

# **Aerojet Waste Consolidation Unit Project**

## **FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

**State Clearinghouse Number**

**2020060543**

**September 2020**

**Prepared for:**



**California Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Rancho Cordova, California 95670-6114**

**Prepared by:**



**2525 Warren Drive  
Rocklin, California 95677**



**Aerojet Waste Consolidation Unit Project**  
Final Initial Study and Mitigated Negative Declaration

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**NOTICE OF DETERMINATION**

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**TO:**

Office of Planning and Research  
1400 10<sup>th</sup> Street  
Sacramento, CA 95814

Sacramento County Clerk  
600 8th Street  
Sacramento, CA 95814

**FROM:**

Central Valley Regional Water  
Quality Control Board  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114

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**SUBJECT:**

Filing of Notice of Determination in compliance with Section 21108 of the  
Public Resources Code

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**PROJECT TITLE:**

Aerojet Waste Consolidation Unit Project

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**PROJECT APPLICANT:**

Aerojet Rocketdyne, Inc.

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**CEQA LEAD AGENCY:**

Central Valley Regional Water Quality Control Board

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***State Clearinghouse Number***

2020060543

***Contact Person***

Mr. Alex MacDonald

***Telephone Number***

916-464-46256

## **1.1 Project Location**

The Proposed Project is located on an Aerojet owned ±250-acre parcel (referred to as the White Rock North Dump (WRND) parcel) contained within Aerojet's access-controlled property located south of State Highway 50 between the Cities of Rancho Cordova and Folsom in Sacramento County (*Figure 1-1 Project Region and Vicinity* and *Figure 1-2. Site Location*). The project site address is: 12353 White Rock Road, Sacramento County, CA. 95742 (APN: 072-01000-020).

## **1.2 Project Description**

The Proposed Project would be constructed in two phases. Phase 1 involves construction of a 50-acre (1,000,000 cubic yard or "CY") Class II Landfill, known as the Aerojet Waste Consolidation Unit (AWCU or Phase 1 AWCU), on top of the existing non-operating WRND. The existing non-operating WRND is an approximately 100-acre dump located within the ±250-acre WRND parcel. The Phase 1 AWCU would accommodate 1,000,000 CYs of "Transfer Material" excavated from within the AWCU Service Area, defined as the access-controlled 8,500-acre Aerojet Sacramento facility (*Figure 1-3. AWCU Service Area and Haul Route Map*). Phase 1 also includes transportation of approximately 500,000 CY of Transfer Material from the existing Aerojet Landfill consistent with the separately approved Aerojet Landfill Clean Closure Plan (CCP, Tetra Tech, Inc. 2015) and amendment of the Aerojet Landfill approved CCP offsite haul route. The remaining 500,000 CY capacity of the Phase 1

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AWCU would be filled with Transfer Material from other locations within the AWCU Service Area. These additional projects would be required to evaluate environmental impacts associated with excavation and loading of the Transfer Material; however, the benefits to the environment of transporting Transfer Material from other excavation sites within the AWCU Service Area to the AWCU, placement of that Transfer Material into the AWCU, and capping and monitoring that Transfer Material are included in this analysis. Phase 2 involves construction of the WRND Cap (Phase 2 Cap), an approximately 50-acre cap on top of the remaining WRND that was not capped by the AWCU under Phase 1, and official closure of the WRND consistent with Title 27 requirements. Any portion of the AWCU that has been utilized or constructed and not filled at the time final closure of both the AWCU and WRND, will be closed under the Phase 2 project that caps the WRND. All other areas of the AWCU that have received wastes will be closed under the Phase 1 project.

**DETERMINATION**

The CVRWQCB, as the Lead Agency, has approved the above-described Project and has made the following determinations:

1. There is no substantial evidence that the Proposed Project will have a significant effect on the environment;
2. In accordance with CEQA, a Mitigated Negative Declaration for the Proposed Project was prepared. The Mitigated Negative Declaration has been approved by the CVRWQCB, which is the Lead Agency for the Proposed Project. The Mitigated Negative Declaration reflects the independent judgment and analysis of the CVRWQCB;
3. Mitigation measures were required to be made a condition of approval of the Proposed Project;
4. A Mitigation Monitoring and Reporting Plan was adopted for the Proposed Project.
5. A Statement of Overriding Considerations was not required to be adopted for the Proposed Project; and,
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Final Mitigated Negative Declaration with comments and responses and record of project approval is available to the general public at: CVRWQCB, 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114.

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Mr. Alexander MacDonald  
Senior Water Resources Engineer  
Central Valley Regional Water Quality Control Board

Date

Date Received for Filing at OPR: \_\_\_\_\_

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**State Clearinghouse Number: 2020060543**

**September 2020**

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## **SECTION 1 INTRODUCTION**

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This document is the Final Initial Study and Mitigated Negative Declaration (IS/MND) for the Aerojet Waste Consolidation Project (Proposed Project). It has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.) as amended. This Final IS/MND document supplements the Draft IS/MND released for public review June 24, 2020.

The Central Valley Regional Water Quality Control Board (CVRWQCB) is the Lead Agency for the Proposed Project. In accordance with the State CEQA Guidelines, the CVRWQCB distributed the Draft IS/MND to public agencies and the general public for a 30-day review and comment period from June 24 to July 24, 2020. During the public review period, five (5) comment letters and/or emails on the Draft IS/MND were received from interested parties. This Final IS/MND document is organized as follows:

- Section 1 provides a discussion of the purpose of the document and discusses the structure of the document.
- Section 2 contains a summary of the Project Description.
- Section 3 includes the comment letters received and responses to these comments.
- Section 4 includes revisions made to the IS/MND as a result of comments received.
- Section 5 includes the Proposed Project's Mitigation Monitoring and Reporting Program (MMRP), prepared pursuant to Public Resources Code Section 21081.6.

This Final IS/MND document together with the Draft IS/MND constitute the complete CEQA document for the Proposed Project.

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## **SECTION 2 PROJECT OVERVIEW**

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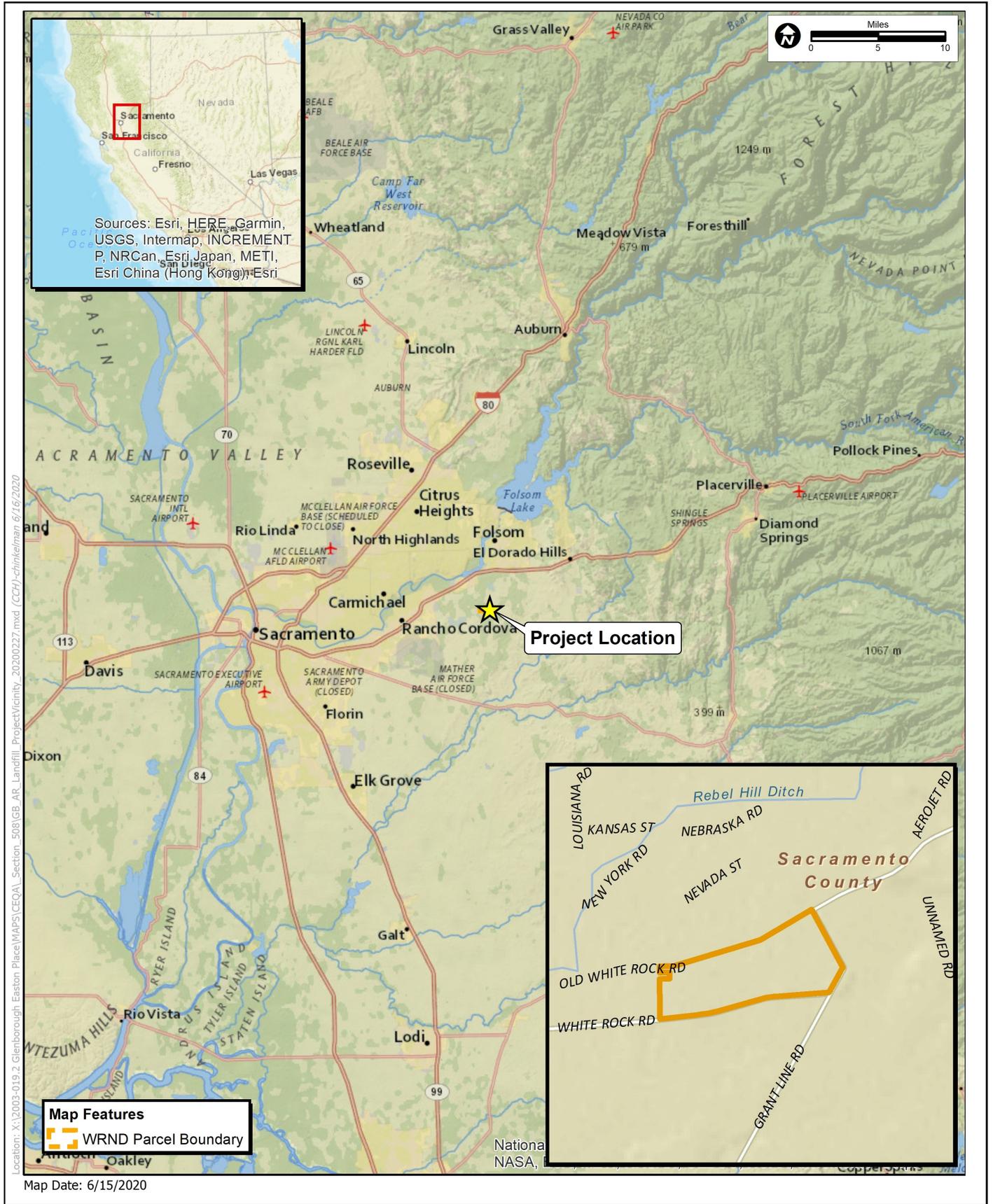
### **2.1 Project Location**

The Proposed Project is located on an Aerojet owned ±250-acre parcel (referred to as the White Rock North Dump (WRND) parcel) contained within Aerojet's access-controlled property located south of State Highway 50 between the Cities of Rancho Cordova and Folsom in Sacramento County (Figure 1-1 Project Region and Vicinity and Figure 1-2. Site Location). The project site address is: 12353 White Rock Road, Sacramento County, CA. 95742 (APN: 072-01000-020).

### **2.2 Project Description Summary**

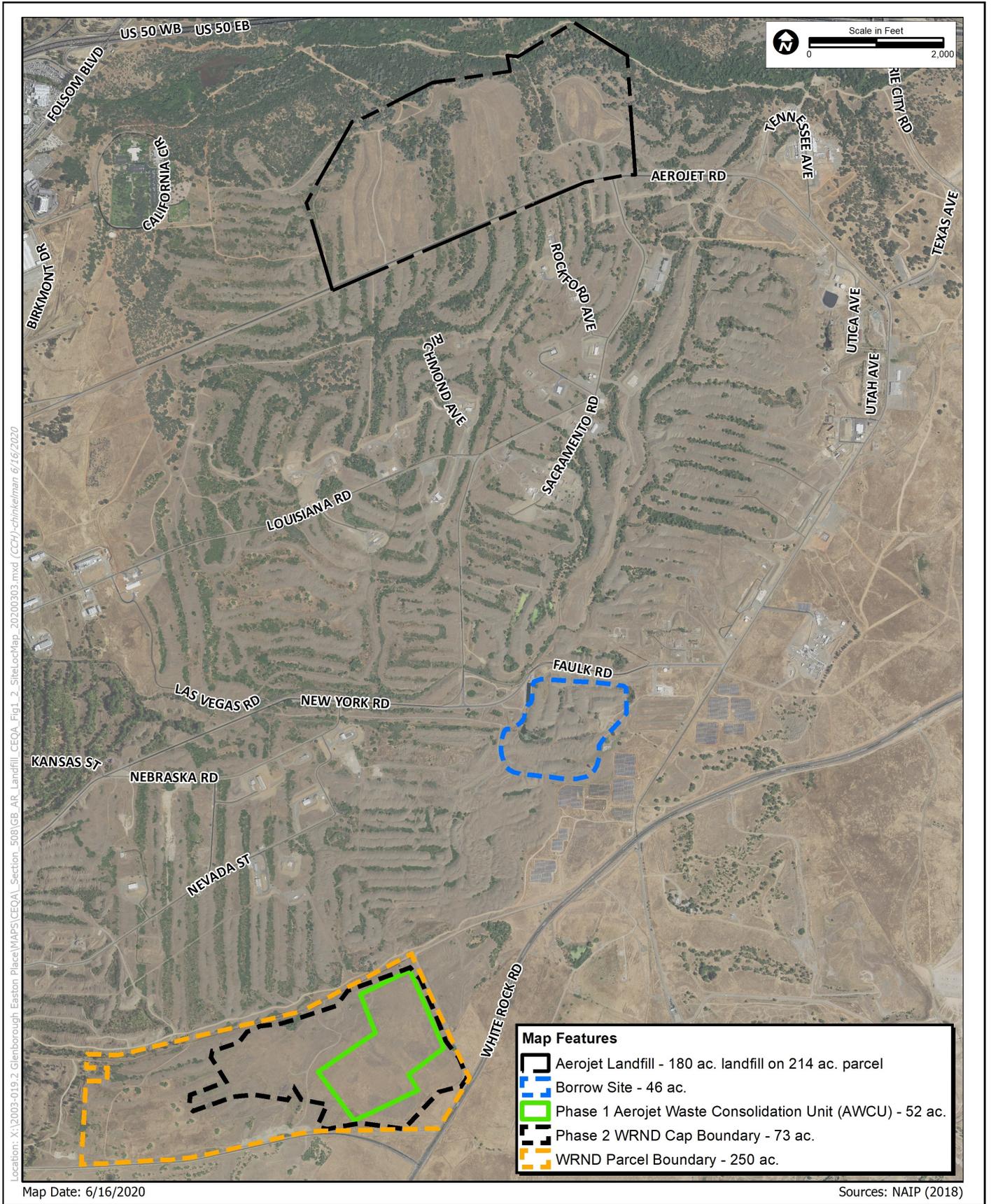
The Proposed Project would be constructed in two phases. Phase 1 involves construction of a 50-acre (1,000,000 cubic yard or "CY") Class II Landfill, known as the Aerojet Waste Consolidation Unit (AWCU or Phase 1 AWCU), on top of the existing non-operating WRND. The existing non-operating WRND is an approximately 100-acre dump located within the ±250-acre WRND parcel. The Phase 1 AWCU would accommodate 1,000,000 CYs of "Transfer Material" excavated from within the AWCU Service Area, defined as the access-controlled 8,500-acre Aerojet Sacramento facility (Figure 1-3. AWCU Service Area and Haul Route Map). Phase 1 also includes transportation of approximately 500,000 CY of Transfer Material from the existing Aerojet Landfill consistent with the separately approved Aerojet Landfill Clean Closure Plan (CCP, Tetra Tech, Inc. 2015) and amendment of the Aerojet Landfill approved CCP offsite haul route. The remaining 500,000 CY capacity of the Phase 1 AWCU would be filled with Transfer Material from other locations within the AWCU Service Area. These additional projects would be required to evaluate environmental impacts associated with excavation and loading of the Transfer Material; however, the benefits to the environment of transporting Transfer Material from other excavation sites within the AWCU Service Area to the AWCU, placement of that Transfer Material into the AWCU, and capping and monitoring that Transfer Material are included in this analysis. Phase 2 involves construction of an approximately 50-acre WRND Cap (Phase 2 Cap) and official closure of the WRND consistent with Title 27 requirements. Any portion of the AWCU that has been utilized or constructed and not filled at the time final closure of both the AWCU and WRND, will be closed under the Phase 2 project that caps the WRND. All other areas of the AWCU that have received wastes will be closed under the Phase 1 project.

For a detailed project description, refer to the Draft IS/MND.



**Figure 1-1. Project Region and Vicinity**

2009-165.22 Aerojet Landfill



**Figure 1-2. Site Location**

2009-165.22 Aerojet Landfill



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**SECTION 3 COMMENTS AND RESPONSES**

This section of the document contains the comment letters received during the 30-day public review period, which began on June 24, 2020, and ended on July 24, 2020. CEQA does not require lead agencies to provide formal responses to comments received on initial studies supporting proposed mitigated negative declarations; however, CVRWQCB prepared this document to provide responses to comments received on the Draft IS/MND in order to provide comprehensive information and disclosure for both the public and CVRWQCB decision-makers.

CEQA provides guidance on what and how public agencies, organizations, and individuals should focus when providing comments on an IS/MND. CEQA Guidelines Section 15204 states:

(b) In reviewing negative declarations, persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should:

- (1) Identify the specific effect,
- (2) Explain why they believe the effect would occur, and
- (3) Explain why they believe the effect would be significant.

(c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Written comments on the Draft IS/MND are reproduced on the following pages, along with responses to those comments.

**3.1 Comment Letters**

A list of public agencies, organizations, and individuals that provided comments on the Draft IS/MND is presented below. The letters and the responses to the comments follow.

<b>Letter Number</b>	<b>Sender</b>	<b>Date Received</b>
1	United Auburn Indian Community, Tribal Historic Preservation Department, Anna M. Starkey, Cultural Regulatory Specialist	July 15, 2020
2	Sacramento Metropolitan Air Quality Management District, Rachel DuBose, Associate Air Quality Planner/Analyst	July 22, 2020

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<b>Letter Number</b>	<b>Sender</b>	<b>Date Received</b>
3	Local Enforcement Agency (LEA)/Solid Waste Program, Sacramento County Environmental Management Department, Will Scheffler, REHS Environmental Specialist III	July 23, 2020
4	CalRecycle, Permitting & Assistance Branch – Central Unit, Waste Permitting, Compliance & Mitigation Division, Alyssa Williams, Environmental Scientist	July 24, 2020
5	California Department of Fish and Wildlife, Dylan Wood, Environmental Scientist	July 24, 2020

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**Letter 1: United Auburn Indian Community, Tribal Historic Preservation  
Department, Anna M. Starkey, Cultural Regulatory Specialist**

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**From:** Anna Starkey <[astarkey@auburnrancheria.com](mailto:astarkey@auburnrancheria.com)>  
**Sent:** Wednesday, July 15, 2020 12:26 PM  
**To:** MacDonald, Alex@Waterboards <[Alex.MacDonald@waterboards.ca.gov](mailto:Alex.MacDonald@waterboards.ca.gov)>  
**Subject:** Aerojet Waste Consolidation Project Initial Study/Mitigated Negative Declaration

EXTERNAL:

Dear Alecander MacDonald,

Please acknowledge that this email has been received.

On behalf of the United Auburn Indian Community, thank you for providing the notification for the draft Aerojet Waste Consolidation Project IS/MND. I reviewed the tribal cultural resources chapter to ensure that it accurately depicted our consultation efforts and was dismayed to see that your consultant failed to include our consultation letter, which was sent back in February 2020 and is attached. This oversight makes us appear in a public document that we never responded when that is simply not true.

1-1

We ask that you correct this to include that UAIC did indeed respond to the AB52 notification and requested copies of the cultural report and the tribes preferred unanticipated discoveries mitigation measure, also attached, included in the TCR chapter.

1-2

Thank you,  
Anna



**Anna M. Starkey, M.A., RPA**  
Cultural Regulatory Specialist  
Tribal Historic Preservation Department | UAIC  
10720 Indian Hill Road  
Auburn, CA 95603  
Direct line: (916) 251-1565 | Cell: (530) 863-6503  
[astarkey@auburnrancheria.com](mailto:astarkey@auburnrancheria.com) | [www.auburnrancheria.com](http://www.auburnrancheria.com)

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Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-mail.

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MIWOK United Auburn Indian Community  
MAIDU of the Auburn Rancheria

Gene Whitehouse  
Chairman

John L. Williams  
Vice Chairman

Calvin Moman  
Secretary

Jason Camp  
Treasurer

Gabe Cayton  
Council Member

February 20, 2020

Alex MacDonald  
Senior Water Resource Control Engineer  
California Water Boards - Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

RE: AB 52 Consultation Request for the Proposed Aerojet Rocketdyne Waste Consolidation Project, Sacramento County, CA

Dear Senior Water Resource Control Engineer Alex MacDonald,

The United Auburn Indian Community of the Auburn Rancheria (UAIC) received a letter from the California Water Boards - Central Valley Regional Water Quality Control Board dated 2/3/2020, providing an opportunity to consult under AB 52 for the Aerojet Rocketdyne Waste Consolidation Project in Sacramento County. The UAIC's Tribal Historic Preservation Department determined that there are no known Tribal Cultural Resources (TCRs) in the project area and that there is a low potential for unknown or buried TCR to occur.

We would like to receive copies of the drafted environmental technical documents for the project and provide our preferred mitigation measures as they relate to TCRs, including inadvertent discoveries and avoidance. Should the project change in material ways, we request to be informed of those changes so that we may reassess the need to consult.

Finally, please contact us if you discover any cultural or archaeological resources in the project area. If it is determined that the resources are TCRs, tribal values must be included in evaluating the significance of these resources and appropriate mitigation measures of TCRs must be developed through tribal consultation.

Thank you again for taking these matters into consideration, and for involving the UAIC in the planning process. We look forward to reviewing the documents requested. Please contact Anna M. Starkey, Cultural Regulatory Specialist, at (916) 251-1565 or email at [astarkey@auburnrancheria.com](mailto:astarkey@auburnrancheria.com) if you have any questions.

Sincerely,

Gene Whitehouse,  
Chairman

CC: Matthew Moore, Tribal Historic Preservation Officer

Tribal Office 10720 Indian Hill Road Auburn, CA 95603 (530) 883-2390 FAX (530) 883-2380

1-3

**Aerojet Waste Consolidation Unit Project**  
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**Tribal Cultural Resources**  
**Unanticipated Discoveries**

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The following mitigation measure<sup>1</sup> is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities.

If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

1-4

<sup>1</sup> Proposed Mitigation Measure includes suggested template language to assist lead CEQA agencies, and their consultants, in understanding the Tribe's policies and expectations. All measures are subject to periodic review and change by the consulting Tribe to reflect best practices and to be worded on a project scope and site specific basis.

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**Response to Letter 1:**

1-1: The UAIC comment email states that the draft IS/MND Tribal Cultural Resources section improperly indicated that UAIC did not respond to the CVRWQCB's offer for AB 52 consultation. The UAIC did in fact respond to the CVRWQCB's AB 52 notification letter with a letter dated February 20, 2020 (included above with attachment). However, this letter was inadvertently omitted from the "summary of Tribal Consultation" discussion found on draft IS/MND page 5-135. As a result, UAIC was improperly included on a list of tribes that did not respond. This oversight is corrected in the Final IS/MND (refer to Final IS/MND Section 4 to review related revisions).

1-2: This comment requests the draft IS/MND be corrected to indicate UAIC did respond to the AB 52 notification, requested copies of the cultural report, and requested the tribe's preferred tribal cultural resources unanticipated discoveries mitigation measure be included in the final CEQA document. On July 24, 2020 the CVRWQCB provided the tribe with an electronic copy of the cultural resources technical report for review and comment. In an email reply on July 24, 2020, Anna Starkey indicated she received the cultural report and would review and reply with any concerns. No further reply has been received to date.

After considering comments from the tribe, the CVRWQCB determined that a mitigation measure for unanticipated discovery of TCRs during project construction is warranted. As a result, the following measure, which is an adaptation of the tribe's preferred measure, has been added to the Final IS/MND Tribal Cultural Resources Section:

**TCR-1: Unanticipated Discovery** - If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. The CVRWQCB shall invite a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area to make recommendations about whether or not the discovery represents a TCR (PRC §21074) and, if so, to make recommendations for culturally-appropriate treatment. The contractor shall implement any measures determined by the CVRWQCB to be necessary. Work at the discovery location cannot resume until the treatment has been implemented to the satisfaction of the CVRWQCB.

1-3: Comment 1-3 is the UAIC February 20, 2020 AB 52 response letter which was provided as an attachment to UAIC's draft IS/MND email comment. The letter is included as part of the administrative record and appropriate revisions to the draft IS/MND have been made as discussed in responses 1-1 and 1-2 above. Refer to Final IS/MND Section 4 to review related revisions.

1-4: Comment 1-3 is UAIC's preferred Tribal Cultural Resources Unanticipated Discoveries mitigation measure and was originally provided as an attachment to the February 20, 2020 AB 52 response letter. The measure is included as part of the administrative record and an adapted version has been incorporated into the Final IS/MND as discussed and shown under response 1-2 above.

