shall be positioned between construction equipment and all residences within 2,600 feet of construction activities in a manner that breaks the line of sight between the construction equipment and these residences, to the extent feasible. The temporary noise barrier shall have a sound transmission class (STC) of 25 or greater in accordance with American Society for Testing and Materials Test Method E90, or at least 2 pounds per square foot to ensure adequate transmission loss characteristics. The temporary noise barrier can consist of a solid plywood fence at least 7/16-inch in thickness and/or flexible sound curtains, such as an 18-ounce tarp or a 2-inch-thick fiberglass blanket, attached to chain link fencing or some other support structure. The length, height, and location of the temporary noise barrier shall be adequate to assure proper acoustical performance. Specifically, the barrier must completely break the line of sight between construction equipment and all residential properties less than 2,600 feet of construction activity, must be free of degrading holes or gaps, and must not be flanked by nearby reflective surfaces. All noise control barrier walls shall be designed to preclude structural failure due to such factors as winds, shear, shallow soil failure, earthquakes, and erosion.

In order to qualify as a noise-sensitive receptor at the time of construction, such residential dwellings would be required to physically house individuals during the time Project construction activities occur.

Tribal Cultural Resources

Mitigation Measure TCR-1 Tribal Inspections of Subsurface Soils. To accommodate any necessary security clearance, no less than five working days before the start of construction, the contractor shall notify the Shingle Springs Band of Miwok Indians about the start date of ground disturbing activities. The tribe will be given the opportunity to send a tribal monitor to inspect the subsurface soils once during the first five days of ground disturbing activity on the project. Should the tribe choose not to send a monitor to perform the inspection within the first five days, work can continue as long as the notice was provided and documented.

Mitigation Measure TCR-2 Implement Measures to Protect Unanticipated Tribal Cultural Resources Discoveries. If subsurface deposits believed to be cultural in origin are discovered during construction, all work must halt within 100 feet of the discovery. The construction foreman will notify the City, which shall notify the Shingle Springs Band of Miwok Indians and a qualified professional archaeologist. A representative from the tribe will be afforded a reasonable opportunity to visit the discovery location to determine whether or not it is a tribal cultural resource. The following actions shall apply, depending on the nature of the find:

If the Shingle Springs Band of Miwok Indians determines that the find does not represent a tribal cultural resource, and the qualified professional archaeologist determines that the find does not represent a potential historical resource, and the City concurs, then work may resume immediately, and no further action is required.

If the Shingle Springs Band of Miwok Indians determines that the find represents a tribal cultural resource, as defined in PRC Section 21074(a) though (c) of the CEQA Guidelines, the City shall consult with the tribe on appropriate treatment measures. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

If the find includes human remains, or remains that are potentially human, the construction supervisor shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641) and shall immediately notify the City and the Sacramento County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC within 24 hours. The NAHC will designate a Native American Most Likely Descendant (MLD) for the discovery (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with Sacramento County (AB 2641). Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

Utilities and Service Systems

Mitigation Measure UTIL-1 Water Service Availability. The City of Rancho Cordova will coordinate with the City of Folsom and the Project Applicant to include any of The City of Folsom's standard and required conditions of approval regarding the review of construction documents for the water system and connections when submitted.