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**Letter 2: Sacramento Metropolitan Air Quality Management District, Rachel DuBose, Associate Air Quality Planner/Analyst**



July 22, 2020

Sent Via Email Only

Alexander MacDonald  
Senior Water Resources Engineer  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670-6114

**Subject:** Draft Initial Study and Mitigated Negative Declaration for the Aerojet Waste Consolidation Unit Project  
**Sac Metro Air District #** SAC201902234, **SCH #** 2020060543

Thank you for the opportunity to review the Draft Initial Study and Mitigated Negative Declaration for the Aerojet Waste Consolidation Unit Project (AWCU). The Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) is required to represent the citizens within Sacramento County in influencing the decisions of other agencies whose actions may have an adverse impact on air quality.<sup>1</sup> We review and provide comments through the lead agency planning, environmental and entitlement processes with the goal of reducing adverse air quality impacts and ensuring compliance with the California Environmental Quality Act. Our comments follow.

2-1

**Greenhouse Gas Emissions Threshold of Significance:** The AWCU MND greenhouse gas analysis compares the project's operational-related emissions to the Sac Metro Air District threshold of 1,100 metric tons per year of CO<sub>2</sub>e. This threshold is not intended to address emissions from the waste sector. We recommend comparing the project's emissions to the Sac Metro Air District's Stationary Source threshold of 10,000 metric tons per year of CO<sub>2</sub>e (attached). The estimated project emissions of 331 metric tons per year of CO<sub>2</sub>e falls well below the threshold.

2-2

**Haul Truck Vehicle Miles Traveled and Emissions:** The AWCU MND emphasizes that the AWCU will reduce haul truck travel by approximately 4.19 million miles compared to conditions that were analyzed in the 2007 Aerojet Landfill Clean Closure Plan (CCP) and 2015 Aerojet Landfill Clean Closure Plan (CMP) which assumed offsite waste disposal. However, haul truck miles traveled and emissions for the AWCU itself are not clearly described. To provide a more complete disclosure, we recommend presenting the AWCU haul truck miles and emissions

2-3

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<sup>1</sup> California Health and Safety Code §40961

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alongside any discussion of benefits that may occur from no longer being required to transport the waste offsite.

2-3

Thank you for your consideration of these comments. If you have questions, please contact me at (916) 874-4876 or [rdubose@airquality.org](mailto:rdubose@airquality.org).

Sincerely,



Rachel DuBose  
Associate Air Quality Planner/Analyst  
CEQA & Land Use Section  
Sacramento Metropolitan Air Quality Management District

C: Phillee, Program Supervisor – CEQA & Land Use Section, Sac Metro Air District

Attachments: SMAQMD Thresholds of Significance Table

Sacramento Metropolitan Air Quality Management District  
777 12th Street, 3rd Floor • Sacramento, CA 95814-1908  
Front desk: (916) 874-4800 • fax (916) 874-4899 fax  
[www.airquality.org](http://www.airquality.org)

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**Response to Letter 2:**

- 2-1: This introductory paragraph overviews the Sacramento Metropolitan Air Quality Management District's role under CEQA as a commenting agency. Comment acknowledged; no response required.
- 2-2: The SMAQMD recommends the use of the SMAQMD Stationary Source Threshold for comparison of Project GHG emissions. This threshold has been incorporated into draft IS/MND Section 5.8.1 Greenhouse Gas Emissions Environmental Setting (draft IS/MND page 5-87, fourth paragraph). These clarifying revisions are shown below and also resulted in corresponding consistency revisions to Tables 5.8-1, 5.8-2 and related threshold discussions (see also Errata pages 5-88 through 5-90):

The local air quality agency regulating the Sacramento County portion of the SVAB is the SMAQMD, the regional air pollution control officer for the basin. The SMAQMD has recommended an approach for assessing ~~a proposed development project's~~ GHG emissions associated with both construction activities and operations of projects associated with the waste sector. Specifically, SMAQMD recommends a comparison of ~~at the p~~Project's annual construction GHG emissions to a significance threshold of 1,100 metric tons per year. ~~Similarly Since the Project is associated with the waste sector,~~ SMAQMD recommends a comparison of ~~at the p~~Project's annual operational GHG emissions to ~~a~~ the SMAQMD Stationary Source significance threshold of ~~1,100~~ 10,000 metric tons per year. If a threshold is exceeded, then the project may have a cumulatively considerable contribution to a significant cumulative environmental impact, and all feasible mitigation is required. Additionally, the Project would also be assessed for consistency with the County of Sacramento Climate Action Plan (CAP).

- 2-3: The SMAQMD recommends presenting the Project haul truck miles and emissions alongside any discussion of benefits that may occur from no longer being required to transport the waste offsite. This comparison has been incorporated into draft IS/MND page 5-22 as new **Table 5.3-4A. Project Haul Truck Emissions and Approved CCP-Related Haul Truck Emissions**. Minor text revisions were also made to ensure consistency with the newly added table. For convenience, newly added Table 5.3-4A is presented below. All other revisions can be reviewed in Section 4 of this Final IS/MND.

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**Table 5.3-4A. Project Haul Truck Emissions and Approved CCP-Related Haul Truck Emissions**

<u>Construction Year</u>	<u>Pollutant (pounds per day)</u>						
	<u>ROG</u>	<u>NOX</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2e</u>
<b><u>Pounds per Day</u></b>							
<u>Approved Haul Trucks</u>	<u>32.91</u>	<u>471.83</u>	<u>81.04</u>	<u>1.11</u>	<u>14.96</u>	<u>10.69</u>	<u>154,965</u>
<u>Project Haul Trucks</u>							
<u>2021</u>	<u>0.26</u>	<u>5.58</u>	<u>3.69</u>	<u>0.02</u>	<u>0.03</u>	<u>0.03</u>	<u>3,391</u>
<u>2022</u>	<u>2.10</u>	<u>47.93</u>	<u>25.65</u>	<u>0.15</u>	<u>0.20</u>	<u>0.19</u>	<u>10,815</u>
<u>2023</u>	<u>1.94</u>	<u>47.93</u>	<u>22.24</u>	<u>0.15</u>	<u>0.20</u>	<u>0.19</u>	<u>14,976</u>
<u>2024</u>	<u>0.99</u>	<u>14.87</u>	<u>14.68</u>	<u>0.04</u>	<u>0.01</u>	<u>0.01</u>	<u>1,775</u>
<b><u>Tons per Year</u></b>							
<u>Approved Haul Trucks</u>	<u>2.4</u>	<u>34.9</u>	<u>5.99</u>	<u>0.1</u>	<u>1.1</u>	<u>0.8</u>	<u>8,256</u>
<u>Project Haul Trucks</u>							
<u>2021</u>	<u>0.0</u>	<u>0.1</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>29</u>
<u>2022</u>	<u>0.0</u>	<u>2.1</u>	<u>0.2</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>185</u>
<u>2023</u>	<u>0.0</u>	<u>1.9</u>	<u>0.2</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>721</u>
<u>2024</u>	<u>0.0</u>	<u>0.1</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>27</u>

Source: EMFAC2017. Refer to *Attachment A* and *Attachment C* for Model Data Outputs.

**Aerojet Waste Consolidation Unit Project**  
Final Initial Study and Mitigated Negative Declaration

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**Letter 3: LEA/Solid Waste Program, Sacramento County Environmental  
Management Department, Will Scheffler, REHS Enviro Specialist III**

Environmental Management  
Department

Marie Woodin, Director



July 23, 2020

Alexander MacDonald  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

Dear Mr. MacDonald:

**SUBJECT: LEA COMMENTS ON INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
FOR AEROJET WASTE CONSOLIDATION PROJECT**

**Authority and Background** The Sacramento County Environmental Management Department (EMD) is the Local Enforcement Agency (LEA) for the California Department of Resources, Recycling, and Recovery (CalRecycle). EMD enforces Titles 14 and 27 of the California Code of Regulations (14CCR, 27CCR) at solid waste facilities in the Cities and County of Sacramento.

On June 24, 2020, EMD received notification of the Central Valley Regional Water Quality Control Board's (CVRWQCB) Notice of Availability/Intent to Adopt the Mitigated Negative Declaration (MND) for the Initial Study (IS), for the Aerojet Waste Consolidation project located between the Cities of Rancho Cordova and Folsom in Sacramento County. EMD staff has reviewed the aforementioned documents and the included Joint Technical Document (JTD) in Appendix A and provides comments below.

**LEA  
Comments**

- 1) Based upon the information provided, the project would be regulated as a **Solid Waste Landfill** under 27CCR and a **full Solid Waste Facility Permit (SWFP)** would be required. The applicant will need to submit a SWFP application (CalRecycle Form E-1-77) to the LEA. 27CCR, section 21570, specifies what the application package must contain. Per section 21570(f)(3), this includes CEQA compliance information consisting of either evidence of compliance with CEQA or information regarding the applicant's status in complying with CEQA. 3-1
  
- 2) On page 3-25, the IS/MND indicates that daily cover consistent with 27CCR requirements would be specified in either the project's WDRs or in a future agency approved "Daily Cover Plan." This section of the IS/MND indicates that daily cover would be applied at the end of each filling day. However, Page 22, Section 2.5 "Site Capacity" and Page 64 Section 8.3.4 "Daily Cover" of the JTD contradicts this and states that there are currently no plans to use 3-2

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daily cover at the AWCU. Please note that pursuant to 27CCR 20680(a), all municipal solid waste landfill units shall cover disposed solid waste with a minimum of six inches of compacted earthen material at the end of each operating day. 27 CCR 20680(d) states that earthen material shall include contaminated soil as defined in 14CCR 17361(b), and soil with contaminants other than petroleum hydrocarbons which has been approved for use as landfill daily cover by the RWQCB, and any other governmental agencies from which approval is required, such as the Department of Toxic Substances Control and Air Pollution Control District or Air Quality Management District. The IS/MND characterizes the waste or "Transfer Material" going to the AWCU as contaminated soil. As such, the CVRWQCB and the aforementioned other governmental agencies will determine if the Transfer Material meets the definition of contaminated soil that would be approved for daily cover thus negating the need for other daily cover materials at the AWCU.

3-2

3) Section 3.3.1 "Closure Plan" on page 3-28 of the IS/MND states that following hauling and placement of 1,000,000 Cubic Yards of Transfer Material or by December 31, 2035, whichever occurs first, the portion of the AWCU that accepted Transfer Material would be closed consistent with Closure Plan requirements approved by the LEA. In previous sections of the IS/MND, Aerojet has committed to the closure and capping of the AWCU (Phase 1) and the capping of all remaining WRND waste (Phase II) by December 31, 2035. As such, this commitment should be included in this section. Additionally, this section refers to the AWCU's closure to be consistent with Closure Plan requirements approved by the LEA. Please note that Closure Plan requirements will also have to be submitted to and be approved by the CVRWQCB and CalRecycle, pursuant to 27CCR 21780.

3-3

4) On page 3-29, the IS/MND states that gas and leachate collection, management, and destruction (if necessary) would be performed by licensed geologists and engineers under direction of the LEA and Sacramento Metropolitan Air Quality Management District (SMAQMD) consistent with 27CCR and the State Water Resources Control Board's Land Disposal Program requirements. This section should be revised to state that landfill gas and leachate collection, management, and destruction (if necessary) would be performed by licensed geologists and engineers pursuant to LEA, SMAQMD, and CVRWQCB requirements consistent with 27CCR and the State Water Resources Control Board's Land Disposal Program requirements.

3-4

5) The last paragraph on Page 5-95 of the IS/MND states that the Phase 2 WRND Cap project is scheduled for implementation within 15 years or by the end of 2035. This sentence is inconsistent with previous statements that Aerojet was committed to completing the Phase 2 WRND capping by 2035.

3-5

6) Page 21 of the JTD indicates that there will be a minimum 50 feet separation from the limit of AWCU waste and the property boundaries along the east and south property limits. Please note that within this 50 feet area of separation,

3-6

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- landfill gas monitoring probes, that are a part of the greater 27CCR compliant landfill gas monitoring network, will need to be installed between the waste and property limits. 50 feet of separation between waste and property limits is a very small setback and would provide minimal buffer in the event of landfill gas migration, increasing the possibility that methane in excess of the 5% limit would be detected at these probes, resulting in a violation of 27CCR section 20921. As such, it is recommended that the AWCU be located further away from the east and south property limits to provide a greater setback from waste. 3-6
- 7) Page 22 of the JTD indicates that the AWCU design capacity is 1,000,000 Cubic Yards and 1,600,000 million tons of Transfer Material. As such, these capacities will be reflected in the issued SWFP. 3-7
- 8) Page 23 of the JTD indicates that the construction of the AWCU would not begin until the first project generating Transfer Material is initiated. Please note that the LEA will not approve an amendment to the current Aerojet Landfill's 2015 Clean Closure Plan (CCP) that provides for the long-term surface stockpiling of excavated waste. The LEA views "long-term stockpiling" as time greater than what the approved 2015 CCP currently specifies for stockpiling, testing, and characterizing excavated waste. Additionally, the project's IS/MND indicates that Transfer Material will not be generated until the first cell of the AWCU is ready to accept it. 3-8
- 9) Page 42 of the JTD states that the maximum net tonnage that can be deposited per operating day is 12,000 tons and that the maximum allowable weekly tonnage is 60,000 tons (based on five working days per week). As such, these limits will be included in the issued SWFP. 3-9
- 10) Page 45 of the JTD indicates that following the placement of final cover, the maximum AWCU elevation will be 310 feet above sea level. As such, this elevation will be conditioned in the issued SWFP. 3-10
- 11) Page 50 of the JTD states that landfill gas migration monitoring probes will be installed in native soils around the perimeter of the AWCU to monitor for possible subsurface migration. The JTD further states that it is anticipated that a total of 11 probes will be installed depending on the final build-out of the AWCU and that because waste is shallower than 30 feet, and in accordance with 27CCR 20925, two probes will be installed per location at less than 1,000-foot centers around the entire AWCU, as discussed in detail in Section 6.5.2. Please note that the 27CCR perimeter compliance probe network must extend around both the combined area of the AWCU and capped WRND waste. As such, the number of probes and design of this perimeter network may have to be increased or redesigned. Please also note that the LEA may require installation of additional landfill gas monitoring wells/probes as a result of future possible development around the landfill, in order to ensure protection of public health and safety and the environment. 3-11

**Aerojet Waste Consolidation Unit Project**  
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12)Page 53 of the JTD states that waste that does not meet the criteria for the AWCUC would be hauled offsite to the appropriate disposal facility once there is a viable load for transport (approximately 15 to 23 tons). This section of the JTD also indicates that waste for off-site disposal will be removed from the site within two weeks. The JTD identifies that two types of waste that do not meet the criteria of the AWCUC: putrescible waste and sludge. Both of these waste types may be odorous and have the potential of causing nuisances conditions. As such, putrescible waste or sludge that is excavated during the construction of the AWCUC should be removed from the site within 48 hours of excavation or be stored in closed containers to prevent the generation of nuisances.

3-12

13)Page 64 of the JTD again states that 11 perimeter landfill gas monitoring probes will be placed around the AWCUC. Please refer to Comment 11 of this letter, regarding the requirement for perimeter landfill gas monitoring probes to be installed around both the AWCUC and surrounding capped WRND waste.

3-13

14)Page 79 of the JTD states that there are currently no plans to use daily cover at the AWCUC. Please refer to Comment 2 of this letter regarding the possible determination and approval by the CVRWQCB and other governmental agencies for the use of no daily cover.

3-14

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**Contact**

If you have any questions regarding this letter, please contact me at (916) 875-8651.

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Sincerely,



Will Scheffler, REHS  
Environmental Specialist III  
LEA/Solid Waste Program

JL:WS:la

c: Alyssa Williams, CalRecycle  
Chris Pahule, Sacramento County Planning and Environmental Review Department

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**Response to Letter 3:**

- 3-1: This comment summarizes the Solid Waste Facility Permit and related CEQA requirements for the project. Comment noted, no response required.
- 3-2: Comment noted, no response required.
- 3-3: This comment states that draft IS/MND Section 3.3.1 "Closure Plan" should include the commitment for closure of the Phase 1 AWCU by December 31, 2035 as stated elsewhere in the draft initial study. The comment also notes that Closure Plan requirements will require approval by the CVRWQCB and CalRecycle. These revisions are incorporated on draft IS/MND page 3-28 in Section 3.3.1 Closure Plan as follows:

Following hauling and placement of 1,000,000 CYs of Transfer Material, closure of the portion of the AWCU that accepted the transfer material and the WRND will be initiated. However, following the initial construction of the AWCU, regardless of the volume of transfer material placed in the AWCU, both the AWCU and WRND closure will be completed by December 31, 2035. The AWCU will be closed consistent with Closure Plan requirements in accordance with 27 CCR 21780 and approved by the Regional Water Quality Control Board, CalRecycle, and the LEA approved by the LEA. These requirements are typically administrative and would not result in additional ground disturbance or construction activities beyond those required for project construction. Typical anticipated long-term maintenance and monitoring requirements are listed below.

- 3-4 This comment requests LEA, SMAQMD, and CVRWQCB and 27CCR be added to the discussion of the gas and leachate collection system found on draft IS/MND page 3-29, second paragraph. These additions have been made as shown below.

Gas and leachate collection, management and destruction (if necessary) would be performed by licensed geologists and engineers pursuant to LEA, SMAQMD, and CVRWQCB consistent with 27CCR and the State Water Resources Control Board's Land Disposal Program requirements.

- 3-5 This comment states that the phrase "within 15 years" as presented on draft IS/MND page 5-95 is inconsistent with previous statements where Aerojet commits to completing Phase 2 capping by 2035. To address this, the text has been revised and the phrase "within 15 years or" has been deleted and the date "December 31, 2035" inserted as shown below. This change was made throughout the entire draft IS/MND.

The Phase 2 WRND Cap project, scheduled for completion implementation within 15 years or by the end of December 31, 2035, would include the capping and closure of the existing WRND.

- 3-6 This comment recommends the AWCU be located further away from the east and south property limits to provide a setback greater than 50 feet (as indicated in the JTD) for installation of gas monitoring probes. The 50 ft value stated in the JTD is a typographical error and should read 150

**Aerojet Waste Consolidation Unit Project**  
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- ft. This can be verified on Sheet 210 of the Construction Drawings (Appendix I). Corresponding revisions will be made to the JTD.
- 3-7 This comment states that page 22 of the JTD indicates that the AWCU design capacity is 1,000,000 Cubic Yards and 1,600,000 tons of Transfer Material and that these capacities will be reflected in the Solid Waste Facility Permit (SWFP). While this comment is acknowledged it's important to note that volumes will be measured through truck counts and volume of Transfer Material per truck load. The tonnage is estimated through a conversion of 1.6 ton/cubic yard.
- 3-8 Comment acknowledged; no response required.
- 3-9 Comment acknowledged. As discussed in response 3-7 above, it should be noted that tonnage will be back calculated based on volume hauled and a conversion of 1.6 tons/cubic yard.
- 3-10 Comment acknowledged; no response required.
- 3-11 This comment addresses the gas migration monitoring probes discussion on JTD page 50. This comment is noted and the text on JTD Section 5.4.7 and 6.6, as well as Figure 6-2 and Sheet 600 of the Construction Drawings (in Appendix I), will be modified to reflect the fact that the landfill gas probes will surround the footprint of the WRND.
- 3-12 This comment states putrescible waste or sludge that is excavated during the construction of the AWCU should be removed from the site within 48 hours of excavation or be stored in closed containers to prevent the generation of nuisances. This comment is noted and the associated paragraph on JTD page 53 will be modified to include the following sentence:  
Putrescible waste or sludge excavated from the WRND will be either stored onsite in closed containers or hauled offsite to an appropriate disposal location within 48 hours of excavation.
- 3-13 This comment states that JTD page 64 again includes a statement that 11 perimeter gas monitoring probes will be placed around the AWCU and refers the reader to previous "Comment 11" (Comment 3-11 above). Comment acknowledged. See response to Comment 3-11 above.
- 3-14 This comment notes that JTD page 79 states that there are currently no plans to use daily cover at the AWCU and refers the reader to previous comment 2 (Comment 3-2 above). The intent is to not use daily cover at the AWCU as soil similar to proposed Transfer Material has been accepted as daily cover at other landfills and is expected to be approved as alternative daily cover for the Proposed Project as discussed in LEA comment 3-2 above.

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**Letter 4: CalRecycle, Permitting & Assistance Branch – Central Unit, Waste Permitting, Compliance & Mitigation Division, Alyssa Williams, Environmental Scientist**

California Environmental Protection Agency

  
Department of  
Resources Recycling and Recovery

Gavin Newsom  
*California Governor*

Jared Blumenfeld  
*Secretary for Environmental Protection*

Ken DaRosa  
*CalRecycle Acting Director*

July 24, 2020

Alexander MacDonald  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

**Subject: SCH No. 2020060543** – Initial Study and Mitigated Negative Declaration for  
Aerojet Waste Consolidation Unit Project – Sacramento County

Dear Mr. MacDonald:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

**PROJECT DESCRIPTION**

The Central Valley Regional Water Quality Control Board (CVRWQCB), acting as Lead Agency, has prepared and circulated a Notice of Intent (NOI) of a Draft Initial Study and Mitigated Negative Declaration (Draft IS/MND) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The Proposed Project is located on an Aerojet-Rocketdyne Inc. (Aerojet) owned ±250-acre parcel referred to as the White Rock North Dump (WRND) parcel. The WRND parcel includes a ±100-acre pre-regulation “dump” and is within Aerojet's access-controlled property located south of State Highway 50 between the Cities of Rancho Cordova and Folsom in Sacramento County, CA. The Project site address is 12353 White Rock Road, Sacramento County, CA. 95742. The surrounding properties are primarily vacant/undeveloped. The Prairie City Off-Highway Vehicle Park is located approximately 0.64 mile east, and Teichert Aggregates is located approximate one mile south. The nearest cities include the Rancho Cordova, approximately 1.1 miles west, and Folsom, approximately 1.7 miles northeast. The nearest existing residential use includes a single-family subdivision located in the City of Rancho Cordova approximately 1.6 miles to the southeast.

The proposed project would occur in two phases. Phase one would allow for construction, cap, and closure of a Class II Landfill to be known as the Aerojet Waste Consolidation Unit for up to 1,000,000 cubic yards (CY) of waste soil and inert construction debris. The unit will be constructed on top of ±50-acres of the White Rock

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North Dump (WRND) within the existing Aerojet-owned ±250-acre WRND parcel. Phase one also includes transportation of approximately 500,000 CY of Transfer Material from the existing Aerojet Landfill consistent with the separately approved Aerojet Landfill Clean Closure Plan. The Aerojet Landfill is an existing approximately 180-acre, non-operating, closed landfill owned by Aerojet located within the proposed Aerojet Waste Consolidation Unit Service Area approximately 2.3 miles north of the proposed WRND parcel. Majority of the material will be received from Aerojet Landfill, however it is anticipated that additional materials may be accepted from other projects within the Aerojet Consolidation Unit Project Area, as defined in the IS/MND. Following the acceptance of 1,000,000 CY of Transfer Material or by December 31, 2035, whichever comes first, the entire unit will be closed and capped consistent with Title 27 requirements. Phase two would consist of the cap and closure of the remainder of the existing WRND and any remaining portions of the Aerojet Waste Consolidation Unit consistent with Title 27 requirements.

Operations would mostly occur Monday through Friday from 7:00 a.m. to 6:00 p.m. Ancillary Activities, as defined in the IS/MND are allowed 7 days a week, 24 hours per day.

**COMMENTS**

CalRecycle staff's comments on the proposed project are listed below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all sections of the IS/MND, in addition to the specific location noted.

Comments for the IS/MND are summarized in the table below:

Chapter/Section	Page	Comment
2.2.2 Phase 2	2-4	<p>“However, in the event that the AWCU is not filled, Aerojet commits to completion of the capping of the filled portion of the AWCU and the remainder of the WRND by December 31, 2035....”</p> <p>How will this closure date be enforced by other agencies? In the event 1,000,000 CY of material is not received when would closure activities begin to ensure they are completed by December 31, 2035? What steps would be taken if closure activities need to extend beyond 2035?</p>

4-1

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Chapter/Section	Page	Comment	
2.2.2 Phase 2 Schedule	2-5	<p>“While <b>most</b> operations and construction tasks would occur Monday through Friday between the hours of 7:00am to 6:00pm, some deviation may be necessary.”</p> <p>Hours of operation should be specific without deviation while ancillary hours allow for more flexibility. Please specify what the proposed hours of operation for transfer and disposal activities will be.</p>	4-2
2.3.1 Aerojet Landfill	2-6	<p>“While the WMUs are mostly at ground level, site elevation ranges from approximately 200 to 280 feet above mean sea level.”</p> <p>Is this the mean sea level of the project site currently or the proposed final mean sea level? Please specify what the proposed final maximum elevation for the Aerojet Waste Consolidation Unit will be.</p>	4-3
2.3.1 Aerojet Landfill	2-9	<p>“...waste disposed in the Aerojet Landfill is understood to include primarily items such as: kitchen or restaurant garbage; cardboard and paper products; glass, plastic, wood, and metal items; scrap from construction work and demolition waste; and green waste....Aerojet Landfill investigation results indicate that some of the soil surrounding this waste, if removed, would be classified as contaminated, nonhazardous Class II waste. This Class II waste soil and some of the scrap from construction work and demolition debris is referred to in this document as “Transfer Material.””</p> <p>Kitchen or restaurant garbage, cardboard and paper products, green waste, and glass, plastic, wood, and metal items are not considered construction and demolition debris. The project description states that the unit is for waste soil and inert construction debris. Please specifically</p>	4-4

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Chapter/Section	Page	Comment	
		<p>state what types of waste will be disposed in the Aerojet Waste Consolidation Unit waste cells.</p> <p>Please clarify how materials that are not construction and demolition debris will be separated from the soil and disposed of at an appropriately permitted facility or if some of those items are expected to be disposed in the Aerojet Waste Consolidation Unit waste cells.</p> <p>Have the criteria been considered in Title 14 CCR Section 17361(b) to determine if this facility can be classified as a contaminated soil disposal facility?</p>	4-4
2.4 Aerojet Waste Consolidation Unit Project Purpose and Need	2-21	<p>“Furthermore, the transport of up to approximately 1,000,000 CYs of waste over public streets and highways to an existing offsite landfill that would accept it raised concerns. The concerns are related to the potential impacts to roadways, air quality and public safety associated with thousands of truck trips to and from the offsite landfill(s), with each round trip being approximately 120 miles.”</p> <p>To which landfill are the estimates of round trips being calculated on? If Sacramento region landfills are used for these estimates would the round trip mileage and therefore the impacts outlined in this document be significantly reduced? For example the IS/MND states “Eliminates emissions from approximately 4.19 million miles of diesel truck hauling.” How would this value change if a landfill within the Sacramento region was used?</p>	4-5
3.1 Project Overview	3-1	<p>“..when Transfer Material is generated, it would be sampled and analyzed for chemicals of concern based upon generator knowledge to profile the waste accordingly. The waste would be sampled to confirm it is non-hazardous. If the results confirm the Transfer Material is non-hazardous, it would be disposed in the AWCU. If the results indicate Transfer Material is</p>	4-6

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Chapter/Section	Page	Comment	
		<p>hazardous, it will be hauled offsite to a Class I facility.”</p> <p>Will material accepted from the Aerojet Waste Consolidation Unit Service Area (not Aerojet Landfill) be required to be sampled and analyzed?</p>	4-6
<p>3.2.3 Construction Approach</p> <p>Environmental Stewardship Measures</p>	3-15, 3-16	<p>“Construction documents will identify materials that are considered hazardous consistent with the Project approved JTDs.”</p> <p>“Project recycling requirements outlined in the JTDs shall be implemented through agreements executed with a local recycling or landfill operator (e.g., Schnitzer Steel in Rancho Cordova and/or Kiefer Landfill).”</p> <p>There will only be one JTD for this facility, not multiple. Please correct this so JTD is not plural throughout document.</p>	4-7
<p>3.2.4 Construction Tasks, Personnel, and Equipment</p> <p>Clearing and Grubbing</p>	3-23	<p>“Segregated waste would be managed in accordance with applicable state and federal laws and regulations; however, non-hazardous, contaminated soils and construction debris consistent with Phase 1 AWCU acceptance criteria and specifications may be processed and eventually placed in the new AWCU. Waste that is not suitable for onsite consolidation would be transported offsite”</p> <p>Please clarify that any waste transported offsite would be sent to a permitted solid waste facility.</p>	4-8
<p>3.2.4 Construction Tasks, Personnel, and Equipment</p> <p>Haul and Placement of Transfer Material Waste</p>	3-25	<p>“Daily cover consistent with Title 27 requirements would be specified in either the project’s WDRs or in a future agency approved “Daily Cover Plan.” Daily cover would be applied at the end of each filling day using a dozer or special deployment equipment.”</p> <p>What agency is responsible for approving “Daily Cover Plan”? Will this be included in the JTD?</p>	4-9

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Chapter/Section	Page	Comment	
5.17.1 Transportation  Environmental Setting	5-129	<p>“The entrance to the property is controlled through access gates and guard stations. Access to the site must be prearranged and authorized by appropriate Aerojet personnel. Project implementation would occur within Aerojet’s access-controlled property and would not involve public roadways.”</p> <p>Please clarify if this would apply to members of the public or if it would apply to any government official as well. It is common practice for most government inspections of facilities to be unannounced and therefore not prearranged and authorized.</p>	4-10
5.19.2 Utilities and Services System (XIX) Environmental Checklist and Discussion	5-142	<p>“The Proposed Project is a waste consolidation project and would not generate new waste subject to federal, state, and local management and reduction statutes and regulations. There would be <b>no impact</b>, and no mitigation is required.”</p> <p>This statement appear to be incorrect. If the project is proposing to accept materials from other sources besides the Aerojet Landfill, as described in the project description, there is potential for new waste to be generated. Material that is brought from outside sources may result in some material items that need to be removed and sent to other permitted solid waste facilities for handling and disposal.</p>	4-11

Solid Waste Regulatory Oversight

The Sacramento County Environmental Management Department is the Local Enforcement Agency (LEA) for Sacramento County and responsible for providing regulatory oversight of solid waste handling activities, including inspections. Please contact the LEA at 916.591.6995 to discuss the regulatory requirements for the proposed project.

**CONCLUSION**

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the IS/MND and in carrying out their responsibilities in the CEQA process.

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CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision making body.

If you have any questions regarding these comments, please contact me at 916.341.6066 or by e-mail at [Alyssa.Williams@calrecycle.ca.gov](mailto:Alyssa.Williams@calrecycle.ca.gov).

Sincerely,

*Alyssa Williams*

Alyssa Williams, Environmental Scientist  
Permitting & Assistance Branch – Central Unit  
Waste Permitting, Compliance & Mitigation Division  
CalRecycle

cc: Patrick Snider, Supervisor  
Permitting & Assistance Branch – Central Unit  
CalRecycle

Will Scheffler, LEA  
Sacramento County Environmental Management Department

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**Response to Letter 4:**

The CalRecycle comment letter includes introductory paragraphs addressing the project description and the comments that follow. These comments are acknowledged, no response is required.

- 4-1: This comment asks how the closure date will be enforced by other agencies and what steps would be taken if closure activities need to extend beyond 2035. Closure planning and engineering activities would commence sufficiently in advance to allow closure by December 31, 2035. To ensure this closure date is met and can be enforced, Aerojet will be required to submit a closure and post closure monitoring plan that includes a milestone schedule for completion of the primary tasks required to ensure the final closure date. That plan would be approved and be enforceable under the WDRs. Should exceptional circumstances arise that may affect the schedule, Aerojet would file for an extension in accordance with 27 CCR 2035.
- 4-2: This comment requests the proposed operating hours for AWCU filling be specifically identified on draft IS/MND page 2-5 in Section 2.2.2 Phase 2 Schedule. To address this, a sentence identifying hauling and landfilling operating hours is added to the end of the third paragraph on draft IS/MND page 2-5 as follows.

While most operations and construction tasks would occur Monday through Friday between the hours of 7:00am to 6:00pm, some deviation may be necessary. For example, there may be the need to periodically enter the landfill for inspections and/or to respond to issues such as a security fencing breach or pump failure. There is also the potential that required monitoring activities, such as stormwater runoff sampling, could occur on weekends/holidays. These type of "ancillary activities" would not normally require operation of heavy machinery, but could require vehicle access, task lighting and mechanic tools to facilitate minor repair activities. These type of "ancillary activities" would not result in offsite impacts and are allowed 7 days per week, 24 hours per day. Hauling and landfilling of Transfer Material will only occur Monday through Friday between the hours of 7:00am to 6:00pm.

- 4-3: This comment asks if the elevations cited in draft IS/MND Section 2.3.1 Aerojet Landfill are current or proposed and requests the proposed final maximum elevation for the Aerojet Waste Consolidation Unit be identified. The 200 to 280-foot elevations cited are for existing conditions. The final maximum elevation of the AWCU will be 310 ft above mean sea level.
- 4-4 This comment requests: 1) the types of waste to be disposed of in the AWCU be specifically identified; 2) requests clarification on how materials that are not construction and demolition debris will be separated from the soil and disposed of at an appropriately permitted facility (or if some would be disposed of in the AWCU); and, 3) asks if Title 14 CCR Section 17361 (B) criteria have been considered to determine if this facility can be classified as a contaminated soil disposal facility?
- 1) As discussed at the end of the first paragraph on draft IS/MND page 2-9 "Transfer Material" is comprised of Class II waste soil and some of the scrap from construction work

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and demolition debris. "Scrap" from construction work and demolition debris includes concrete "chunks" and scrap metal.

- 2) Waste from the Aerojet landfill will be segregated during closure operations per the Clean Closure Plan (CCP) developed by Tetra Tech dated 2015 and approved by the agencies. The CCP describes the methods that will be used to segregate material excavated from the Aerojet Landfill and related disposal requirements (see also draft IS/MND Appendix B).
- 3) Title 14 CCR Section 17361 Definitions states:  
For the purposes of this Article:
  - (a) "Air District" means Air Pollution Control District or Air Quality Management District.
  - (b) "Contaminated Soil" means soil that:
    - (1) contains designated or nonhazardous concentrations, as set forth in Title 23, Chapter 15, Article 1, section 2510 et seq. of the California Code of Regulations, of petroleum hydrocarbons, such as gasoline and its components (benzene, toluene, xylene, and ethylbenzene), diesel and its components (benzene), virgin oil, motor oil, or aviation fuel, and lead as an associated metal; and
    - (2) has been determined pursuant to section 13263(a) of the Water Code to be a waste that requires regulation by the RWQCB or Local Oversight Agency.

The AWCU can be classified as a contaminated soil disposal facility because it meets the above Title 14 CCR Section 17361 (b) (2) criteria as its regulated by the CVRWQCB and/or Local Oversight Agency.

- 4-5 The landfills identified in the Aerojet Landfill Clean Closure Plan as approved to accept Aerojet Landfill Transfer Material were used to estimate the distances. These include the Forward, Hay Road, and Ostrom landfills.
- 4-6 This comment asks if material accepted from the Aerojet Waste Consolidation Unit Service Area (not Aerojet Landfill) will be required to be sampled and analyzed. As discussed in Draft EIR page 3-1, any material excavated from the Aerojet Waste Consolidation Unit Service Area will be sampled, analyzed, and profiled to confirm acceptability in the Class II AWCU.
- 4-7 This comment states there will only be one JTD for the Proposed Project, not multiple (i.e., "JTDs") and requests this be corrected throughout the IS/MND. In response, all draft IS/MND references to "JTDs" have been replaced with "JTD."
- 4-8 This comment requests clarification that any waste transported offsite would be sent to a permitted solid waste facility. To address this comment, the phrase "to a permitted solid waste facility" was added to the end of the second paragraph on draft IS/MND page 3-23 as shown below.

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Segregated waste would be managed in accordance with applicable state and federal laws and regulations; however, non-hazardous, contaminated soils and construction debris consistent with Phase 1 AWCU acceptance criteria and specifications may be processed and eventually placed in the new AWCU. Waste that is not suitable for onsite consolidation would be transported offsite to a permitted solid waste facility.

4-9 This comment asks, what agency is responsible for approving the "Daily Cover Plan" and will this be included in the JTD? Throughout the JTD it stated that daily cover would not be required as the Transfer Material itself meets the criteria for daily cover. As such, other non-soil Transfer Material, such as construction debris including scrap metal or concrete chunks, would be covered by Transfer Material soil at the end of each day. Because the daily cover plan will be included in the JDT, it would be subject to Central Valley Regional Water Quality Control Board and Sacramento County approval.

4-10 This comment requests clarification regarding Project site access by government officials. To address this comment, draft IS/MND page 5-129, Section 5.17.1 Environmental Setting is modified as follows:

The entrance to the property is controlled through access gates and guard stations. Public Access to the site must be prearranged and authorized by appropriate Aerojet personnel. Government personnel provided access will be accompanied by Aerojet personnel. Project implementation would occur within Aerojet's access-controlled property and would not involve public roadways.

4-11 This comment asks if the following statement is correct.

"The Proposed Project is a waste consolidation project and would not generate new waste subject to federal, state, and local management and reduction statutes and regulations. There would be no impact, and no mitigation is required."

All waste to be disposed in the AWCU will be generated from within the AWCU Service Area. Therefore, no waste will be generated from locations off the Aerojet Rocketdyne Sacramento Campus. Additionally, the waste must meet the definition of Transfer Material, which is non-hazardous, contaminated soil and construction debris. The non-Aerojet Landfill Transfer Material that will be generated will consist of soil excavated in response to environmental remediation projects associated with the Aerojet Superfund Site. This IS/MND includes an evaluation of the transportation of this material from the source to the AWCU. The excavation of these other sources is not a component of the AWCU. The evaluation of impacts from these excavation activities will be evaluated as part of that separate project. No changes to text are proposed.

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**Letter 5: California Department of Fish and Wildlife, Dylan Wood, Environmental Scientist**

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**From:** Wood, Dylan@Wildlife <[Dylan.A.Wood@wildlife.ca.gov](mailto:Dylan.A.Wood@wildlife.ca.gov)>  
**Sent:** Friday, July 24, 2020 2:48 PM  
**To:** MacDonald, Alex@Waterboards <[Alex.MacDonald@waterboards.ca.gov](mailto:Alex.MacDonald@waterboards.ca.gov)>  
**Cc:** Wildlife R2 CEQA <[R2CEQA@wildlife.ca.gov](mailto:R2CEQA@wildlife.ca.gov)>; [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)  
<[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)>  
**Subject:** Comments on the MND for the Aerojet waste Consolidation Project (SCH: 2020060543)

EXTERNAL:

Dear Mr. MacDonald:

RE: AEROJET WASTE CONSOLIDATION PROJECT (PROJECT)  
MITIGATED NEGATIVE DECLARATION (MND) SCH# 2020060543

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the Central Valley Regional Water Quality Control Board, Central Valley Sacramento Region 5 (the Board) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>[1]</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

#### **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed

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alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

### PROJECT DESCRIPTION SUMMARY

The Project proposes to construct, fill and close consistent with Title 27 requirements a Class II Landfill to be known as the Aerojet Waste Consolidation Unit (AWCU) on top of ±50-acres of within the existing Aerojet-owned ±250-acre White Rock North Dump (WRND) parcel. It will dispose of up to 1,000,000 CYs of waste soil that meets the Class II waste requirements and inert construction debris (together referred to as Transfer Material) in the AWCU. Transfer Material would be generated from future remediation projects located within the proposed AWCU Service Area which comprises approximately 7500 acres of Aerojet access-controlled property. This would include accepting transfer material from the Aerojet Landfill consistent with the approved Aerojet Landfill Clean Closure Plan. The Aerojet Landfill is an existing approximately 180-acre, non-operating, closed landfill owned by Aerojet located within the proposed AWCU Service Area approximately 2.3 miles north of the proposed WRND parcel. To facilitate the revised Aerojet Landfill disposal location, the Project also includes amending the 2015 County-approved Aerojet Landfill to replace the identified offsite haul route with the Aerojet Landfill Haul Route identified in the initial study. Phase 2 WRND Cap and Closure: Cap and close the remainder of the existing pre-regulation ±100-acre WRND in accordance with Title 27 requirements (±50 acres plus any remaining portion of the ±50-acre AWCU area not filled with Transfer Material). Entitlements: The current ±250-acre WRND parcel, inclusive of the ±100-acre former dump is zoned M1, which does not include landfill activities. To bring the parcel into compliance with its current use and to construct the AWCU on the parcel, incorporation of the WRND parcel into the SPA is required. Therefore, Project entitlements include amending the Aerojet Special Planning Area (SPA) chapter of the Sacramento County zoning code to add the WRND parcel into the SPA “Industrial Zone.”

### COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the Board in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document or facilitate an effective environmental review process. Where CDFW recommends specific revisions to the MND, deletions are marked with a strikethrough (~~example~~) while additions are marked as underlined (example).

#### **Comment 1: The MND defers mitigation for potential impacts to Biological Resources.**

Section 15126.4, subdivision (a)(1)(B) of the CEQA Guidelines states that formulation of mitigation measures should not be deferred until some future time. The MND

5-1

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includes mitigation measures for biological resources that rely on future approvals/agreements/processes that are not specific as a means of bringing identified significant environmental effects to a level of less than significant. CEQA requires that any activity resulting in loss of habitat, decreased reproductive success, or other negative effects on population levels of fish and wildlife species should be addressed in the MND. If it is not possible to avoid impacts to special-status species, the DEIR must identify feasible mitigation that reduces project impacts to a level of less than significant.

5-1

To address this comment, CDFW recommends the Board revise the MND to include measures that are enforceable and do not defer the details of the mitigation to the future. This would include proposing an appropriate response strategy in the event preconstruction surveys reveal potentially affected fish and wildlife species rather than broadly stating "consultation will be initiated with CDFW to determine appropriate avoidance measures." CDFW has provided specific recommendations for certain biological resources below, but the Board is encouraged to address this issue throughout the document.

**Comment 2: Revisions needed to mitigate nesting birds to a level of less-than-significant.**

The MND identifies potentially significant impacts to nesting birds as a result of construction, work-related, or fill activities. The MND proposes Environmental Stewardship Measure ESM-5 to mitigate this potential impact; however, ESM-5 is too generalized in scope and may not fully capture potential bird activity at or adjacent to the project site. For instance, the survey methodology described in the Swainson's Hawk Technical Advisory Committee's *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, recommends "window surveys" from a vehicle. These types of surveys are typically suitable for identifying nesting behavior for larger raptors but may not be effective for identifying smaller birds which may nest in the grassland areas on or near the Project area. Likewise, the MND does not cite specific enforceable objectives such as a survey radius or response procedure. It should also be noted that the MND discloses that the Project area represents suitable habitat for a wide range of bird species with varying levels of protection. Any proposed mitigation measures should reflect and address this range of potential impacts.

5-2

To address this comment, CDFW recommends splitting ESM-5 into three separate measures that fully encompass potential species that may be encountered in the event Project activities occur during the nesting season:

Fully Protected Species

*"If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the white-tailed kite nesting season (typically between February 1 and September 15), a focused survey for white-tailed kite nests on the site and within 0.25 mile of the site will be conducted by a qualified biologist no greater than 15 days prior to the start of project activities (including clearing and grubbing). If white-tailed kites are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and*

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*proposed activities. The avoidance plan should include measures to avoid impacting white-tailed kite including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. If a lapse in project-related work of fifteen (15) days or longer occurs, the qualified biologist shall perform a new focused survey, and if nests are found, perform the tasks described in this measure.*

*If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.*

*If potential impacts are identified during the course of the project, project personnel shall fully avoid impacts to fully protected species.”*

CESA-listed Species:

*“If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the Swainson’s hawk nesting season (typically March 1 through September 15) surveys for active nests of such birds shall be conducted by a qualified biologist in accordance with the typical survey protocol: Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley (Swainson’s Hawk Technical Advisory Committee 2000). Surveys shall be conducted at the appropriate radius and time periods listed in the survey protocol. Since the project spans over multiple years, a new survey shall be conducted for each nesting season to capture any new Swainson’s hawk nests that may be established.*

5-2

*If Swainson’s hawk is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting Swainson’s hawk including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.*

*If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another*

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*focused survey is required before project activities can be reinitiated.*

*If an active Swainson's hawk nest is found during project surveys, the project shall demonstrate compliance with CESA. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may consult with CDFW and may seek related take authorization as provided by the Fish and Game Code."*

Other Migratory and Non-Migratory Birds:

*"In each year in which project activities would occur during the breeding season (generally February 1 through September 15), the Board, Aerojet, or the Contractor will retain a qualified wildlife biologist with knowledge of the relevant species to conduct nesting surveys no greater than 15 days prior to the start of project activities (including clearing and grubbing). Surveys will include a search of suitable nesting habitat in the project area including staging and stockpile areas. The minimum survey radii surrounding the work area shall be the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; iii) 1,000 feet for larger raptors such as buteos. If nesting birds are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting nesting birds including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.*

5-2

*If no active nests are detected during these surveys, no additional measures are required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey will be required before project activities can be reinitiated.*

**Comment 3: BIO-1 revisions needed to mitigate Special-Status Plants Species to a level of less-than-significant.**

CDFW has identified several areas where BIO-1 is too broad and additional specifics can be provided to more encompassing surveys and response in the event special-status plants are found.

To address this comment, CDFW recommend incorporating the following:

- Define survey procedure as *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018) or the most recent agency approved survey protocol.
- Propose compensatory mitigation in the event special-status plants are found within the Project area. Compensation make take the form of permanent

5-3

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protection, enhancement, or restoration of suitable habitat, or purchase of credits at an approved mitigation or conservation bank.

- Establish performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible.
- Include the following text specifically for CESA-listed species: *In the event, take of CESA-listed plants cannot be avoided the project proponent may seek related take authorization as provided by the Fish and Game Code.*

5-3

**Comment 4: BIO-2 revisions needed to mitigate American Badger to a level of less-than-significant.**

BIO-2 describes both preconstruction surveys for American badger (*Taxidea taxus*) and subsequent consultation with CDFW if evidence of the species is found. This measure does not provide specific, enforceable mitigation, while relying on later consultation with CDFW does not necessarily guarantee measures will be implemented.

To address this comment, CDFW recommends the preconstruction section be revised to incorporate the following:

*Retain a qualified biologist to conduct a pre-construction survey for American badger no greater than 15 days prior to the start of project activities. The survey shall include all suitable habitat in the project area and within a 500-foot radius around the project area including staging and stockpile. The survey effort should be focused on identifying actively used burrows or other signs of presence for the species such as recent scat, tracks, etc. If American badger is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to American badger, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking, behavior-based monitoring by a biologist, and exclusion zones/fencing with an active movement corridor between any burrows and adjacent suitable habitat. If no evidence (e.g., sign, scat, burrows) of American badger presence is found, no further measures are necessary.*

5-4

**Comment 5: BIO-4 and BIO-5 revisions needed to mitigate impacts to federally listed species to a level of less than significant.**

As stated in Comment 1, the MND should not defer specific mitigation to later approvals. The MND states for both BIO-4 and BIO-5 that the “findings of the protocol surveys would dictate mitigation, avoidance, and/or minimization measures through Section 7 consultation with USFWS.” This statement does not allow for adequate analysis on effectiveness of this mitigation measure during CEQA review.

5-5

To address this issue, CDFW recommends outlining the specific anticipated mitigation measures for minimizing impacts to the respective species- vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), and valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). CDFW

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recommends also including discussing preserving or permanently protecting species habitat to compensate for temporary and permanent impacts (or as determined through consultation with USFWS and implementation of resulting mitigation requirements). Compensation make take the form of permanent protection, enhancement, or restoration of suitable habitat, or purchase of credits at a USFWS-approved bank or conservation.

5-5

**Comment 6: BIO-6 revisions needed to mitigate western spadefoot toad to a level of less than significant.**

As stated in Comment 1, the MND should not defer specific mitigation to later consultation with CDFW. If western spadefoot toad is encountered during surveys, CDFW recommends a qualified biologist develop a site-specific avoidance, minimization, and/or relocation plan should ensure that any measures in the approved plan are in place prior to construction and implemented during construction. If any breeding sites are identified, these habitats should be avoided. The plan may include establishing temporary no disturbance areas where the individuals are found, exclusion fencing for construction areas (with suitable refuge opportunities), and biological monitoring for Project activities. To the extent relocation is needed, relocation sites should be identified and minimum qualifications (i.e. CDFW Scientific Collecting Permit) for those handling the species should be established.

5-6

**Comment 7: BIO-7 revisions suggested to improve analysis of Waters of the State.**

As stated in the MND, "if applicable, Aerojet shall also obtain a Section 1602 Permit from the California Department of Fish and Wildlife." CDFW recommends the MND provide additional detail on whether a "Section 1602 Permit" would be "applicable" to the Project.

To address this comment, CDFW recommends the MND provide discussion of whether or not the Project meets the notification requirement of Section 1602 of the Fish and Game Code. [Fish and Game Code section 1602](#) requires a person or entity to notify the CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake.

5-7

Please note that "any river, stream, or lake" may include tributaries that are dry for periods of time as well as those that flow year-round. Activities subject to this requirement may also include staging areas, haul routes, or other access related to the Project. If you are not certain a particular activity requires notification, CDFW recommends you notify. More information can be found at <https://wildlife.ca.gov/Conservation/LSA>.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental documents be

5-8

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incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>. The completed form can be sent electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov).

**FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

5-8

**CONCLUSION**

CDFW appreciates the opportunity to comment on the MND to assist the Board in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Dylan Wood, Environmental Scientist at 916-358-2384 or [dylan.a.wood@wildlife.ca.gov](mailto:dylan.a.wood@wildlife.ca.gov).

Sincerely,

**Dylan Wood**

California Department of Fish and Wildlife  
Environmental Scientist  
(916) 358-2384



[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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**Response to Letter 5:**

The CDFW comment letter includes introductory paragraphs addressing the CEQA process, CDFW's role, and a summary of the project. These comments are acknowledged.

5-1 This comment states the "MND includes mitigation measures for biological resources that rely on future approvals/agreements/processes that are not specific as a means of bringing identified significant environmental effects to a level of less than significant." The comment further states that "CDFW recommends the Board revise the MND to include measures that are enforceable and do not defer the details of the mitigation to the future." In their letter, CDFW provides specific recommendations for certain biological resources and encourages this issue be addressed throughout the document.

As discussed in the draft IS/MND Section 1.0 Introduction, consistent with and as allowed by the State CEQA Guidelines, the draft IS/MND includes both Phase 1 "project level" and Phase 2 "program level" analysis. Phase 1 project level analysis covers the Phase 1 AWCU, the Phase 1 Joint Technical Document (JTD) (see Appendix A – Joint Technical Document), the Phase 1 AWCU Closure Plan, and the proposed Aerojet Landfill transportation plan CCP amendment. Phase 2 covers capping the WRND. Because the Phase 1 and Phase 2 improvement areas are geographically related, the ultimate size and design of the Phase 2 Cap cannot be determined until Phase 1 improvements are fully constructed.

Because the extent of specific project elements cannot be determined at this time for Phase 2, the JTD and CEQA analysis is based on a 10% design for the Phase 2 CAP (see draft IS/MND Appendix A). In lieu of a fully developed Phase 2 JTD and Closure Plan, the Phase 2 analysis and mitigation assumes a logical progression of WRND Cap and closure improvements and that such improvements would be conducted consistent with then current Title 27 requirements. This dual level analysis ensures that the effects of implementing the overall Project are not segmented and cumulative effects are considered, while recognizing that the two phases are at different stages of planning and environmental review.

With respect to future Phase 2 development, the State CEQA guidelines require that Phase 2 activities be examined in light of the program analysis contained in this initial study to determine whether additional environmental documentation or mitigation is required. If Phase 2 improvements would have significant effects that are not examined in the program analysis, subsequent environmental review would be required consistent with Sections 15162 through 15164 of the state CEQA Guidelines.

Furthermore, CEQA Guidelines Section 15126.4 Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects, Subsection (B) states:

Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the

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agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.

The draft IS/MND proposed mitigation measures are based on the best currently available information and as discussed above can be refined based on future Phase 2 project level design and analysis. Nevertheless, to ensure enforceability and to address details important to CDFW, draft IS/MND Phase 2 biological resource mitigation measures have been refined consistent with CDFW's specific recommendations (as discussed further in responses 5-2 through 5-5 below).

- 5-2: This comment states Environmental Stewardship Measure ESM-5 is too generalized in scope, does not cite specific enforceable objectives such as a survey radius or response procedure, and may not fully capture potential bird activity at or adjacent to the project site. The comment includes specific revisions to ensure ESM-5 fully encompasses the range of potential impacts. As a result, ESM-5, as contained on draft IS/MND page 3-15, has been revised as follows consistent with the CDFW recommendation:

**ESM-5: Construct Outside of Nesting Season or Conduct Pre-Construction Nesting Surveys**

To avoid disturbance of breeding and nesting activity, including nesting of fully protected species, CESA-listed species, and other migratory and non-migratory birds, the following shall be implemented:

Fully Protected Species:

If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the white-tailed kite nesting season (typically between February 1 and September 15), a focused survey for white-tailed kite nests on the site and within 0.25 mile of the site will be conducted by a qualified biologist no greater than 15 days prior to the start of project activities (including clearing and grubbing). If white-tailed kites are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting white-tailed kite including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. If a lapse in project-related work of fifteen (15) days or longer occurs, the qualified biologist shall

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perform a new focused survey, and if nests are found, perform the tasks described in this measure.

- If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.
- If potential impacts are identified during the course of the project, project personnel shall fully avoid impacts to fully protected species."

CESA-listed Species:

If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the Swainson's hawk nesting season (typically March 1 through September 15) surveys for active nests of such birds shall be conducted by a qualified biologist in accordance with the typical survey protocol: Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). Surveys shall be conducted at the appropriate radius and time periods listed in the survey protocol. Since the project spans over multiple years, a new survey shall be conducted for each nesting season to capture any new Swainson's hawk nests that may be established.

If Swainson's hawk is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting Swainson's hawk including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

- If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.
- If an active Swainson's hawk nest is found during project surveys, the project shall demonstrate compliance with CESA. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may consult with CDFW and may seek related take authorization as provided by the Fish and Game Code."

Other Migratory and Non-Migratory Birds:

In each year in which project activities would occur during the breeding season (generally February 1 through September 15), the Board, Aerojet, or the Contractor will retain a qualified wildlife biologist with knowledge of the relevant species to conduct nesting surveys no greater

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than 15 days prior to the start of project activities (including clearing and grubbing). Surveys will include a search of suitable nesting habitat in the project area including staging and stockpile areas. The minimum survey radii surrounding the work area shall be the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; iii) 1,000 feet for larger raptors such as buteos. If nesting birds are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting nesting birds including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

- If no active nests are detected during these surveys, no additional measures are required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey will be required before project activities can be reinitiated.

~~To avoid disturbance of breeding and nesting activity, including nesting of sensitive raptors or ground nesting species, project activities will be avoided during the typical breeding season of February through August, to the extent feasible. If construction must take place during the typical nesting season, construction surveys will be conducted by a Qualified Biologist consistent with the May 31, 2000 Swainson's Hawk Technical Advisory Committee Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (to the extent feasible based on schedule constraints). Surveys will be conducted to determine if active nesting is occurring on or directly adjacent to the study area. If active nests are found on or immediately adjacent to the site, survey results will be submitted to the California Department of Fish and Wildlife (CDFW) and consultation will be initiated with CDFW to determine appropriate avoidance measures. If no nesting is found to occur, project activities may proceed.~~

- 5-3: This comment offers CDFW recommended revisions to Mitigation Measure BIO-1 Special Status Plant Species to ensure related impacts are mitigated to a less-than-significant level. The recommended revisions have been incorporated into Mitigation Measure BIO-1 on draft IS/MND page 5-68 (section 5.4.4 Mitigation Measures) and is copied below for convenience.

**BIO-1: Special-Status Plant Species:** Prior to Phase 1 or 2 construction activities, the following actions are recommended for avoiding impacts to special-status plant species:

- Perform focused plant surveys according to USFWS, CDFW, and CNPS protocols. Surveys should be timed according to the blooming period for target species and known reference populations, if available. For CDFW, survey procedures would be consistent with Protocols for

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Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) or the most recent agency approved survey protocol.

- The USFWS generally considers plant survey results valid for approximately three years. Therefore, follow-up surveys may be necessary if Project implementation occurs after this three-year window.
- If special-status plant species are found, avoidance zones may be established around plants to clearly demarcate areas for avoidance. Avoidance measures and buffer distances may vary between species and the specific avoidance zone distance would be determined in coordination with appropriate resource agencies (CDFW and/or USFWS).
- In the event special-status species can't be avoided, compensation make take the form of permanent protection, enhancement, or restoration of suitable habitat, or purchase of credits in an approved mitigation or conservation bank.
- If special-status plant species are found within the Project and avoidance of the species is not possible, additional measures such as seed collection and/or translocation may be developed in consultation with the appropriate agencies. For species that are not state or federally listed, any such plan shall include no net loss performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible.
- In the event take of CESA-listed plants cannot be avoided, the project proponent may seek related take authorization as provided by the Fish and Game Code and USFWS.
- If no special-status plants are found, no further measures pertaining to special-status plants are necessary.

5-4 This comment states draft IS/MND mitigation measure BIO-2 does not provide specific, enforceable mitigation, and asserts that relying on later consultation with CDFW does not necessarily guarantee measures will be implemented. The comment includes specific recommended revisions to address this concern. As a result, Mitigation Measures BIO-2 American Badger as contained on draft IS/MND page 5-68 (Section 5.4.4 Mitigation Measures) has been revised as follows to incorporate the recommended language:

**BIO-2: American Badger:** Potentially suitable habitat (e.g., annual grassland) is present onsite for one special-status mammal, the American badger. To ensure that there are no impacts to American badgers, the following measures are recommended:

- Retain a qualified biologist to conduct a pre-construction survey for American badger no greater than 15 days prior to the start of project activities. The survey shall include all suitable habitat in the project area and within a 500-foot radius around the project area including staging and stockpile areas. The survey effort should be focused on identifying actively used burrows or other signs of presence for the species such as recent scat, tracks, etc. If American badger is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The

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avoidance plan should include measures to protect American badger, including but not limited to appropriate no-disturbance buffers with appropriate flagging or staking, behavior-based monitoring by a biologist, and exclusion zones/fencing with an active movement corridor between any burrows and adjacent suitable habitat. If no evidence (e.g., sign, scat, burrows) of American badger presence is found, no further measures are necessary.

- If evidence of American badger presence is found, consult with CDFW to determine if any additional measures are necessary.

5-5 This comment states draft IS/MND mitigation measures BIO-4 and BIO-5 require revision to mitigate impacts to federally listed species to a level of less than significant. Specifically, the comment states that findings of the protocol surveys would dictate mitigation, avoidance and/or minimization measures through Section 7 consultation with the USFWS and that absent specific detail this statement alone does not allow for adequate analysis of mitigation effectiveness during CEQA review. To address this, CDFW recommends outlining specific measures for minimizing impacts to the respective species – vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), and valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). As a result of this comment, mitigation measures BIO-4 and BIO-5 as contained on draft IS/MND page 5-69 have been amended to include more specific mitigation requirements (see revised measures below).

CDFW also states in this comment that compensation may take the form of permanent protection, enhancement, or restoration of suitable habitat, or purchase of credits at a USFWS-approved bank or conservation area. With regard to CDFW's suggestion to preserve or permanently protect species habitat to compensate for temporary and permanent impacts, Title 27 design requirements for the Phase 2 WRND cap (the onsite area where sensitive habitats are located) would require habitat removal and therefore the project's regulatory requirements are incompatible with an onsite preservation approach. As such onsite preservation is not considered feasible, however offsite properties owned by Aerojet could be considered for permanent habitat protection as outlined in revised Mitigation Measures BIO-4 and BIO-5 (revised measures presented below).

**BIO-4: Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp:** The following measures are recommended to minimize potential impacts to vernal pool fairy shrimp and vernal pool tadpole shrimp:

- During Phase 1 construction, the following will be implemented by Aerojet's construction contractor to ensure indirect impacts to vernal pool branchiopod habitat are avoided: ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas will be implemented to protect any onsite or adjacent offsite vernal pool branchiopod habitat that occurs within 100 feet of ground disturbance.
- The Applicant may assume presence of listed large branchiopods. Prior to any construction or work related activities or impacts to any features that provide suitable habitat (vernal pools, seasonal wetlands, and seasonal wetland swales) for the aforementioned listed large

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branchiopod species, Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.

- If the Applicant does not assume presence of listed large branchiopods, perform protocol level surveys pursuant to the current USFWS Guidelines. The findings of the protocol surveys would dictate mitigation, avoidance, and/or minimization measures through Section 7 consultation with USFWS.
- Aerojet may compensate for Phase 2 direct impacts on vernal pool fairy shrimp and vernal pool tadpole shrimp (vernal pool branchiopod) habitat by either establishing permanent protection, enhancement, or restoration of suitable habitat on adjacent lands, or purchasing appropriate habitat credits at a USFWS-approved mitigation or conservation bank. The habitat impacts will be mitigated at a 3:1 ratio (1:1 creation and 2:1 preservation). Mitigation and conservation banks in Sacramento County that sell vernal pool branchiopod credits and are authorized by the USFWS include the Van Vleck Mitigation Bank, the Bryte Ranch Conservation Bank and Clay Station Mitigation Bank.
- The exact acreage of Phase 2 direct impacts to vernal pool branchiopod habitat will be determined after the Phase 2 WRND cap design has been finalized and appropriate surveys conducted. At that time the IS/MND Phase 2 programmatic analysis and related mitigation measures will be reviewed by the Lead Agency to determine if subsequent CEQA analysis is required.

**BIO-5: Elderberry Longhorn Beetle:** The following measure is recommended to minimize potential impacts to VELB:

- During Phase 1 construction, the following will be implemented by Aerojet's construction contractor to ensure indirect impacts to VELB habitat (i.e., elderberry shrubs) are avoided: *ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas* will be implemented to protect any onsite or adjacent offsite elderberry shrubs that occur within 100 feet of ground disturbance.
- Conduct surveys for elderberry shrubs within areas of the Study Area that have not been previously surveyed (i.e., the Phase 2 development area).
- If elderberry shrubs would be removed, an evaluation using the 2017 USFWS guidance entitled *USFWS 2017 Framework for Assessing Impacts to the VELB* should be conducted to determine the appropriate mitigation needs to minimize impacts to VELB and its host shrub.
- Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.

5-6 This comment states draft IS/MND mitigation measure BIO-6 requires revision to mitigate impacts to western spadefoot toad to a level of less than significant. CDFW recommends specific language for incorporation into mitigation measures BIO-6 to address this concern. The

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recommended language, with minor modification, has been incorporated into BIO-6 on draft IS/MND page 5-69 as shown below.

**BIO-6: Western Spadefoot:** The following measures shall be implemented to minimize potential impacts to western spadefoot:

- Although no formal survey protocol is required by agencies to determine presence of western spadefoot, it is recommended that nighttime auditory surveys and dip net surveys are made in suitable aquatic habitat during the breeding season (typically late February into April, Shedd 2016).
- If no western spadefoot is detected during the surveys no further measures are needed.
- If western spadefoot is detected, a qualified biologist shall develop a site-specific avoidance, minimization, and/or relocation plan to ensure that any measures in the approved plan are in place prior to construction and implemented during construction. If any breeding sites are identified, these habitats should be avoided to the degree feasible. If not feasible, individuals can be relocated. The relocation plan may include establishing temporary no disturbance areas where the individuals are found, exclusion fencing for construction areas (with suitable refuge opportunities), and biological monitoring for Project activities. To the extent relocation is needed, relocation sites should be identified and minimum qualifications (i.e., CDFW Scientific Collecting Permit) for those handling the species should be established. additional measures may be developed in consultation with CDFW to avoid impacts to this species. Measures may include preconstruction surveys and/or monitors present during construction activities in and adjacent to suitable aquatic habitat.

5-7 This comment recommends the IS/MND include discussion of whether or not the project meets the notification requirement of Section 1602 of the Fish and Game Code. While making such determination is not a required under CEQA, an evaluation of the need for providing notification under Fish and Game Code Section 1602 is provided here.

According to Fish and Game Code section 1602, a person or entity shall notify CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake.

As discussed in the draft IS/MND on page 5-36 Vegetation Communities, onsite vegetation communities were identified based on the classification system presented in the Manual of California Vegetation (Sawyer et al. 2009). However, following the site assessment, it was determined that the disturbed and nonnative vegetation communities present did not strictly follow the Manual of California Vegetation's nomenclature. These include annual grasslands and

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dredge tailings. The following describes these vegetation communities/land cover types as identified on the project site.

Annual Grassland. Annual grassland is the primary vegetation type on the Project site. Dominant plants found within the annual grassland onsite include a variety of nonnative grasses and forbs including wild oats (*Avena fatua*), soft brome (*Bromus hordeaceus*), filaree (*Erodium botrys*), yellow star-thistle (*Centaurea solstitialis*), and prickly lettuce (*Lactuca serriola*). Scattered ephemeral wetlands are also located within or adjacent to the annual grassland.

Disturbed/Dredge Tailings/Old Landfill. This vegetation community is also prevalent onsite and in the surrounding project area. These areas are characterized by mounds of cobble and excavated pits. The vegetation found on the cobble mounds includes sparsely distributed nonnative weedy grasses and forbs such as wild oats, vetch (*Vicia* sp.), morning glory (*Convolvulus arvensis*), shortpod mustard (*Hirschfeldia incana*), prickly lettuce, and yellow star-thistle. Dense thickets of shortpod mustard, yellow star-thistle, prickly lettuce, and Italian thistle (*Carduus pycnocephalus*) are abundant in mined areas supporting soil. Scrub-shrub and woodland habitat made up of poison oak (*Toxicodendron diversilobum*), coyote brush (*Baccharis pilularis*), Himalaya blackberry (*Rubus armeniacus*), Fremont's cottonwood (*Populus fremontii*), gray pine (*Pinus sabiniana*), interior live oak (*Quercus wislizenii*), and Goodding's black willow (*Salix gooddingii*) can be found within excavated pits.

While seasonal wetlands and vernal pools have been identified in the Phase 2 project area, no riparian habitat was identified during site reconnaissance surveys in areas proposed for development. This includes all staging areas, haul routes and other access points related to the project. The Proposed Project does not involve diverting or obstructing the natural flow of a river, stream, or lake; substantially changing the bed, channel, or bank of a river, stream, or lake; or using any material from the bed, channel, or bank of a river, stream, or lake; and/or depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. As such, the Project as currently proposed does not require notification under Section 1602 of the Fish and Game Code.

- 5-8 This comment states CEQA requires that any special-status species and natural communities detected during project surveys be reported to the California Natural Diversity Database (CNDDDB). ECORP Consulting, Inc., prepared a Biological Resources Assessment and the CEQA IS/MND for the Proposed Project and will ensure reporting consistent with CEQA and CNDDDB requirements is completed. This also comment addresses the California Code requirement for payment of CDFW review fees at the time of CEQA Notice of Determination (NOD) filing. Aerojet commits to paying applicable CDFW review fees at the time of NOD filing.

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## **SECTION 4 REVISIONS TO THE DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

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### **4.1 Revisions to the Draft Initial Study and Mitigated Negative Declaration**

Upon review of comments on the Draft IS/MND and the preparation of responses to those comments, it was determined that no substantial revisions to the text and analysis presented in the Draft IS/MND were necessary. A substantial revision according to Section 15073.5 of the 2017 CEQA Guidelines shall mean:

- “(1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.”

As noted above, no substantial revisions to the text of the Draft IS/MND were required as a result of response to comments received on the Draft IS/MND. However, minor revisions and clarifications to the draft IS/MND have been incorporated to address comment letter concerns and recommendations and to make minor corrections and clarifications at the direction of Water Board staff. On the pages following, these changes are shown as underline/~~strikeout~~ revisions where “underlined” denotes newly added text and “strikeout” is deleted text. The page and section numbering on the following errata pages correspond to those contained in the draft IS/MND. Only pages with revision are included in the errata section. The draft IS/MND, as modified by the following errata pages, constitutes the Final IS/MND.

Revisions to the Draft IS/MND are provided in the following pages.

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the Class II waste requirements and inert construction debris (together referred to as Transfer Material) in the AWCU. Transfer Material would be generated from future remediation projects located within the proposed AWCU Service Area which comprises approximately 7,500 acres of Aerojet access-controlled property. This would include accepting transfer Material from the Aerojet Landfill consistent with the approved Aerojet Landfill Clean Closure Plan. The Aerojet Landfill is an existing approximately 180-acre, non-operating, closed landfill owned by Aerojet located within the proposed AWCU Service Area approximately 2.3 miles north of the proposed WRND parcel. To facilitate the revised Aerojet Landfill disposal location, the Project also includes amending the 2015 County-approved Aerojet Landfill CCP to replace the identified offsite haul route with the Aerojet Landfill Haul Route identified in the initial study.

Phase 2 WRND Cap and Closure: Cap and close the remainder of the existing pre-regulation  $\pm 100$ -acre WRND in accordance with Title 27 requirements ( $\pm 50$  acres plus any remaining portion of the  $\pm 50$ -acre AWCU area not filled with Transfer Material).

Entitlements: The current  $\pm 250$ -acre WRND parcel, inclusive of the  $\pm 100$ -acre former dump is zoned M1, which does not include landfill activities. In order to bring the parcel into compliance with its current use and to construct the AWCU on the parcel, incorporation of the WRND parcel into the Aerojet Special Planning Area (SPA) is required. Therefore, Project entitlements include amending the Aerojet SPA chapter of the Sacramento County zoning code to add the WRND parcel into the SPA "Industrial Zone."

Schedule: It is anticipated the entire Project lifecycle would not exceed 15 years from the issuance of the solid waste facility permit. Assuming construction of the AWCU commences in Spring 2021, Transfer Material could be received as soon as Fall 2021. Although Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to an AWCU closure by December 31, 2035. The preferred schedule for implementation of the WRND Phase 2 Cap is to begin when 1,000,000 CY of Transfer Material have been placed in the AWCU. However, since Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to the completion of the Phase 2 Cap by December 31, 2035.

**Public Review Period:** The public review and comment period for the IS/MND will extend 30 days starting June 24, 2020 and ending July 24, 2020.

**Mitigation Measures Incorporated into the Project to Avoid Significant Effects:** In addition to the mitigation measures listed below, the project would implement Environmental Stewardship Measures (ESMs), described in Initial Study Section 3.2.3.

## Air Quality

**AQ-1** The following practices are considered feasible for controlling fugitive dust from a construction site. Control of fugitive dust is required by District Rule 403 and enforced by SMAQMD staff.

- Water Treat all exposed surfaces at least two times daily during active site work and as needed on all other days in order to remain in compliance with Sacramento Metropolitan AQMD adopted Rule 403 at all times during the project. Exposed surfaces include but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access

roads. Consistent with adopted Rule 403, treatment may include application of asphalt, oil, water, or suitable chemicals on dirt roads, material stockpiles, and other surfaces which can give rise to airborne dust.

- Cover, or wet and maintain at least 2 feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour.
- All roadways, driveways, sidewalks, and parking lots to be paved should be completed as quickly as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

## Biological Resources

**BIO-1: Special-Status Plant Species:** Prior to Phase 1 or 2 construction activities, the following actions are recommended for avoiding impacts to special-status plant species:

- Perform focused plant surveys according to USFWS, CDFW, and CNPS protocols. Surveys should be timed according to the blooming period for target species and known reference populations, if available. For CDFW, survey procedures would be consistent with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) or the most recent agency approved survey protocol.
- The USFWS generally considers plant survey results valid for approximately three years. Therefore, follow-up surveys may be necessary if Project implementation occurs after this three-year window.
- If special-status plant species are found, avoidance zones may be established around plants to clearly demarcate areas for avoidance. Avoidance measures and buffer distances may vary between species and the specific avoidance zone distance would be determined in coordination with appropriate resource agencies (CDFW and/or USFWS).
- In the event special-status species can't be avoided, compensation make take the form of permanent protection, enhancement, or restoration of suitable habitat, or purchase of credits in an approved mitigation or conservation bank.
- If special-status plant species are found within the Project and avoidance of the species is not possible, additional measures such as seed collection and/or translocation may be developed in consultation with the appropriate agencies. For species that are not state or federally listed, any such plan shall include no net loss performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the

performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible.

- In the event take of CESA-listed plants cannot be avoided, the project proponent may seek related take authorization as provided by the Fish and Game Code and USFWS.
- If no special-status plants are found, no further measures pertaining to special-status plants are necessary.

**BIO-2: American Badger:** Potentially suitable habitat (e.g., annual grassland) is present onsite for one special-status mammal, the American badger. To ensure that there are no impacts to American badgers, the following measures are recommended:

- Retain a qualified biologist to conduct a pre-construction survey for American badger no greater than 15 days prior to the start of project activities. The survey shall include all suitable habitat in the project area and within a 500-foot radius around the project area including staging and stockpile areas. The survey effort should be focused on identifying actively used burrows or other signs of presence for the species such as recent scat, tracks, etc. If American badger is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to protect American badger, including but not limited to appropriate no-disturbance buffers with appropriate flagging or staking, behavior-based monitoring by a biologist, and exclusion zones/fencing with an active movement corridor between any burrows and adjacent suitable habitat. If no evidence (e.g., sign, scat, burrows) of American badger presence is found, no further measures are necessary.

- If evidence of American badger presence is found, consult with CDFW to determine if any additional measures are necessary.

**BIO-3: Native Oak Trees:** The Applicant shall implement the following measures to minimize potential impacts to native oak trees:

- Conduct an arborist survey according to Sacramento County guidelines by an International Society of Arboriculture certified arborist for the Project footprint.
- If no impacts to protected trees are found, no action is required.
- Should the arborist report identify potential impacts to trees protected by County ordinance, prepare and submit an application for a Sacramento County Tree Permit. The tree permit would outline mitigation measures to reduce impacts to protected trees to less-than-significant consistent with County requirements.

**BIO-4: Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp:** The following measures are recommended to minimize potential impacts to vernal pool fairy shrimp and vernal pool tadpole shrimp:

- During Phase 1 construction, the following will be implemented by Aerojet's construction contractor to ensure indirect impacts to vernal pool branchiopod habitat are avoided: **ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas will be implemented to protect any onsite or adjacent offsite vernal pool branchiopod habitat that occurs within 100 feet of ground disturbance.**
- The Applicant may assume presence of listed large branchiopods. Prior to any construction or work related activities or impacts to any features that provide suitable habitat (vernal pools, seasonal wetlands, and seasonal wetland swales) for the aforementioned listed large branchiopod species, Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.
- If the Applicant does not assume presence of listed large branchiopods, perform protocol level surveys pursuant to the current USFWS Guidelines. The findings of the protocol surveys would dictate mitigation, avoidance, and/or minimization measures through Section 7 consultation with USFWS.
- Aerojet may compensate for Phase 2 direct impacts on vernal pool fairy shrimp and vernal pool tadpole shrimp (vernal pool branchiopod) habitat by purchasing appropriate habitat credits at a USFWS-approved mitigation or conservation bank. The habitat impacts will be mitigated at a 2:1 ratio (2 acres preserved for every 1 acre affected). Mitigation and conservation banks in Sacramento County that sell vernal pool branchiopod credits and are authorized by the USFWS include the Van Vleck Mitigation Bank, the Bryte Ranch Conservation Bank and Clay Station Mitigation Bank.
- The exact acreage of Phase 2 direct impacts to vernal pool branchiopod habitat will be determined after the Phase 2 WRND cap design has been finalized and appropriate surveys conducted. At that time the IS/MND Phase 2 programmatic analysis and related

mitigation measures will be reviewed by the Lead Agency to determine if subsequent CEQA analysis is required.

**BIO-5: Elderberry Longhorn Beetle:** The following measure is recommended to minimize potential impacts to VELB:

- During Phase 1 construction, the following will be implemented by Aerojet's construction contractor to ensure indirect impacts to VELB habitat (i.e., elderberry shrubs) are avoided: *ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas* will be implemented to protect any onsite or adjacent offsite elderberry shrubs that occur within 100 feet of ground disturbance.
- Conduct surveys for elderberry shrubs within areas of the Study Area that have not been previously surveyed (i.e., the Phase 2 development area).
- If elderberry shrubs would be removed, an evaluation using the 2017 USFWS guidance entitled *USFWS 2017 Framework for Assessing Impacts to the VELB* should be conducted to determine the appropriate mitigation needs to minimize impacts to VELB and its host shrub.
- Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.

**BIO-6: Western Spadefoot:** The following measures shall be implemented to minimize potential impacts to western spadefoot:

- Although no formal survey protocol is required by agencies to determine presence of western spadefoot, it is recommended that nighttime auditory surveys and dip net surveys are made in suitable aquatic habitat during the breeding season (typically late February into April, Shedd 2016).
- If no western spadefoot is detected during the surveys no further measures are needed.
- If western spadefoot is detected, a qualified biologist shall develop a site-specific avoidance, minimization, and/or relocation plan to ensure that any measures in the approved plan are in place prior to construction and implemented during construction. If any breeding sites are identified, these habitats should be avoided to the extent feasible. If not feasible, individuals can be relocated. The relocation plan may include establishing temporary no disturbance areas where the individuals are found, exclusion fencing for construction areas (with suitable refuge opportunities), and biological monitoring for Project activities. To the extent relocation is needed, relocation sites should be identified and minimum qualifications (i.e., CDFW Scientific Collecting Permit) for those handling the species should be established. ~~additional measures may be developed in consultation with CDFW to avoid impacts to this species. Measures may include pre-construction surveys and/or monitors present during construction activities in and adjacent to suitable aquatic habitat.~~

**BIO-7: Waters of the United States/Waters of the State.** To minimize potential impacts to Waters of the U.S./State, the following measures shall be implemented prior to Phase 2 construction.

- To compensate for the permanent loss of Waters of the U.S./State, Aerojet shall obtain Section 404 and 401 Permits from the USACE and RWQCB and either create replacement wetland habitat or purchase credits at an agency-approved mitigation bank.
- The wetland compensation ratio Shall be a minimum of 1:1 (one acre of wetland habitat credit for every one acre of impact) to ensure no net loss of wetland habitat functions and values. The project shall also implement the conditions and requirements of the state and federal permits. The actual mitigation ratio and associated credit acreage may be modified based on final design and USACE and RWQCB permitting which will dictate the ultimate compensation for permanent impacts to Waters of the U.S./ State.
- If applicable, Aerojet shall also obtain a Section 1602 Permit from the California Department of Fish and Wildlife.

### **Cultural Resources**

**CUL-1: Unanticipated Discovery** - If any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered during the initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the construction supervisor shall immediately notify the CVRWQCB representative. If the find includes human remains, CVRWQCB shall

immediately notify the Sacramento County Coroner and the procedures in Section 7050.5 of the California Health and Safety Code and, if applicable, Section 5097.98 of the Public Resources Code, shall be followed. If the discovery is reasonably associated with Native American culture, CVRWQCB shall coordinate any necessary investigation of the discovery with an appropriate tribal representative and a qualified archaeologist approved by CVRWQCB. As part of the site investigation and resource assessment, CVRWQCB shall consult with appropriate parties to develop, document, and implement appropriate management recommendations, should potential impacts to the resources be found by CVRWQCB to be significant. Possible management recommendations could include

documentation, data recovery, or (if deemed feasible by CVRWQCB) preservation in place. The contractor shall implement any measures deemed by CVRWQCB, at its discretion, to be necessary and feasible to avoid, minimize, or mitigate significant effects to the cultural resources.

**CUL-2: Human Remains Discovery** - If human remains of any kind, or remains that are potentially human, are found during any phase on any portion of the Project, a qualified professional archaeologist 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 Public Resources Code, 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, which then will designate a Native American Most Likely Descendant for the project (§ 5097.98 of the Public Resources Code). The designated Most Likely Descendant 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 Most Likely Descendant, the NAHC may mediate (§ 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

## **Geology and Soils**

**GEO-1: Discovery of Unknown Paleontological Resources** - Any deep excavations extending below the surface dredge tailings or landfill materials will be monitored closely by a qualified paleontologist. If any paleontological resources (i.e., fossils) are found during excavation, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until the lead agency, Central Valley Water Quality Control Board, is notified and the area is cleared for future work. A qualified paleontologist will evaluate the findings 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 lead agency resumes work in a location where paleontological remains have been discovered and cleared, the lead agency will have a paleontologist onsite to observe any continuing excavation and 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.

**TCR-1: Unanticipated Discovery** - If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. The CVRWQCB shall invite a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area to make recommendations about whether or not the discovery represents a TCR (PRC §21074) and, if so, to make recommendations for culturally-appropriate treatment. The contractor shall implement any measures determined by the CVRWQCB to be necessary. Work at the discovery location cannot resume until the treatment has been implemented to the satisfaction of the CVRWQCB.

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Consistent with the State CEQA Guidelines, this initial study evaluates Phase 1 improvements and construction activities at a “project level,” and Phase 2 improvements at a “program level.” Phase 1 project level analysis covers the Phase 1 AWCU, the Phase 1 Joint Technical Documents (~~JTDs~~JTD) (see *Appendix A – Joint Technical Documents*), the Phase 1 AWCU Closure Plan, and the proposed Aerojet Landfill transportation plan CCP amendment. Because the Phase 1 and Phase 2 improvement areas are geographically related, the ultimate size and design of the Phase 2 Cap cannot be determined until Phase 1 improvements are fully constructed.

Because specific project elements cannot be determined at this time for Phase 2, the JTD only includes a 10% design for the Phase 2 CAP (see Appendix A). In lieu of fully developed Phase 2 ~~JTDs~~JTD and Closure Plan, the Phase 2 analysis assumes a logical progression of WRND Cap and closure improvements and that such improvements would be conducted consistent with the current Title 27 requirements.

This dual level analysis ensures that the effects of implementing the overall Project are not segmented and cumulative effects are considered, while recognizing that the two phases are at different stages of planning and environmental review.

With respect to future Phase 2 development, the State CEQA guidelines require that Phase 2 activities be examined in light of the program analysis contained in this initial study to determine whether additional environmental documentation is required. If Phase 2 improvements would have significant effects that are not examined in the program analysis, subsequent environmental review is required consistent with Sections 15162 through 15164 of the state CEQA Guidelines. Any required subsequent environmental documentation can be “tiered” from the program level analysis contained in this initial study. Should it be determined that Phase 2 components would not result in new effects or the need for new mitigation measures, they can rely on the environmental analysis and mitigation in this initial study and no additional CEQA documentation would be required.

Once all Transfer Material has been placed in the AWCU, the active AWCU cells would be capped and closed and no additional waste would be added to the AWCU. Currently, the only approved project that identifies Transfer Material is the Aerojet Landfill project; however, Aerojet anticipates additional projects within the AWCU Service Area would also generate Transfer Material that would meet the Class II waste requirements and could be placed in the AWCU. These additional projects would be required to evaluate environmental impacts associated with excavation and loading of the Transfer Material; however, the benefits to the environment of transporting Transfer Material from other excavation sites within the AWCU Service Area to the AWCU, placement of that Transfer Material into the AWCU, and capping and monitoring that Transfer Material are included in this analysis. The AWCU is anticipated to be active until Transfer Material completely fills the 1,000,000 CY capacity; however, the active life of the AWCU will cease prior to the construction of the final cap, which will be completed by December 31, 2035.

The AWCU would be designed in compliance with or exceeding CCR Title 27 requirements. This includes a double liner, a leachate collection and recovery system, a leak detection system, stormwater management system, vapor collection system and other appropriate environmental controls. Because it would be constructed above the existing WRND, in addition to the requirements of Title 27, a study would be conducted to determine if the existing WRND is emitting vapors necessitating the installation of a vapor destruction unit. The AWCU would be capped with a geomembrane-based or "alternative cover" in accordance with Title 27. The ~~JFDs~~JTD, which comprise the construction plans and specifications for Phase 1 improvements, are included herewith as *Appendix A*.

## **2.2.2 Phase 2**

As shown in *Figure 2-1*, the ±50-acre Phase 2 Cap would completely cover the remaining portions of the 100-acre WRND historic deposits. Excavation of landfill waste and consolidation with existing deeper WRND cells, may occur prior to capping to reduce the overall size of the Phase 2 Cap.

Aerojet intends on completely filling the 1,000,000 CY AWCU with Transfer Material from the Aerojet Landfill and other projects within the AWCU Service Area. However, in the event that the AWCU is not filled, Aerojet commits to completion of the capping of the filled portion of the AWCU and the remainder of the WRND by December 31, 2035, including the advance planning and design efforts required to achieve the capping date. Any portion of cells 1B through 1F not constructed as part of the Phase 1 AWCU (up to an additional 25 acres) could be covered by part of the Phase 2 Cap. Although not yet fully designed, the Phase 2 Cap would be Title 27-compliant. It would provide protection to waste deposits associated with the WRND from being exposed to precipitation and soil erosion and prevent potential human contact.

Beneath the constructed Phase 1 AWCU, the WRND final cover would consist of the AWCU improvements which include a double liner installed on top of the WRND beneath the newly constructed AWCU in addition to the final geosynthetic-based cover of the AWCU.

## **Entitlements and Clean Closure Plan Amendments**

Phase 1 includes an amendment to Aerojet's Special Planning Area (SPA) chapter of the County zoning code. The proposed SPA amendment would add the WRND parcel into the SPA "Industrial Zone." This

amendment would effectuate a zone change from the existing Light Industrial (M-1) to "Aerojet Industrial Zone" as defined by the Aerojet SPA, thus allowing construction of the proposed AWCU landfill. The Phase 1 Project also includes an amendment to the 2015 County-approved Aerojet Landfill CCP Appendix F Transportation Plan. This amendment would incorporate and ensure consistency with hauling operations described for the proposed Project.

### **Schedule**

Aerojet anticipates the entire Project lifecycle not to exceed 15 years from the issuance of the solid waste facility permit. The construction of AWCU cell 1A (500,000CY) is anticipated to take four to six months from start to finish. Construction would be timed to ensure the AWCU is ready to receive Transfer Material when the first project generating Transfer Material is initiated. Aerojet currently anticipates that this first project would be the Aerojet Landfill removal project; however, based upon real estate market timing and COVID-19 concerns, alternate projects may move ahead of the Aerojet Landfill project. Regardless, 500,000 CYs of the 1,000,000 CY AWCU volume would be set aside for the Aerojet Landfill project. In order to maximize the benefit of the AWCU, Aerojet intends on completely filling the 1,000,000 CY AWCU. Although Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to an AWCU closure within 15 years or by December 31, 2035.

While most operations and construction tasks would occur Monday through Friday between the hours of 7:00am to 6:00pm, some deviation may be necessary. For example, there may be the need to periodically enter the landfill for inspections and/or to respond to issues such as a security fencing breach or pump failure. There is also the potential that required monitoring activities, such as stormwater runoff sampling, could occur on weekends/holidays. These type of "ancillary activities" would not normally require operation of heavy machinery, but could require vehicle access, task lighting and mechanic tools to facilitate minor repair activities. These type of "ancillary activities" would not result in offsite impacts and are allowed 7 days per week, 24 hours per day. Hauling and landfilling of Transfer Material will only occur Monday through Friday between the hours of 7:00am to 6:00pm.

As discussed further in Section 3.2.4 Construction Tasks, Personnel and Equipment, in addition to ancillary activities, AWCU liner construction/installation (which is temperature sensitive) may require a start time earlier than 7:00a.m. This work would involve use of heavy-duty construction equipment and related impacts are evaluated in Section 5.1 Aesthetics and 5.13 Noise.

The preferred schedule for implementation of the WRND Phase 2 Cap is to begin when 1,000,000 CY of Transfer Material have been placed in the AWCU. At this time, the WRND Phase 2 Cap would be constructed. However, since Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to the completion of Phase 2 within 15 years or by December 31, 2035. If, at the time that the Phase 2 project needs to be implemented, AWCU capacity remains, Aerojet may propose to consolidate some of the WRND waste material into the AWCU in order to reduce the footprint of the WRND Phase 2 Cap.

## SECTION 3.0 PROJECT DESCRIPTION

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### 3.1 Project Overview

The Proposed Project is a proposal by Aerojet to implement the following major construction and waste relocation activities.

*Phase 1:*

1. Construct the AWCU – a ±50-acre Title 27 compliant Class II Landfill located on the northeastern portion of the existing ±250-acre WRND parcel containing the ±100-acre inactive WRND dump.
2. Haul up to 1,000,000 CYs of Transfer Material from various locations within the proposed 8,500-acre AWCU Service Area, including the Transfer Material from the Aerojet Landfill, to the proposed Class II AWCU for disposal and close the portion of the AWCU filled by the Transfer Material consistent with an agency approved closure plan.

*Phase 2:*

3. Construct the WRND Phase 2 Cap and close the existing WRND consistent with regulatory requirements existing at that time.

The Project site is located on the Aerojet owned ±250-acre WRND parcel (the WRND parcel) contained within Aerojet's access-controlled property located south of State Highway 50 between the Cities of Rancho Cordova and Folsom in Sacramento County (see *Figures 1-1 and 1-2*). The Proposed Project would be constructed in two phases. Phase 1 involves construction of the up to a 50-acre AWCU on top of the existing ±100-acre non-operating WRND. Phase 1 improvements are designed to avoid sensitive resources and the need for federal Endangered Species Act Section 7 consultation and federal Clean Water Act (CWA) Section 404 Permitting. The Phase 1 AWCU would accommodate "Transfer Material" excavated from various locations within the AWCU Service Area, defined as within the 8,500-acre Aerojet Sacramento facility, inclusive of Transfer Material from the Aerojet Landfill consistent with the separately approved Aerojet Landfill CCP and related CEQA document<sup>2</sup>. As discussed in the ~~JTDs~~JTD (See Initial Study Appendix A, ~~JTDs~~JTD Section 2.2.3 and table of constituents of concern included in ~~JTDs~~JTD Appendix A.3), when Transfer Material is generated, it would be sampled and analyzed for chemicals of concern based upon generator knowledge to profile the waste accordingly. The waste would be sampled to confirm it is non-hazardous. If the results confirm the Transfer Material is non-hazardous, it would be disposed in the AWCU. If the results indicate Transfer Material is hazardous, it will be hauled offsite to a Class I facility.

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<sup>2</sup> Final Clean Closure Plan, Aerojet Rocketdyne Landfill (Tetra Tech, Inc.). The related CEQA document is the: Aerojet Landfill Closure Modification Plan Negative Declaration and Addendum (Sacramento County NOD dated 3/21/2016. State Clearinghouse Number 2007072011).

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Phase 1 also includes a minor amendment to the Aerojet Landfill approved CCP offsite haul route. Phase 2 involves construction of an approximately 50-acre WRND Cap (Phase 2 Cap) and official closure of the

WRND consistent with Title 27 requirements. The WRND Phase 2 Cap has not yet been fully designed but would cover all portions of the WRND not covered by, or otherwise consolidated into, the Phase 1 AWCU. The Phase 2 Cap would be designed to accommodate final site drainage, access, controls, maintenance, and monitoring requirements.

### **3.2 Phase 1 Project Components - AWCU**

JTD outlining construction plans and specifications for the Phase 1 AWCU and preliminary (approximately 10% complete) plans for the Phase 2 Cap are included as *Appendix A*. JTD are evaluated as part of this Initial Study's environmental analysis and are subject to approval by the following CEQA lead and responsible agencies: CVRWQCB, Sacramento County LEA, and CalRecycle.

The proposed Phase 1 Project components and construction approach are described below.

#### **3.2.1 Aerojet Waste Consolidation Unit**

As shown in *Figure 3-1. Project Phasing Plan*, the Phase I AWCU would cover up to ±50 acres and be constructed on top of the eastern portion of the existing ±100-acre WRND landfill. As shown in *Figure 3-1*, because the total volume of Transfer Material cannot be precisely determined, construction would be completed in phases. Construction of the AWCU would include an initial 500,000-CY cell (Cell 1A). This would be followed by construction of additional cells in 100,000-CY increments as needed until Transfer Material has filled the AWCU 1,000,000 CY capacity (*Figure 3-1, Cells 1B through 1F*). Should any portion of cells 1B through 1F not be filled prior to the project end date (December 31, 2035), those areas would become part of the Phase 2 WRND Cap Project.

A plan view of the AWCU layout is shown in *Figure 3-2. AWCU Conceptual Site Plan*. From the bottom up, design of the AWCU includes a lower clay liner, High Density Polyethylene (HDPE) liner leak detection system, upper HDPE liner, and LCRS. The AWCU would be capped with a geosynthetics-based or alternative final cover consistent with Title 27 requirements. Upon completion of AWCU construction, the slopes of final cover facing White Rock Road ~~would~~ may or not be undulated to offer a softened more aesthetically pleasing look.

The JTD describing the plans and specifications for the Phase 1 AWCU and related improvements are included herewith as *Appendix A*. All Phase 1 AWCU improvements would be constructed consistent with the JTD and related Waste Discharge Requirements (WDRs). The existing WRND groundwater monitoring wells are proposed to serve as the groundwater monitoring network for the AWCU. Additional monitoring wells may be required as part of the project's WDRs. Construction of the above proposed improvements and filling the AWCU would require hauling significant quantities of soil, stone, aggregate and waste. *Table 3-1* identifies the haul material type and import/export volume by construction phase/task. The details of the AWCU components are described below.

picked up daily and properly disposed of. All construction debris and associated materials will be removed from the work site upon Project completion.

- d. Consistent with the Project's approved Construction SWPPP, erosion controls will be installed in appropriate locations to reduce the introduction of sediment into surface water during construction.
- e. After construction, all temporarily disturbed work areas will be stabilized and restored. This will include application of standard erosion control seed mix and installation of erosion and sediment controls consistent with the Project's approved Construction SWPPP.

Precautions to minimize turbidity/siltation will be considered during project planning and implementation and memorialized in the Project's approved Construction SWPPP. Such precautions may entail the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures will be taken. The sediment barrier(s) will be maintained in good operating condition throughout the construction period. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw bale dikes. Non-biodegradable silt barriers (such as plastic silt fencing) shall be removed after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season).

**ESM-5: Construct Outside of Nesting Season or Conduct Pre-Construction Nesting Surveys**

To avoid disturbance of breeding and nesting activity, including nesting of fully protected species, CESA-listed species, and other migratory and non-migratory birds, the following shall be implemented:

Fully Protected Species:

"If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the white-tailed kite nesting season (typically between February 1 and September 15), a focused survey for white-tailed kite nests on the site and within 0.25 mile of the site will be conducted by a qualified biologist no greater than 15 days prior to the start of project activities (including clearing and grubbing). If white-tailed kites are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting white-tailed kite including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. If a lapse in project-related work of fifteen (15) days or longer occurs, the qualified biologist shall

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perform a new focused survey, and if nests are found, perform the tasks described in this measure.

- If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.
- If potential impacts are identified during the course of the project, project personnel shall fully avoid impacts to fully protected species."

CESA-listed Species:

If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the Swainson's hawk nesting season (typically March 1 through September 15) surveys for active nests of such birds shall be conducted by a qualified biologist in accordance with the typical survey protocol: Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). Surveys shall be conducted at the appropriate radius and time periods listed in the survey protocol. Since the project spans over multiple years, a new survey shall be conducted for each nesting season to capture any new Swainson's hawk nests that may be established.

If Swainson's hawk is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting Swainson's hawk including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

- If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.
- If an active Swainson's hawk nest is found during project surveys, the project shall demonstrate compliance with CESA. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may consult with CDFW and may seek related take authorization as provided by the Fish and Game Code."

Other Migratory and Non-Migratory Birds:

In each year in which project activities would occur during the breeding season (generally February 1 through September 15), the Board, Aerojet, or the Contractor will retain a qualified wildlife biologist with knowledge of the relevant species to conduct nesting surveys no greater than 15 days prior to the start of project activities (including clearing and grubbing). Surveys will include a search of suitable nesting habitat in the project area including staging and stockpile areas. The minimum survey radii surrounding the work area shall be the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; iii) 1,000 feet for larger raptors such as buteos. If nesting birds are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting nesting birds including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

- If no active nests are detected during these surveys, no additional measures are required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey will be required before project activities can be reinitiated.

~~To avoid disturbance of breeding and nesting activity, including nesting of sensitive raptors or ground nesting species, project activities will be avoided during the typical breeding season of February through August, to the extent feasible. If construction must take place during the typical nesting season, construction surveys will be conducted by a Qualified Biologist consistent with the May 31, 2000 Swainson's Hawk Technical Advisory Committee Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (to the extent feasible based on schedule constraints). Surveys will be conducted to determine if active nesting is occurring on or directly adjacent to the study area. If active nests are found on or immediately adjacent to the site, survey results will be submitted to the California Department of Fish and Wildlife (CDFW) and consultation will be initiated with CDFW to determine appropriate avoidance measures. If no nesting is found to occur, project activities may proceed.~~

**ESM-6:      Avoid the Introduction or Spread of Noxious Weeds in the Project Area**

To avoid the introduction or spread of noxious weeds into previously uninfected areas, the Project contractor will revegetate disturbed areas immediately after construction is complete using certified weed-free native and nonnative mixes.

**ESM-7:      Proper Handling of Hazardous Materials**

Construction documents will identify materials that are considered hazardous consistent with the Project approved ~~ITD~~JTD. The Project contractor will be required to develop a Health and Safety Plan that addresses release prevention measures; employee training, notification, and evacuation procedures; and

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-response protocols and cleanup procedures consistent with requirements of the ~~JTDs~~JTD. The contractor will comply with the California Occupational Safety and Health Administration (Cal-OSHA) standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in California Labor Code, Division 5, Chapter 2.5.

**ESM-8: Prepare and Implement a Fire Suppression and Control Plan**

The Project contractor will coordinate with Sacramento County Fire to ensure a fire control plan is prepared and implemented to reduce the risk of fires during construction. The fire prevention and control plan will include requirements for onsite extinguishers; roles and responsibilities of Aerojet, the Project contractor; specification for fire suppression equipment and other critical fire prevention and suppression items.

**ESM-9: Prepare and Implement a Construction Traffic Management Plan**

As necessary, Aerojet will require the Project contractor(s) prepare a Traffic Control Plan in accordance with Sacramento County requirements, the Aerojet Landfill CCP (as amended by the proposed Project), any applicable emergency evacuation plans, and professional engineering standards prior to construction. The Traffic Control Plan could include the following requirements:

- a. Traffic controls required within Aerojet's access-controlled property and where approved haul and material deliver routes may intersect with the public transportation system, shall be provided. Adequate provisions shall be made for the protection of the traveling public. All traffic control, including devices and personnel requirements, will be consistent with the current State of California Manual of Traffic Controls for Construction and Maintenance Work Areas.
- b. Emergency services access to local land use shall be maintained for the duration of construction activities.
- c. Access for all area public and private land uses and open space/agricultural lands shall be maintained during construction activities.

**ESM-10: Utilization of Existing Infrastructure for Storage and Power**

Temporary service lines shall be utilized for all construction activity stationary equipment to the extent feasible.

**ESM-11: Implement a Recycling Program with a Local Recycler/Landfill Operator**

Project recycling requirements outlined in the ~~JTDs~~JTD shall be implemented through agreements executed with a local recycling or landfill operator (e.g., Schnitzer Steel in Rancho Cordova and/or Kiefer Landfill).

**ESM-12: Implement Measures to Minimize Air Quality Impacts**

The Project contractor will be required to implement the following measures to minimize air quality impacts:

would be extracted using heavy equipment such as telescopic forklifts, excavators, or wheel loaders. These items would be taken to a prepared receiving area and segregated for processing (down-sizing), recycling, or offsite disposal.

Segregated waste would be managed in accordance with applicable state and federal laws and regulations; however, non-hazardous, contaminated soils and construction debris consistent with Phase 1 AWCU acceptance criteria and specifications may be processed and eventually placed in the new AWCU. Waste that is not suitable for onsite consolidation would be transported offsite to a permitted solid waste facility.

Segregated waste or recycling materials would be loaded directly into roll-off waste bins or trailers and transported to appropriate, approved facilities under a bill of lading or manifest. Recyclable metal would be sent to the Schnitzer Steel facility in Rancho Cordova or other appropriate recycling facility. Non-hazardous solid waste would be transported to Kiefer Landfill or other Class III landfill facility. Designated non-hazardous waste materials would likely be disposed of at Potrero Hills Landfill or Forward Landfill. Should any Class I materials be discovered it would be transported to an appropriate facility such as the Chemical Waste Management – Kettleman Hills Landfill. As shown in *Table 3-1*, up to 1,352 CY or 2,700 tons of this material is expected to be hauled offsite generating up to 150 round trips.

Note that rough grading of the AWCU area with large dozers, excavators, and motor graders is anticipated to reveal additional items to be managed as described. Given the current AWCU design, which contains a one- to two-foot layer of stone to facilitate vapor collection below the new liner system, geosynthetic material protection and large item removal are anticipated to be minimal at that time. In this case, rough graded surfaces positioned below the AWCU would not require screening or extensive waste removal efforts as the vapor collection system would provide adequate protection for the geosynthetics assuming they do not protrude from the prepared surface.

### **Rough Grading of the AWCU Area**

The design of the AWCU seeks to minimize the amount of grading and shaping required to meet the specified design criteria, while allowing for efficient closure. As previously described, the 500,000-CY Cell 1A would be constructed first. The proposed design allows for additional adjacent cells to be connected allowing for consolidated leachate collection systems, stormwater run-off management, intermittent filling, temporary closure, final closure, and restoration.

The grading and shaping effort would include the use of hydraulic excavators, motor graders, and dozers to “relocate” soils from within the planned AWCU footprint creating the necessary berms and sloping of the bottoms required to seat the vapor capture and liner materials. More specifically, the design is to excavate the minimal amount of soil from the top of the WRND to level the area to the appropriate slope and move the remaining spoil to fill voids and create drainage features or berms comprising the foundation of the AWCU.

### **Vapor/Gas Collection System/Layer Installation**

As the new AWCU would be constructed over portions of the existing WRND, a gas collection system/layer composed of rough graded stone and HDPE piping would be installed below the new AWCU liner. Specifically, a one- to two-foot layer of stone would be delivered from the existing Aerojet Landfill or

Electric power would be required during construction and during long-term operation of the AWCU Leachate Collection and Recover System pumps. The construction contractor would establish a full-time office (contractor trailer) at the AWCU site for information system support, reproduction and other administrative needs. This trailer is expected to be located just north of Old White Rock Road near the north corner of the WRND parcel. A permanent electric source would also be required to power the AWCU Leachate Collection and Recover System pumps. Existing electric service in the Project area is provided by the Sacramento Municipal Utilities District (SMUD). The required temporary and permanent service lines would be extended to the construction trailer and AWCU site from the existing power line located along the north side of Old White Rock Road. Existing infrastructure would be utilized whenever possible to avoid internal combustion engine generated power during construction.

Portable toilets would be brought in for sanitary sewer needs during construction. The Project does not require long-term potable water or wastewater (sewer) collection or treatment facilities.

### **3.2.6 Offsite Improvements**

As shown in *Figure 3-5*, offsite improvements would include construction of the Haul Route road extension and stormwater transmission facilities. These construction tasks are considered minor in comparison to the overall project and construction equipment and personnel already onsite would be utilized to complete these improvements. The Haul Route access road extension would be completed with personnel and equipment utilized for initial mobilization and site setup activities. The access road would be graded, surfaced with an aggregate base, and would include a standard construction entrance with cobble to reduce soil tracking from outbound equipment. The stormwater channels would be installed with personnel and equipment utilized for rough grading and/or cover system installation efforts. Where ditches are proposed adjacent to the haul route temporary access road(s), they would be installed as part of access road construction, or during final drainage improvements.

## **3.3 Closure Plan\Long-Term Maintenance**

### **3.3.1 Closure Plan**

Following hauling and placement of 1,000,000 CYs of Transfer Material, closure of the portion of the AWCU that accepted the transfer material and the WRND will be initiated. However, following the initial construction of the AWCU, regardless of the volume of transfer material placed in the AWCU, both the AWCU and WRND closure will be completed by December 31, 2035. The AWCU will be closed consistent with Closure Plan requirements in accordance with 27 CCR 21780 and approved by the Regional Water Quality Control Board, CalRecycle, and the LEA approved by the LEA. These requirements are typically administrative and would not result in additional ground disturbance or construction activities beyond those required for project construction. Typical anticipated long-term maintenance and monitoring requirements are listed below.

### **3.3.2 Maintenance and Monitoring**

It's anticipated the final Closure Plan would require regular maintenance, monitoring and inspection of the AWCU including the following:

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- Stormwater monitoring and testing in accordance with an agency approved SWPPP;
- Landfill gas monitoring;

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- Leachate and Groundwater monitoring;
- Landfill gas collection and destruction (if necessary);
- Leachate collection and management (if necessary);
- Site inspection in support of erosion and sediment control measures;
- Settlement surveying;
- Vegetation management; and,
- Repair of settlement and erosion issues.

Stormwater monitoring and testing efforts would be under the purview of a State Certified Qualified SWPPP Practitioner (QSP) per California Stormwater Quality Association guidelines. Aerojet’s contractor would act to make repairs or changes to the AWCU and supporting infrastructure based on the recommendations of the QSP or eroded site conditions observed during normal site visits. Gas and leachate collection, management and destruction (if necessary) would be performed by licensed geologists and engineers pursuant to LEA, SMAQMD, and CVRWQCB under direction of the LEA and Sacramento Metro Air Quality Management District consistent with Title 27CCR and the State Water Resources Control Board’s Land Disposal Program requirements.

Settlement surveys would be completed by a licensed surveyor and the information incorporated into the programmatic surveying file for the AWCU.

Repairs and vegetation management would be handled by qualified construction personnel at regularly scheduled intervals. Repairs and vegetation would be managed by a small crew with select equipment to install or repair stormwater best management practices (BMPs), conduct minor AWCU cover system and roadway grading, mow or clear vegetation, and respond to anticipated heavy weather events. *Table 3-3. Long-Term AWCU Maintenance and Management Personnel and Equipment*, outlines the anticipated staffing and equipment required for long-term maintenance.

<b>Table 3-3. Long-Term AWCU Maintenance and Management Personnel and Equipment</b>	
<b>Management Task and Frequency/Duration</b>	<b>Required FT Personnel and Equipment</b>
Maintenance	1 Foremen 2 Heavy Equipment Operators 2 technicians/Laborers 1 Skid Steer with Auger 1 4K Telescopic Forklift 1 2,000-Gallon Water Truck
Program Management	1 Project Manager 1 Site Superintendent 1 Site Safety Officer 0.75 Quality Control Manager 1 Field Engineer 1 Clerk

### 3.4 Aerojet Landfill Clean Closure Plan Offsite Haul Route Amendment

The approved Aerojet Landfill CCP identifies procedures for Transfer Material removal, transport and clean closure consistent with all federal, state, and local regulations.

Because the receiving location for Transfer Material was not known at the time, the CCP transportation plan (included as Appendix F to *Appendix B – Clean Close Plan*) specified a haul route following Prairie City Road to Highway 50 and from there to a landfill appropriate for the types of materials to be disposed.

The Proposed Project includes an amendment to Appendix F of the CCP to clarify that, as discussed in Section 3.2.4. *Construction Tasks, Personnel and Equipment*, waste transport vehicles would no longer access the public transportation system and instead would remain on Aerojet access-controlled property and utilize existing Aerojet private paved roads for waste transport as identified in this Initial Study.

### 3.5 Phase 2 Project Components - WRND Cap and Closure Plan

Following completion of the Phase 1 AWCU improvements, the balance of the WRND would be capped and the entire dump closed as part of the WRND Phase 2 Cap and Closure project. The Phase 2 Cap and Closure Plan is addressed programmatically in this Initial Study, relying on the Phase 1 AWCU design and Title 27 requirements that can reasonably be expected to apply to Phase 2, while acknowledging what has been stated elsewhere in this description, that is, that specific, detailed design components and schedule criteria have not yet been developed. ~~JTDs~~JTD for the Phase 2 WRND Cap (see *Appendix A*) design are currently approximately 10 percent complete and provide the basis for this initial study's programmatic analysis. Final plans for the WRND Cap would be developed as part of Phase 2 design efforts. In addition to submittal to and approval by the local, state and, to the extent necessary, federal regulatory agencies, supplemental CEQA analysis and state and federal permitting for wetland impacts and Endangered Species Act Section 7 Consultation for elderberry impacts would be required prior to Phase 2 Cap implementation.

The proposed Phase 2 Cap project includes the following construction activities:

1. Construct the ±50-acre WRND Phase 2 Cap to include coverage of all remaining WRND waste disposal areas not addressed by the ±50-acre Phase 1 AWCU. It should be noted that existing WRND waste may be consolidated into a smaller footprint prior to capping.

The Phase 2 Cap project would also include closure of the existing WRND consistent with then current Title 27 regulatory requirements. The WRND Phase 2 Cap would be designed to accommodate final site drainage, access, controls, maintenance, monitoring requirements and landscape screening plan consistent with a WRND Closure Plan. The preferred schedule for implementation of the WRND Phase 2 Cap is to begin when 1,000,000 CYs of Transfer Material have been placed in the AWCU. At this time, the WRND Phase 2 Cap would be constructed. However, since Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to the completion of Phase 2 within 15 years or by December 31, 2035. If, at the time that the Phase 2 project needs to be implemented, AWCU capacity remains, Aerojet may propose to consolidate some of the WRND waste material into the AWCU in order to reduce the footprint of the WRND Phase 2 Cap. It is anticipated a refined project schedule for

the Phase 2 Cap would be determined as part of the CVRWQCB WDRs developed for the WRND Closure Plan.

A programmatic description of the proposed Phase 2 Cap improvements, and construction approach are provided below.

### **3.5.1 Phase 2 WRND Cap**

As shown in *Figure 3-1*, the ±50-acre Phase 2 Cap would completely cover the remaining portions of the WRND historic waste deposits not covered by the AWCU. This would include any portion of cells 1B through 1F not constructed prior to Phase 2. Therefore, the Phase 2 cap would be between approximately 50 and ±75 acres depending on the ultimate size of the Phase 1 AWCU. Although not yet fully designed, the Phase 2 Cap would be Title 27 compliant and is expected to be substantially similar to the Phase 1 AWCU cap design. Therefore, the Phase 2 Cap is expected to include a low permeability soil cover, or soil and geosynthetic cover system, or an alternative consistent with Title 27 requirements. It would provide protection to waste deposits associated with the WRND from being exposed to precipitation and soil erosion.

### **3.5.2 AWCU Landscape Screening**

Upon completion of AWCU construction, the slopes of final cover facing White Rock Road ~~would~~ may or may not be undulated to soften its appearance to offer a more aesthetically pleasing look. To further enhance and screen public views of the Phase 1 AWCU and associated perimeter fencing, the landscape plan shown in *Figure 3-6. AWCU Landscape Buffer/Screening Plan* would be implemented. As shown, consistent with County zoning, this would include installation of a 10-foot-wide landscape buffer installed adjacent to White Rock Road (and the abandoned section of White Rock Road) outside the Phase 1 AWCU and Phase 2 Cap boundary. Existing wetlands in the area would be avoided and integrated with the landscape plan.

### **3.5.3 Construction Approach**

Soils required to construct the Phase 2 Cap would be obtained from the WRND site, the Borrow Site or other designated location within the AWCU Service Area. Soils would be screened, processed, and possibly amended to achieve the required permeability and other characteristics necessary to achieve Title 27 compliance and long-term stability.

It is anticipated the ESMs outlined in Section 3.2.3. *Construction Approach* above would also be implemented during Phase 2 construction.

The following describes the significant activity elements anticipated in support of the WRND Phase 2 Cap/cover system construction.

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approved CCP with one exception, which includes revisions to the assumed offsite Transfer Material haul route and final disposal location. Specifically, under the Proposed Project the proposed AWCU would be the final disposal location and the haul route would consist of the existing paved private roads within the access-controlled Aerojet property. Compared with the fully approved CCP as analyzed under the Sacramento County Aerojet Landfill Closure Modification Plan Initial Study/Mitigated Negative Declaration and the follow-on Aerojet Landfill CCP Initial Study Addendum, the use of the WRND site as proposed by the Project has the benefit of instigating substantially less haul truck trips equating to a reduction of 4.19 million miles traveled.

For the purposes of disclosure, the 2017 version of the Emission FACtor model (EMFAC) developed by CARB was employed to calculate the quantity of air pollutant emissions that would be generated by the 4.19 million miles of haul truck travel that would be eliminated under the Proposed Project. EMFAC 2017 is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in future emissions from on-road mobile sources including cars, trucks, and buses in California. EMFAC 2017 includes the latest data on California's truck fleets and travel activity. *Table 5.3-4* identifies the quantity of air pollutant emissions that would be generated by 4.19 million miles of haul truck travel.

<b>Table 5.3-4. Approved CCP-Related Haul Truck Emissions</b>							
<b>Construction Year</b>	<b>Pollutant (pounds per day)</b>						
	<b>ROG</b>	<b>NOX</b>	<b>CO</b>	<b>SO2</b>	<b>PM10</b>	<b>PM2.5</b>	<b>CO2e</b>
<b>Pounds per Day</b>							
Approved Haul Trucks	32.91	471.83	81.04	1.11	14.96	10.69	154,965
<b>Tons per Year</b>							
Approved Haul Trucks	2.4	34.9	5.99	0.1	1.1	0.8	8,256

Source: EMFAC2017. Refer to *Attachment A* for Model Data Outputs.

Notes: Emissions projections account for the increase of 4.19 million miles traveled by haul trucks compared to the Proposed Project. The approved CCP estimated 148 days of truck hauling, thus daily vehicle miles traveled equates to 28,513.5 miles [4,190,000 ÷ 148 = 28,310.8].

It is noted that Table 2-6 only identifies the quantity of air pollutant emissions that would be generated by 4.19 million miles of haul truck travel, and does not include emissions that would occur from excavating and loading Transfer Material from the Aerojet Landfill as currently allowed under the approved CCP and as analyzed under the previous Sacramento County Aerojet Landfill Closure Modification Plan Initial Study/Mitigated Negative Declaration.

Predicted maximum daily emissions attributable to Project implementation are summarized in *Table 5.3-6* below. It is noted that Project haul trucks are expected to traverse 689,924 vehicle miles traveled from 2021 to 2024. *Table 5.3-4A5* presents a comparison of the emissions generated by 689,924 miles of haul truck travel and 4.19 million miles of haul truck travel.

As shown, 689,924 haul truck miles traveled would result in substantially less emissions compared with 4.19 million miles of haul truck travel.

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<b>Table 5.3-4A. Project Haul Truck Emissions and Approved CCP-Related Haul Truck Emissions</b>							
<b>Construction Year</b>	<b>Pollutant (pounds per day)</b>						
	<b>ROG</b>	<b>NOX</b>	<b>CO</b>	<b>SO2</b>	<b>PM10</b>	<b>PM2.5</b>	<b>CO2e</b>
<b>Pounds per Day</b>							
<u>Approved Haul Trucks</u>	<u>32.91</u>	<u>471.83</u>	<u>81.04</u>	<u>1.11</u>	<u>14.96</u>	<u>10.69</u>	<u>154,965</u>
<u>Project Haul Trucks</u>							
<u>2021</u>	<u>0.26</u>	<u>5.58</u>	<u>3.69</u>	<u>0.02</u>	<u>0.03</u>	<u>0.03</u>	<u>3,391</u>
<u>2022</u>	<u>2.10</u>	<u>47.93</u>	<u>25.65</u>	<u>0.15</u>	<u>0.20</u>	<u>0.19</u>	<u>10,815</u>
<u>2023</u>	<u>1.94</u>	<u>47.93</u>	<u>22.24</u>	<u>0.15</u>	<u>0.20</u>	<u>0.19</u>	<u>14,976</u>
<u>2024</u>	<u>0.99</u>	<u>14.87</u>	<u>14.68</u>	<u>0.04</u>	<u>0.01</u>	<u>0.01</u>	<u>1,775</u>
<b>Tons per Year</b>							
<u>Approved Haul Trucks</u>	<u>2.4</u>	<u>34.9</u>	<u>5.99</u>	<u>0.1</u>	<u>1.1</u>	<u>0.8</u>	<u>8,256</u>
<u>Project Haul Trucks</u>							
<u>2021</u>	<u>0.0</u>	<u>0.1</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>29</u>
<u>2022</u>	<u>0.0</u>	<u>2.1</u>	<u>0.2</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>185</u>
<u>2023</u>	<u>0.0</u>	<u>1.9</u>	<u>0.2</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>721</u>
<u>2024</u>	<u>0.0</u>	<u>0.1</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>27</u>

Source: EMFAC2017. Refer to Attachment A and Attachment C for Model Data Outputs.

During construction, the Project would implement a variety of Environmental Stewardship Measures (ESMs) designed to avoid short- and long-term effects on the physical and human environment as mandated under the Sacramento County Aerojet Landfill Closure Modification Plan Initial Study/Mitigated Negative Declaration and the follow-on Aerojet Landfill CCP Initial Study Addendum. These measures are considered part of the Project. Project Environmental Stewardship Measures specific to the generation of air pollutant emissions include ESM-12, *Implement Measures to Minimize Air Quality Impacts*, which requires the Project to implement the several best management practices intended to minimize air quality

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implementation of ESM-12 (Implement Measures to Minimize Air Quality Impacts) which contains similar best management practices to reduce dust.

Emissions associated with Project offroad equipment, worker commute trips, and ground disturbance were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. Emissions generated from Project haul truck trips are estimated with EMFAC 2017. See *Appendix C* for more information regarding the construction assumptions, including types of construction equipment used, haul truck mileage and idling rates, and Project duration, used in this analysis. While construction of the AWCU is expected to commence in Spring 2021 and the exact timing of hauling and depositing all the Transfer Material at the WRND is unknown, Aerojet commits to an AWCU closure within 15 years or by December 31, the end of 2035. The work involved would not be continuous, and it is estimated that the actual work constructing the WRND and hauling and depositing Transfer Material would occur in fits and starts throughout the 15-year period. However, emissions predictions in this analysis are based on Phase 1 of the Project commencing in the Spring of 2021 and continuing in a single phase spanning 29 months into the end of 2023, and Phase 2 beginning in 2024. This is conservative as while the actual timing of Project implementation would be dictated by several other forces resulting in Project implementation lasting as much as 15 years, CalEEMod and EMFAC incorporates lower emission factors associated with construction equipment and haul trucks in future years due to improved emissions controls and fleet modernization through turnover. Thus, calculating Project emissions to account for Project implementation at the earliest dates provides the highest estimate of daily emissions.

Predicted maximum daily emissions attributable to Project implementation are summarized in *Table 5.3-6*. Such emissions are short-term and of temporary duration, lasting only as long as Project implementation activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SMAQMD's thresholds of significance.

<b>Table 5.3-6. Project Construction/Implementation-Related Emissions (Daily)</b>						
<b>Construction Year</b>	<b>Pollutant (pounds per day)</b>					
	<b>ROG</b>	<b>NOX</b>	<b>CO</b>	<b>SO2</b>	<b>PM10</b>	<b>PM2.5</b>
<b>Pounds per Day</b>						
<b>Mobilization</b>						
Offroad Equipment & Ground Disturbance	1.33	13.24	11.37	0.02	0.63	0.52
<b>Mobilization Total</b>	<b>1.33</b>	<b>13.24</b>	<b>11.37</b>	<b>0.02</b>	<b>0.63</b>	<b>0.52</b>
<b>Clearing &amp; Grubbing</b>						
Offroad Equipment & Ground Disturbance	4.02	39.44	23.34	0.04	9.20	4.93
Haul Truck Travel & Idling	0.13	5.58	0.95	0.02	0.03	0.03
<b>Clearing &amp; Grubbing Total</b>	<b>4.15</b>	<b>45.02</b>	<b>24.29</b>	<b>0.06</b>	<b>9.23</b>	<b>4.96</b>
<b>Borrow Site Operations</b>						
Offroad Equipment & Ground Disturbance	2.81	24.40	21.28	0.03	4.53	2.79
<b>Borrow Site Operations Total</b>	<b>2.81</b>	<b>24.40</b>	<b>21.28</b>	<b>0.03</b>	<b>4.53</b>	<b>2.79</b>

### 5.3.3 Mitigation Measures

**AQ-1** The following practices are considered feasible for controlling fugitive dust from a construction site. Control of fugitive dust is required by District Rule 403 and enforced by SMAQMD staff.

- Water Treat all exposed surfaces at least two times daily during active site work and as needed on all other days in order to remain in compliance with Sacramento Metropolitan AQMD adopted Rule 403 at all times during the project. Exposed surfaces include but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. Consistent with adopted Rule 403, treatment may include application of asphalt, oil, water, or suitable chemicals on dirt roads, material stockpiles, and other surfaces which can give rise to airborne dust.
- Cover, or wet and maintain at least 2 feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour.
- All roadways, driveways, sidewalks, and parking lots to be paved should be completed as quickly as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

## 5.4 Biological Resources

This section addresses biological resources present or with the potential to occur in the Project Study Area, potential direct and indirect Project impacts on sensitive biological resources, and mitigation measures to mitigate impacts identified as potentially significant. This assessment is based on the *Biological Resources Assessment for the Aerojet Landfill Relocation Project* (BRA) prepared by ECORP (2020) which is included with this Initial Study as *Appendix D*. The Study Area for the BRA includes the WRND Parcel (Project Phases 1 and 2), the Borrow site, AWCU Service area haul routes, and offsite improvements. Proposed changes to the approved Aerojet Landfill CCP offsite transportation plan that would occur under the Project would have no potential for impact on biological resources and is not addressed further in this section. The BRA includes a comprehensive discussion of biological resources regulatory requirements pertaining to Project activities and is hereby incorporated by reference.

#### **5.4.1 Evaluation Methods**

##### **Literature Review**

The following resources were reviewed to determine the special-status species that had been previously documented within or in the vicinity of the Study Area:

#### 5.4.4 Mitigation Measures

**BIO-1: Special-Status Plant Species:** Prior to Phase 1 or 2 construction activities, the following actions are recommended for avoiding impacts to special-status plant species:

- Perform focused plant surveys according to USFWS, CDFW, and CNPS protocols. Surveys should be timed according to the blooming period for target species and known reference populations, if available. For CDFW, survey procedures would be consistent with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) or the most recent agency approved survey protocol.
- The USFWS generally considers plant survey results valid for approximately three years. Therefore, follow-up surveys may be necessary if Project implementation occurs after this three-year window.
- If special-status plant species are found, avoidance zones may be established around plants to clearly demarcate areas for avoidance. Avoidance measures and buffer distances may vary between species and the specific avoidance zone distance would be determined in coordination with appropriate resource agencies (CDFW and/or USFWS).
- In the event special-status species can't be avoided, compensation make take the form of permanent protection, enhancement, or restoration of suitable habitat, or purchase of credits in an approved mitigation or conservation bank.
- If special-status plant species are found within the Project and avoidance of the species is not possible, additional measures such as seed collection and/or translocation may be developed in consultation with the appropriate agencies. For species that are not state or federally listed, any such plan shall include no net loss performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible.
- In the event take of CESA-listed plants cannot be avoided, the project proponent may seek related take authorization as provided by the Fish and Game Code and USFWS.
- If no special-status plants are found, no further measures pertaining to special-status plants are necessary.

**BIO-2: American Badger:** Potentially suitable habitat (e.g., annual grassland) is present onsite for one special-status mammal, the American badger. To ensure that there are no impacts to American badgers, the following measures are recommended:

- Retain a qualified biologist to conduct a pre-construction survey for American badger no greater than 15 days prior to the start of project activities. The survey shall include all suitable habitat in the project area and within a 500-foot radius around the project area including staging and stockpile areas. The survey effort should be focused on identifying actively used burrows or other signs of presence for the species such as recent scat.

tracks, etc. If American badger is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to protect American badger, including but not limited to appropriate no-disturbance buffers with appropriate flagging or staking, behavior-based monitoring by a biologist, and exclusion zones/fencing with an active movement corridor between any burrows and adjacent suitable habitat. If no evidence (e.g., sign, scat, burrows) of American badger presence is found, no further measures are necessary.

- If evidence of American badger presence is found, consult with CDFW to determine if any additional measures are necessary.

**BIO-3: Native Oak Trees:** The Applicant shall implement the following measures to minimize potential impacts to native oak trees:

- Conduct an arborist survey according to Sacramento County guidelines by an International Society of Arboriculture certified arborist for the Project footprint.
- If no impacts to protected trees are found, no action is required.
- Should the arborist report identify potential impacts to trees protected by County ordinance, prepare and submit an application for a Sacramento County Tree Permit. The tree permit would outline mitigation measures to reduce impacts to protected trees to less-than-significant consistent with County requirements.

**BIO-4: Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp:** The following measures are recommended to minimize potential impacts to vernal pool fairy shrimp and vernal pool tadpole shrimp:

- During Phase 1 construction, the following will be implemented by Aerojet's construction contractor to ensure indirect impacts to vernal pool branchiopod habitat are avoided: ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas will be implemented to protect any onsite or adjacent offsite vernal pool branchiopod habitat that occurs within 100 feet of ground disturbance.
- The Applicant may assume presence of listed large branchiopods. Prior to any construction or work related activities or impacts to any features that provide suitable habitat (vernal pools, seasonal wetlands, and seasonal wetland swales) for the aforementioned listed large branchiopod species, Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.
- If the Applicant does not assume presence of listed large branchiopods, perform protocol level surveys pursuant to the current USFWS Guidelines. The findings of the protocol surveys would dictate mitigation, avoidance, and/or minimization measures through Section 7 consultation with USFWS.
- Aerojet may compensate for Phase 2 direct impacts on vernal pool fairy shrimp and vernal pool tadpole shrimp (vernal pool branchiopod) habitat by purchasing appropriate habitat credits at a USFWS-approved mitigation or conservation bank. The habitat impacts will be mitigated at a 2:1 ratio (2 acres preserved for every 1 acre affected). Mitigation and conservation banks in Sacramento County that sell vernal pool branchiopod credits and are authorized by the USFWS include the Van Vleck Mitigation Bank, the Bryte Ranch Conservation Bank and Clay Station Mitigation Bank.
- The exact acreage of Phase 2 direct impacts to vernal pool branchiopod habitat will be determined after the Phase 2 WRND cap design has been finalized and appropriate surveys conducted. At that time the IS/MND Phase 2 programmatic analysis and related mitigation measures will be reviewed by the Lead Agency to determine if subsequent CEQA analysis is required.

**BIO-5: Elderberry Longhorn Beetle:** The following measure is recommended to minimize potential impacts to VELB:

- During Phase 1 construction, the following will be implemented by Aerojet's construction contractor to ensure indirect impacts to VELB habitat (i.e., elderberry shrubs) are avoided: ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas will be implemented to protect any onsite or adjacent offsite elderberry shrubs that occur within 100 feet of ground disturbance.
- Conduct surveys for elderberry shrubs within areas of the Study Area that have not been previously surveyed (i.e., the Phase 2 development area).

- If elderberry shrubs would be removed, an evaluation using the 2017 USFWS guidance entitled *USFWS 2017 Framework for Assessing Impacts to the VELB* should be conducted to determine the appropriate mitigation needs to minimize impacts to VELB and its host shrub.
- Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.

**BIO-6: Western Spadefoot:** The following measures shall be implemented to minimize potential impacts to western spadefoot:

- Although no formal survey protocol is required by agencies to determine presence of western spadefoot, it is recommended that nighttime auditory surveys and dip net surveys are made in suitable aquatic habitat during the breeding season (typically late February into April, Shedd 2016).
- If no western spadefoot is detected during the surveys no further measures are needed.
- If western spadefoot is detected, a qualified biologist shall develop a site-specific avoidance, minimization, and/or relocation plan to ensure that any measures in the approved plan are in place prior to construction and implemented during construction. If any breeding sites are identified, these habitats should be avoided to the extent feasible. If not feasible, individuals can be relocated. The relocation plan may include establishing temporary no disturbance areas where the individuals are found, exclusion fencing for construction areas (with suitable refuge opportunities), and biological monitoring for Project activities. To the extent relocation is needed, relocation sites should be identified and minimum qualifications (i.e., CDFW Scientific Collecting Permit) for those handling the species should be established.

**BIO-7: Waters of the United States/Waters of the State.** To minimize potential impacts to Waters of the U.S./State, the following measures shall be implemented prior to Phase 2 construction.

Discussion:

**Phases 1 and 2**

The impact analysis focuses on the two sources of energy that are relevant to the proposed Project: the equipment-fuel necessary for Project construction and the equipment-fuel necessary for Project maintenance. Addressing energy impacts requires an agency to make a determination as to what constitutes a significant impact. There are no established thresholds of significance, statewide or locally, for what constitutes a wasteful, inefficient, and unnecessary consumption of energy for a proposed land use project. For the purpose of this analysis, the amount of fuel necessary for Project construction and maintenance is calculated and compared to that consumed in Sacramento County.

The amount of automotive fuel use for Project maintenance was estimated using the CARB’s EMFAC2017 computer program, which provides projections for typical daily fuel usage in Sacramento County. The amount of total construction-related fuel use was estimated using ratios provided in the Climate Registry’s General Reporting Protocol for the Voluntary Reporting Program, Version 2.1. Energy consumption associated with the proposed Project is summarized in *Figure 5.6-4.*

<b>Table 5.6-4. Proposed Project Energy and Fuel Consumption</b>		
<b>Energy Type</b>	<b>Annual Energy Consumption</b>	<b>Percentage Increase Countywide</b>
Automotive Fuel Consumption		
Project Construction and Implementation <sup>1</sup>	252,020 gallons	0.014 percent
Project Maintenance <sup>2</sup>	32,611 gallons	0.001 percent

Source: <sup>1</sup>Climate Registry 2016; <sup>2</sup>EMFAC2017 (CARB 2017)

Notes: The Project increases in automotive fuel consumption are compared with the countywide fuel consumption in 2019, the most recent full year of data. Fuel consumption calculations are based on California Emissions Estimator Model (CalEEMod) modeling conducted by ECORP Consulting (see *Appendix F – Project Fuel Consumption*).

As shown in *Table 5.6-4*, the Project’s fuel consumption during the construction and implementation period is estimated to be 252,020 gallons of fuel, which would increase the annual fuel use in the County by 0.014 percent. This is a conservative estimate since it is a comparison of the total amount of fuel consumed during construction, which would span several years, to one year of fuel use in the County. While construction of the AWCU is expected to commence in Spring 2021 and the exact timing of hauling and depositing all the Transfer Material at the WRND is unknown, Aerojet commits to an AWCU closure within 15 years or by December 31, the end of 2035. The work involved would not be continuous, and it is estimated that the actual work constructing the WRND and hauling and depositing Transfer Material would occur in fits and starts throughout the 15-year period. As such, Project construction would have a nominal effect on local and regional energy supplies. No unusual Project characteristics would necessitate the use of construction equipment that would be less energy efficient than at comparable to construction sites in the region or the state. Construction contractors would purchase their own gasoline and diesel fuel from local suppliers and would conserve the use of their supplies to minimize costs to their profits.

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Additionally, construction equipment fleet turnover and increasingly stringent state and federal regulations on engine

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<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Less than significant impact.**

Discussion:

**Phases 1 and 2**

As discussed in response b) above, a Construction SWPPP would be implemented to manage erosion and the loss of topsoil during construction-related activities and ensure geologic stability. Further, the ~~JTDs~~JTD (*Appendix A*) outline the construction plans and specifications for all Project related improvements. The ~~JTDs~~JTD have been prepared in compliance with Title 27 and Sacramento County requirements which were created in part to ensure stability and prevent on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse. Related impacts are **less than significant**, and no mitigation is required.

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No impact.**

Discussion:

**Phases 1 and 2**

The Proposed Project does not entail the construction of any permanent occupied structures on the project site. The Project, therefore, would have **no impact** relative to Item d), above.

### 5.7.3 Mitigation Measures

**GEO-1: Discovery of Unknown Paleontological Resources** - Any deep excavations extending below the surface dredge tailings or landfill materials will be monitored closely by a qualified paleontologist. If any paleontological resources (i.e., fossils) are found during excavation, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until the lead agency, Central Valley Water Quality Control Board, is notified and the area is cleared for future work. A qualified paleontologist will evaluate the findings 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 lead agency resumes work in a location where paleontological remains have been discovered and cleared, the lead agency will have a paleontologist onsite to observe any continuing excavation and 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.

## 5.8 Greenhouse Gas Emissions

### 5.8.1 Environmental Setting

Greenhouse Gas (GHG) emissions are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases, such as carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and chlorofluorocarbons, creates a blanket around the earth that allows light to pass through but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as the greenhouse effect, human activities have accelerated the generation of GHGs beyond natural levels. The overabundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the earth's climate system.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH<sub>4</sub> traps over 25 times more heat per molecule than CO<sub>2</sub>, and N<sub>2</sub>O absorbs 298 times more heat per molecule than CO<sub>2</sub>. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO<sub>2</sub>e). Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted.

The local air quality agency regulating the Sacramento County portion of the SVAB is the SMAQMD, the regional air pollution control officer for the basin. The SMAQMD has recommended an approach for assessing a proposed development's GHG emissions associated with both construction activities and operations of projects associated with the waste sector. Specifically, SMAQMD recommends a comparison of the pProject's annual construction GHG emissions to a significance threshold of 1,100 metric tons per year. ~~Similarly, Since the Project is associated with the waste sector, SMAQMD recommends a comparison of a-the pProject's annual operational GHG emissions to a-the SMAQMD Stationary Source significance~~

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threshold of ~~1,100~~10,000 metric tons per year. If a threshold is exceeded, then the project may have a cumulatively considerable contribution to a significant cumulative environmental impact, and all feasible

mitigation is required. Additionally, the Project would also be assessed for consistency with the County of Sacramento Climate Action Plan (CAP).

**5.8.2 Greenhouse Gas Emissions (VIII) Environmental Checklist and Discussion**

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<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Less than significant impact.**

Discussion:

**Phases 1 and 2**

*Construction Significance Analysis*

Construction-related activities that would generate GHG emissions include worker commute trips and the operation of the heavy-duty equipment (i.e., excavators, loaders, crushers, haul trucks). GHG emissions associated with Project offroad equipment and worker commute trips were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. Emissions generated from Project haul truck trips are estimated with EMFAC 2017. See *Appendix C* for more information regarding the construction assumptions, including construction equipment and duration, used in this analysis. While construction of the AWCU is expected to commence in Spring 2021 and the exact timing of hauling and depositing all the Transfer Material at the WRND is unknown, Aerojet commits to an AWCU closure within 15 years or by December 31, 2035. The work involved would not be continuous, and it is estimated that the actual work constructing the WRND and hauling and depositing Transfer Material would occur in fits and starts throughout the 15-year period. However, emissions predictions in this analysis are based on Phase 1 of the Project commencing in the Spring of 2021 and continuing in a single phase spanning 29 months into the end of 2023, and Phase 2 beginning in 2024. This is conservative as while the actual timing of Project implementation would be dictated by several other forces resulting in Project implementation lasting as much as 15 years, CalEEMod and EMFAC incorporates lower emission factors associated with construction equipment and haul trucks in future years due to improved emissions controls and fleet modernization through turnover. Thus, calculating Project emissions to account for Project implementation at the earliest dates provides the highest estimate of emissions.

Predicted maximum annual GHG emissions attributable to Project implementation are summarized in *Table 5.8-1*. Such emissions are short-term and of temporary duration, lasting only as long as Project implementation activities occur, but would be considered a significant air quality impact if the volume of GHG emissions generated exceeds the SMAQMD’s stationary source thresholds of significance.

<b>Table 5.8-1. Construction-Related Greenhouse Gas Emissions</b>	
<b>Emissions Source</b>	<b>CO<sub>2</sub>e (Metric Tons/ Year)</b>
Year 2021 (Mobilization, Clearing & Grubbing, Borrow Site Operations & Rough Grading)	414
Year 2022 (Rough Grading, Road Access Improvements, Vapor/Gas System Installation, Liner System Installation, & Hauling/Placement Operations)	951
Year 2023 (Hauling/Placement, Phase 1 Cap & Cover Installation, & Site Fencing)	1,037
Year 2024 (Phase 2 Cap)	156
<i>SMAQMD Stationary Source Significance Threshold</i>	<del>4,100</del> -10,000
<b>Exceed SMAQMD Threshold?</b>	<b>No</b>

Source: CalEEMod version 2016.3.2; EMFAC 2017. Refer to *Appendix C* for Model Data Outputs.

Notes: Emissions estimates account for the anticipated equipment fleet and number of workers identified in *Table 3-2*, as well as the amount of material movement, haul truck trips, and haul truck trip lengths identified in *Table 3-1*.

As shown in *Table 5.8-1*, the highest amount of annual GHG emissions would be generated during a year of hauling and placement of Transfer Material, Phase 1 cap and cover implementation, and the site fencing installation. The amount of annual GHG emissions are predicted to fall below the SMAQMD annual stationary source significance threshold.

Furthermore, as previously described, compared with the fully approved CCP as analyzed under the Sacramento County Aerojet Landfill Closure Modification Plan Initial Study/Mitigated Negative Declaration and the follow-on Aerojet Landfill CCP Initial Study Addendum, the use of the WRND site as proposed by the Project has the benefit of instigating substantially less haul truck trips equating to a reduction of 4.19 million miles traveled. *Table 5.3-4* above identifies the quantity of CO<sub>2</sub>e emissions that would be generated by 4.19 million miles of haul truck travel. A comparison of *Table 5.3-4* and *Table 5.8-1* shows that Project CO<sub>2</sub>e emissions resulting from Project implementation are substantially reduced compared with the CO<sub>2</sub>e emissions that would be generated by haul truck trips currently allowed under the approved CCP. This reduction in GHG emissions would be a beneficial impact attributable to the Project.

The Project would not exceed the SMAQMD stationary source significance criterion and related impacts are **less than significant**.

#### *Operational Significance Analysis*

As previously described, it is anticipated the final Closure Plan would require regular maintenance, monitoring and inspection of the AWCU including the following:

- Stormwater monitoring and testing;
- Landfill gas monitoring;

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- Leachate and Groundwater monitoring;
- Landfill gas collection and destruction (if necessary);
- Leachate collection and management (if necessary);
- Site inspection in support of erosion and sediment control measures;
- Settlement surveying;
- Vegetation management; and,
- Repair of settlement and erosion issues.

These activities would result in long-term operational GHG emissions. Project-generated increases in emissions would be predominantly associated with motor vehicle and equipment use. As previously described, operational GHG emissions were based on Project details contained in *Table 3-3* above.

Long-term operational GHG emissions attributable to the Project are identified in *Table 5.8-2*, and compared to the operational Stationary Source GHG significance thresholds promulgated by the SMAQMD.

<b>Table 5.8-2. Operational-Related Emissions</b>	
Emission Source	CO <sub>2</sub> e (Metric Tons/ Year)
Long-Term Maintenance	331
<i>SMAQMD Stationary Source Significance Threshold</i>	<del>1,400</del> 10,000
<b>Exceed SMAQMD Threshold?</b>	<b>No</b>

Source: CalEEMod version 2016.3.2. Refer to *Appendix C* for Model Data Outputs.

Notes: Emissions projections are based on Project details contained in *Table 3-3*.

As shown in *Table 5.8-2*, the Project's emissions would not exceed ~~any~~ the SMAQMD Stationary Source thresholds for GHG emissions during operation. This impact is **less than significant**.

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No impact.**

Discussion:

**Phases 1 and 2**

Temporary construction activities associated with the Project would involve the transport and use of limited quantities of miscellaneous hazardous substances including gasoline, diesel fuel, hydraulic fluid, solvents, and oils. These chemicals would be brought to the Project site, as well as transported along area roadways. Federal and state laws regulate the handling, storage, and transport of these and other hazardous materials, as well as the mechanisms to respond and clean up any spills along local and regional roadways. As discussed in the Project Description, **ESM-7** (Section 3.2.3) would be implemented by the contractor during construction to ensure chemicals required to be onsite would be handled in accordance with applicable federal, state, and local regulations for hazards substances. Therefore, potential impacts are considered **less than significant**.

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Less than significant impact.**

Discussion:

**Phase 1**

The Project includes the transport of up to 1,000,000 CY of Transfer Material (including inert construction debris and waste soil that exceeds contamination screening levels) approximately three miles from the Aerojet Landfill to the proposed AWCU for disposal. Measures addressing excavation, processing, sorting and stockpiling of Transfer Material at the Aerojet Landfill prior to transport are contained in the approved Aerojet Landfill CCP and related CEQA document and serve to mitigate potential hazardous material upset and accident conditions that may occur during these operations.

Following excavation and processing activities at the Aerojet Landfill, Transfer Material would be hauled to the AWCU by truck and/or truck and trailer combination in compliance with all applicable hazardous material transport regulations and would utilize existing private paved roads within the Aerojet access-controlled property. Because transport of Transfer Material would not occur over public streets, any accidental release of hazardous materials during transport is unlikely to affect the public. Furthermore, the Project would include implementation of **ESM-7**, **ESM-9**, and **ESM-13** (Section 3.2.3). These measures require that construction documents identify materials that are considered hazardous consistent with the Project’s approved JTDs/JTD, and require the contractor to develop a Health and Safety Plan that addresses release prevention measures; employee training, notification, and evacuation procedures; and emergency

response protocols and cleanup procedures. During construction, the contractor would also be required to comply with Cal-OSHA standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. In addition, a Traffic Management Plan would be prepared in accordance with Sacramento County requirements, the Aerojet Landfill CCP (as amended by the Proposed Project), any applicable emergency and evacuation plans, and professional engineering standards. These measures would ensure potential impacts to the public and environment during waste transport remain less than significant.

During Transfer Material placement into the AWCU, consistent with **ESM 13** (Section 3.2.3), aerosol meters and other local air monitoring devices would be employed to ensure emission compliance and worker safety. Results of soil vapor/gas monitoring would be used to refine protections as warranted. For example, should landfill gas or other vapor contaminants be present, additional monitoring equipment would be installed or issued to crew members in order to monitor conditions in real-time. Perimeter air monitoring for visible dust and other contaminants would be established on a case-by-case basis, or as required in association with the ~~JTDs~~ JTD and issued permits.

To ensure protection of the public and environment, the proposed AWCU is designed consistent with Title 27 design requirements. This includes, from the bottom up, a lower composite liner, geodrain leak detection system, upper linear low-density polyethylene (LLDPE) liner, and Leachate Collection and Recovery System. The AWCU would be capped with a geosynthetics-based or alternative final cover, would include a network of groundwater monitoring wells, and the entire facility would be fenced to prevent unauthorized access. Finally, the ~~JTDs~~ JTD (provided as *Appendix A*) include a monetary commitment by Aerojet for the long-term monitoring and management of the AWCU consistent with regulatory requirements. Related impacts would be **less than significant**.

## **Phase 2**

The Phase 2 WRND Cap project, scheduled for completion ~~implementation~~ by December 31, 2035, would include the capping and closure of the existing WRND. This would include development of detailed plans for the Phase 2 Cap and a related Closure Plan. The Phase 2 Cap design would accommodate final site drainage, access, environmental controls, maintenance, and monitoring requirements. Because the Phase 2 Cap design, Closure Plan, and ~~JTDs~~ JTD would be developed consistent with then-current Title 27 regulatory requirements, related potential impacts involving the release of hazardous materials are **less than significant**. This impact finding would be confirmed during future Phase 2 project-level CEQA review.

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As shown on *Figure 5.9-1. Nearby Hazardous Material Sites*, the report identified the following hazardous contamination sites within 0.5-mile of the WRND parcel:

1. The WRND parcel - the Project site.
2. White Rock Dump #2 (WRD-2) – located north of the western portion of the WRND parcel.
3. White Rock Road Landfill –South (White Rock South Dump) – located southeast of the Nimbus Road/White Rock Road Intersection.
4. Aerojet National Priority List Site – the Aerojet access-controlled property located north and west of the WRND parcel.

The proposed Phase 1 AWCU would be constructed on the WRND parcel, a known hazardous materials site. The Phase 1 AWCU would be located over existing waste, and the Phase 2 cap would cover the remaining extent of WRND waste not covered by the AWCU. Although the Project is proposed on a known listed hazardous materials site, because the Phase 1 AWCU and Phase 2 Cap and Closure Plan and related ~~JTDs~~JTD would be developed consistent with current and future Title 27 regulatory requirements, the project would not create a significant hazard to the public or environment. Related impacts are considered less than significant.

The Project also includes hauling Transfer Material over paved roads located within the AWCU Service Area and operations at the Aerojet Borrow Site. Both the AWCU Service Areas haul routes and Borrow Site are located within the Aerojet National Priority List site identified in *Figure 5.9-1*. Because the haul routes would follow paved roads, transport activities would not create a significant hazard to the public or the environment. Similarly, Borrow Site operations would occur in previously disturbed areas consistent with past practices. Consequently, haul route and Borrow Site operations would not create a significant hazard to the public or environment and related impacts are considered **less than significant**.

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<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**No impact.**

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<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No impact.**

Discussion:

**Phases 1 and 2**

The Proposed Project does not include additions or changes to recreational facilities. There would be **no impact**, and no mitigation is required.

**5.16.3 Mitigation Measures**

No significant impacts were identified, and no mitigation measures are required.

**5.17 Transportation**

**5.17.1 Environmental Setting**

Regional access to the access-controlled Aerojet property is primarily provided by White Rock Road, although the site can also be reached by U.S. Highway 50 via Nimbus Road and Albany Avenue. The entrance to the property is controlled through access gates and guard stations. Public Access to the site must be prearranged and authorized by appropriate Aerojet personnel. Government personnel provided access will be accompanied by Aerojet personnel. Project implementation would occur within Aerojet's access-controlled property and would not involve public roadways.

**5.17.2 Transportation (XVII) Environmental Checklist and Discussion**

<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Less than significant impact.**

Discussion:

## **Phases 1 and 2**

The Project would not alter the site in any way that would result in inadequate emergency access. Therefore, the Project would have a **less than significant** impact regarding emergency access. No mitigation is required.

### **5.17.2 Mitigation Measures**

No significant impacts were identified, and no mitigation measures are required.

## **5.18 Tribal Cultural Resources**

This section describes the affected environment and regulatory setting for Tribal Cultural Resources (TCRs) in the Project Area. The following analysis of the potential environmental impacts related to TCRs is derived primarily from the following sources:

- California Native American Heritage Commission Sacred Lands File Search, November 05, 2019;
- Cultural Resources Inventory, Testing and Evaluation Report for the White Rock Road North Dump, Sacramento County, California (ECORP 2019);
- Ethnographic overviews of the Nisenan (Beals 1933; Kroeber 1925; Littlejohn 1928; Wilson and Towne 1978);
- Confidential AB52 tribal coordination consultation record between CVRWQCB with and the Wilton Rancheria Tribe, and the Shingle Spring Band of Miwok Indians, and tribal coordination between CVRWQCB and the United Auburn Indian Community.

### **5.18.1 Environmental Setting**

#### **Ethnographic, Religious, And and Cultural Context**

Ethnographically, the Project Area is in the southwestern portion of the territory occupied by the Penutian-speaking Nisenan. The territory extends from the area surrounding the current city of Oroville on the north to a few miles south of the American River in the south. The Sacramento River bounded the territory on the west, and in the east, it extended to a general area located within a few miles of Lake Tahoe. As a language, Nisenan (meaning "from among us" or "of our side") has three main dialects – Northern Hill, Southern Hill, and Valley Nisenan, with three or four subdialects (Kroeber 1925; Wilson and Towne 1978). The Valley Nisenan lived along the Sacramento River, primarily in large villages with populations of several hundred each. Individual and extended families "owned" hunting and gathering grounds, and trespassing was discouraged (Kroeber 1925; Wilson and Towne 1978). Residence was generally patrilocal, but couples actually had a choice in the matter (Wilson and Towne 1978).

Politically, the Nisenan were divided into "tribelets," made up of a primary village and a series of outlying hamlets, presided over by a more-or-less hereditary chief (Kroeber 1925; Wilson and Towne 1978). Villages typically included family dwellings, acorn granaries, a sweathouse, and a dance house, owned by

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the chief. The chief had little authority to act on his or her own, but with the support of the shaman and the elders, the word of the chief became virtually the law (Wilson and Towne 1978). Subsistence activities centered around the gathering of acorns (tan bark oak and black oak were preferred), seeds, and other plant resources. The hunting of animals such as deer and rabbits, and fishing were also an important part of normal subsistence activities.

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Because criteria a and b also meet the definition of an Historical Resource under CEQA, a TCR may also require additional consideration as an Historical Resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies provide tribes that requested notification an opportunity to consult at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is used to develop appropriate avoidance, impact minimization, and mitigation measures.

In accordance with Section 21082.3(c)(1) of the PRC, "... information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with subdivision (r) of Section 6254 of, and Section 6254.10 of, the Government Code, and subdivision (d) of Section 15120 of Title 14 of the CCR, without the prior consent of the tribe that provided the information." Therefore, ~~specific information about tribal cultural resources is not included in this CEQA document and remains within~~ the details of tribal consultation summarized herein are provided in a confidential administrative record and not available for public disclosure without written permission from the tribes.

*Summary of Tribal Consultation under AB 52*

AB52 consultation requirements went into effect on July 1, 2015 for all projects that ~~have had~~ not already published a Notice of Intent to Adopt a Negative Declaration or ~~MND, or MND~~ or published a Notice of Preparation of an EIR (Section 11 [c]) ~~before that date~~. At the time the CVRWQCB was ready to initiate CEQA review, it had received written requests to receive project notices from the seven following California Native American Tribes, ~~who~~ which identified themselves as being traditionally and culturally affiliated with the lands subject to CVRWQCB jurisdiction.:

- Alturas Rancheria of Pit River Indians
- Winnemem Wintu Tribe,
- Wilton Rancheria,
- United Auburn Indian Community of Auburn Rancheria,
- Santa Rosa Rancheria Tachi Yokut Tribe,
- Pit River Tribe of California, ~~and~~
- Middletown Rancheria.

On January 28, 2020, CVRWQCB determined that it had a complete project description and ~~they were it~~ was ready to begin review under CEQA. On January 29, 2020, CVRWQCB mailed notification letters ~~for~~

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~~engaging offering opportunities consultation under for AB52 consultations on for the current project with to those seven tribes whom that have requested consultation notification on January 29, 2020. In accordance with PRC Section 21080.3.1(d) of the Public Resources Code, CVRWQCB requested responses to the offer to consult were requested within 30 days of the receipt of the letter. No response was received from Alturas Rancheria of Pit River Indians, Winnemem Wintu Tribe, United Auburn Indian Community of Auburn Rancheria, Santa Rosa Rancheria Tachi Yokut Tribe, Pit River Tribe of California, and Middletown Rancheria; therefore, no consultation under AB 52 with these tribes occurred. Correspondence with Wilton Rancheria and United Auburn Indian Community is summarized below.~~

~~*Wilton Rancheria Additionally, CVRWQCB offered the opportunity for consultation outside of AB52 to seven other tribes with geographic interest via letter on January 29, 2020: Buena Vista Rancheria of Me Wuk Indians, Colfax Todds Valley Consolidated Tribe, Lone Band of Miwok Indians, Nashville Enterprise Miwok Maidu Nishinam Tribe, Shasta Indian Nation, Shingle Springs Bank of Miwok Indians, and the Tsi Akim Maidu. No responses were received from Buena Vista Rancheria of Me Wuk Indians, Colfax Todds Valley Consolidated Tribe, Lone Band of Miwok Indians, Nashville Enterprise Miwok Maidu Nishinam Tribe, Shasta Indian Nation, or the Tsi Akim Maidu any of these tribes as of the date of this draft document; therefore, no consultation with any of these tribes occurred.*~~

*Consultation Under AB52*

On February 13, 2020, Wilton Rancheria sent a formal response to CVRWQCB via email stating ~~they it~~ would like to initiate consultation under AB52. ~~Their~~ The email stated they would like to request included a discussion of the type of environmental review being done for the Project, Project alternatives, the Project's significant effects, and mitigation for any direct, indirect, or cumulative effects the Project may cause to TCRs. The email response also included a formal request to allow a Wilton Rancheria Tribal representative to observe and participate in all cultural resources surveys including initial pedestrian surveys, and a request for a copy of all cultural

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~~resource assessments and the results of any records search results~~ that may have been done prior to the first consultation meeting. ~~They~~The tribe stated ~~their~~its policy is to have a tribal monitor present for all ground-disturbing activity if TCRs are present within the property, and ~~they~~its preference ~~to for~~ avoidance of impacts to all TCRs. ~~The email tribe provided itshad~~ suggested mitigation measures attached.

On February 13, 2020, CVRWQCB responded to Wilton Rancheria ~~via email with a letter in writing to~~ formally ~~initiating~~initiate consultation pursuant to PRC Section 21080.3.1-(e). CVRWQCB also sent a copy of the letter via certified mail to Wilton Rancheria. ~~The~~With its correspondence, CVRWQCB ~~also~~ sent ~~provided~~ a copy of the cultural resources study and offered to schedule a ~~site~~Project area visit ~~in their~~ initiation of consultation email. No response was received. On February 24, 2020, CVRWQCB ~~re-sent the~~ response to Wilton's initial email, with an additional note that they were checking to assure ~~followed up~~ with the tribe ~~their original response was received~~, attached another copy of the Draft Cultural resources report for the Project Area, and offered an opportunity to meet ~~and go over any site issues~~. On March 5, 2020, after not receiving a response from the tribe, CRWQCB attempted a third contact. ~~No response was received from Wilton Rancheria as of March 05, 2020, and CVRWQCB attempted to contact them again.~~ On April 09, after not receiving a response from the tribe, CRWQCB attempted a fourth contact. CVRWQCB made a final attempt to contact the tribe On July 23, 2020 in an email with a hard copy letter attached and subsequently sent via mail, relaying the details of the project and the timeline for comments on the draft IS/MND. ~~and~~To date, Wilton Rancheria did not provide CRWQCB with any information about TCRs that would be affected by the Project. ~~Consultation with Wilton Rancheria was carried out within the context of compliance with AB 52 and is discussed below~~ Consultation with Wilton Rancheria and Shingle Springs Band of Miwok Indians is ongoing as of the time this document was prepared. Therefore, in accordance with Section 21082.3(d)(2), CVRWQCB adoption of this CEQA document can occur without further consultation with Wilton Rancheria.

### *United Auburn Indian Community*

~~In a letter dated~~On February 20, 2020, United Auburn Indian Community sent ~~formal response to~~ CVRWQCB. The tribe ~~acknowledging the~~acknowledged receipt of the CVRWQCB's letter ~~offer to consult offering an opportunity to consult under AB52 for the Project, and stating~~ that there are no known TCRs and that there is a low potential for unknown or buried TCRs to occur in the Project Area. ~~They~~The tribe did not request ~~formal consultation but~~consultation but requested copies of any environmental technical documents for the Project, and to be notified of any project description changes ~~so they may reassess the need to consult~~. ~~They~~The tribe also provided ~~their~~its preferred ~~recommended~~ mitigation measures for addressing any unanticipated discoveries ~~as they relate to the project~~ and asked to be contacted if any cultural or archaeological resources were discovered in the Project area during construction. On ~~date~~July 24, 2020 the CVRWQCB provided a copy of the cultural resources technical report to the tribe. After considering the comments from the tribe, the CVRWQCB determined that a mitigation measure for unanticipated discoveries of TCRs during project construction is warranted.

Summary of Tribal Consultation Outside of AB 52

Additionally, CVRWQCB offered the opportunity for consultation outside of AB52 to seven other tribes that may be culturally affiliated with the Project area, but which had not requested notification for projects under CEQA. On January 29, 2020, CVRWQCB sent letters to the following tribes.

- Buena Vista Rancheria of Me-Wuk Indians
- Colfax-Todds Valley Consolidated Tribe
- Lone Band of Miwok Indians
- Nashville Enterprise Miwok-Maidu Nishinam Tribe
- Shasta Indian Nation
- Shingle Springs Band of Miwok Indians
- Tsi Akim Maidu

No responses were received from Buena Vista Rancheria of Me-Wuk Indians, Colfax-Todds Valley Consolidated Tribe, Lone Band of Miwok Indians, Nashville Enterprise Miwok-Maidu Nishinam Tribe, Shasta Indian Nation, or the Tsi Akim Maidu. Therefore, no consultation with any of these tribes occurred.

On February 24, 2020, the Shingle Springs Band of Miwok Indians sent a formal response letter to CVRWQCB that stated the tribe would like to initiate consultation process, in regards to the Project in order to address cultural and historical resource issues pursuant to AB52 for the Project. The letter requested a copy of any completed records searches and survey reports for environmental, archaeological, and cultural reports, as well as a formal request to be added as a consulting party and to please contact their representative named in the letter to schedule consultation. The tribe's response referenced AB 52, although the tribe had not met the threshold under 21080.3.1(b) because it had not previously "requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe." Regardless, the CVRWQCB contacted the tribe on March 06, 2020 and attached the cultural technical study and provided links to other project information documents that were available. No response was received from the tribe.

### **5.18.2 Tribal Cultural Resources**

Information about potential impacts to TCRs was drawn from: 1) the results of a search of the Sacred Lands File of the NAHC; 2) existing ethnographic information about pre-contact lifeways and settlement patterns; 3) information on archaeological site records obtained from surveys of the Project area and the California Historical Recourse Information System; and 4) the tribal consultation record under AB 52 tribal consultation with Wilton Rancheria for the Project.

### Sacred Lands File Search

A search of the NAHC Sacred Lands File was requested on November 5, 2019. The NAHC responded on November 13, 2019, that the sacred lands file search was negative, which means that no sacred lands have been recorded within the Project area. The NAHC included a list of suggested tribal representatives to contact who may have more information. The Buena Vista Rancheria of Me-Wok Indians, Colfax-Todds Valley Consolidated Tribe, Lone Band of Miwok Indians, Nashville Enterprise Miwok-Maidu-Nishinam Tribe, Shingle Springs Band of Miwok Indians, United Auburn Indian Rancheria Community, and the Tsi Akim Maidu were on the list of contacts; ~~these individual tribes were;~~ all of these were offered an opportunity for formal consultation to consult.; ~~The Shingle Springs Band of Miwok Indians and United Auburn Indian Community responded to the request as discussed above,~~ as summarized above,; ~~none of these tribes responded to the request.~~

### Ethnographic Information

The ethnographic information reviewed for the Project, including ethnographic maps (Wilson and Towne 1978, lists the nearest Native American village of the Northern Pomo as *Yoduk*, located on the northern side of the American River, approximately four miles northwest of the Project Area. There is nothing in the ethnographic literature that suggests that the Project location is either known or suspected to have ethnographic villages or resources within its boundaries.

### Archaeological Site Records

The entire project area was subjected to an archaeological survey and records search review, and no Native American sites were identified within its boundaries. In addition, Approximately 10 percent of the area within a 0.5-mile radius surrounding the Project Area has been subject to cultural surveys; no pre-contact archaeological sites have been previously recorded in the vicinity ~~of any part of the Project Area.~~ Only historic-period cultural resources related to mining, the Aerojet facility, and early water conveyance were located either within the Project area or within the records search radius. Additional information about these non-Native American cultural resources can be found in Chapter 5.5 of this CEQA document.

### ~~Tribal Consultation Results~~

~~Consultation with Wilton Rancheria and Shingle Springs Band of Miwok Indians is ongoing as of the time of this draft document.~~

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~~In accordance with Section 21082.3(c)(1) of the PRC, "... information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with subdivision (r) of Section 6254 of, and Section 6254.10 of, the Government Code, and subdivision (d) of Section 15120 of Title 14 of the CCR, without the prior consent of the tribe that provided the information." Therefore, specific information about tribal cultural resources is not included in this CEQA document and remains within a confidential administrative record and not available for public disclosure without written permission from the tribe.~~

**Conclusions**

~~The searches of the Sacred Lands File by the NAHC did not identify TCRs or sacred lands within or immediately adjacent to the Project area. The ethnographic record for the area indicates that all known village or settlements are at least several miles away from the Project area. Archaeological surveys did not identify pre-contact Native American archaeological site within the project area. The United Auburn Auburn Indian Community indicated that the Project Area does not contain known TCRs and has a low potential to have unknown or buried TCRs. Consultation with Wilton Rancheria and Shingle Springs Band of Miwok Indians is ongoing as of the preparation of this document ~~did not result in any information on TCRs.~~ However, based on information provided by the United Auburn Indian Community, there remains a possibility that undiscovered TCRs could become known during construction, and; therefore, it is currently unknown if TCRs are present within the Project area at the time of this draft document. If appropriate, ~~if TCRs are impacted, this would be considered a significant impact. Therefore, a mitigation measure is required~~ mitigation measures would be formulated accordingly through consultation between CVRWQCB and Wilton Rancheria and Shingle Springs Band of Miwok Indians to reduce the impact to unknown TCRs to less than significant.~~

**5.18.3 Tribal Cultural Resources (XVIII) Environmental Checklist and Discussion**

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<b>Would the Project:</b>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

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**Would the Project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
- 

Discussion:

**Phases 1 and 2**

*Tribal Consultation Results*

The United Auburn Indian Community indicated that the Project Area does not contain known TCRs and has a low potential to have unknown or buried TCRs. Consultation with Wilton Rancheria and Shingle Springs Band of Miwok Indians did not result in any information on TCRs. However, based on information provided by the United Auburn Indian Community, there remains a possibility that undiscovered TCRs could become known during construction, and if TCRs are impacted, this would be considered a significant impact. Therefore, Mitigation Measure TCR-1: Unanticipated Discovery is required to reduce the impact to unknown TCRs to less than significant.

The Wilton Rancheria and Shingle Springs Band of Miwok Indians tribes have requested Tribal Consultation pursuant to PRC § 21080.3.1. These consultations are in process, including making determination of significance of impacts to tribal cultural resources. Results of Tribal Consultation will be included in the final Initial Study.

**5.18.4 Mitigation Measures**

Mitigation Measures will be developed (if needed) based on results of AB52 consultation.

**TCR-1: Unanticipated Discovery** - If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. The CVRWQCB shall invite a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area to make recommendations about whether or not the discovery represents a TCR (PRC §21074) and, if so, to make recommendations for culturally-appropriate treatment. The contractor shall implement any measures determined by the CVRWQCB to be necessary. Work at the discovery location cannot resume until the treatment has been implemented to the satisfaction of the CVRWQCB.

## **5.19 Utilities and Service Systems**

### **5.19.1 Environmental Setting**

#### **Water Service**

The Project site is located in Sacramento County, within the City of Folsom Water service area. The City of Folsom Water Treatment Division produces and delivers high-quality drinking water to residents and businesses within its service area and is responsible for the operations and maintenance of the City's water treatment plant, which has a capacity to treat and deliver up to 50 million GPD). The Water Treatment Division treats drinking water to meet all USEPA and State of California drinking water health requirements.

The Project site is also located within Aerojet's private land holdings located between the cities of Rancho Cordova and Folsom. Within this private access-controlled property, Aerojet operates a groundwater-based industrial water supply system known as the Groundwater Extraction and Treatment AB. The Groundwater Extraction and Treatment AB system would serve as the construction source supply for construction and closure of the AWCU and for dust control at the Borrow Site. This existing system is required by the Perimeter Groundwater Operable Unit Unilateral Administrative Order and is used to

## **SECTION 5 MITIGATION MONITORING AND REPORTING PROGRAM**

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### **5.1 Introduction**

In accordance with CEQA, an IS/MND has been prepared that assesses potential adverse impacts related to construction and operation of the Aerojet Waste Consolidation Unit project. The Final IS/MND identifies mitigation measures that would reduce or eliminate these impacts.

Section 21081.6 of the Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment. An MMRP is required for the Proposed Project, because the IS/MND identified potentially significant adverse impacts related to construction activity, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the Proposed Project.

### **5.2 Purpose of the Mitigation Monitoring and Reporting Program**

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Proposed Project. **Table 5-1. Mitigation Monitoring and Reporting Program** identifies the implementation timing and monitoring requirements for each mitigation measure. It also includes a column for entering a completion date for each measure and any related comments. The numbering of the mitigation measures follows the numbering sequence in the Final IS/MND. If necessary, the MMRP may be modified during Project implementation in response to changing conditions or Project refinements.

### **5.3 Roles and Responsibilities**

The Central Valley Regional Water Quality Control Board (CVRWQCB), as Lead Agency, is responsible for MMRP compliance oversight. All mitigation measures would be implemented by Aerojet's construction contractors and consultants with monitoring conducted by the RWQCB as specified in Table 5-1. In addition to the mitigation measures listed in Table 5-1, CVRWQCB will ensure implementation of the following Environmental Stewardship Measures (ESMs) which would be implemented as a part of the Project to further minimize and avoid impacts on environmental resources.

### **5.4 Environmental Stewardship Measures**

During construction, the Project would implement a variety of Environmental Stewardship Measures (ESMs) designed to avoid short- and long-term effects on the physical and human environment. These activities are considered part of the Project, would be included in contract specifications and implemented during construction to ensure water quality, aquatic habitats and sensitive wildlife species and other

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environmental resources are protected consistent with regulatory standards. It should be noted that the Project would be required to implement agency-approved Construction and Industrial Stormwater Pollution Prevention Plans (SWPPPs), as well as an agency-approved SWPPP for post closure conditions. ESMs 3 and 4 below refer to Construction SWPPP requirements.

**ESM-1: Conduct Environmental Awareness Training for Construction Personnel**

Before any work occurs in the Project area, including grading, a Qualified Biologist will conduct mandatory contractor/worker awareness training. The awareness training will be provided to all construction personnel to brief them on the need to avoid impacts on biological resources and the penalties for non-compliance. If new construction personnel are added to the Project, the Aerojet will ensure that the personnel receive the mandatory training from the biologist before starting work.

**ESM-2: Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas**

The Project contractor would install orange construction barrier fencing to identify site limits and environmentally sensitive areas. Environmentally sensitive areas in and adjacent to the construction area could include elderberry shrubs, native oak trees greater than four inches diameter breast height (DBH), wetlands, drainages, and any trees or habitat that supports migratory bird or raptor nests. Before construction, the Project contractor will work with a resource specialist to identify the locations for the barrier fencing and will place stakes around the environmentally sensitive areas to indicate these locations. The fencing will be installed before construction activities are initiated and will be maintained throughout the construction period. The following note will be included in the construction plans:

“The contractor’s attention is directed to the areas designated as “environmentally sensitive areas” on the Project site. These areas are protected, and no entry by the contractor for any purpose will be allowed unless specifically authorized in writing by the Aerojet project manager. The Project contractor’s project managers will take measures to ensure that construction crews do not enter or disturb these areas, including giving written notice to crew members.”

Temporary fences around the environmentally sensitive areas will be installed as the first order of work. Temporary fences will be furnished, constructed, maintained, and removed as directed by the Project engineer. The fencing will be commercial-quality woven polypropylene, orange in color, and at least four feet high (Tensor Polygrid or equivalent).

**ESM-3: Establish Construction Equipment Fueling and Maintenance Areas**

The Project contractor will establish a fueling and maintenance/storage area within the Phase 2 area away from surface waters and protected from accidental release. All construction equipment fueling will be conducted within this designated area. All hazardous construction materials, fuels, lubricants, solvents, and other possible contaminants kept onsite will be stored within the fueling and maintenance/storage area, or within an alternate storage area established by the Project contractor with similar secondary containment protections consistent with agency-approved Construction SWPPP requirements.

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**ESM-4: Avoid and Minimize Disturbance of Surface Waters and Associated Aquatic Habitat and Restore all Temporarily Disturbed Areas**

To the extent possible, the Project contractor will minimize impacts to surface waters and associated aquatic habitat by implementing the following:

- a. All heavy equipment will be checked by the construction inspector and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.
- b. Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances associated with project-related activities that could be hazardous to aquatic life will be prevented from contaminating the soil or entering surface waters or channels.
- c. During construction, the Project contractor will not dump any material in surface waters or stream channels (without appropriate authorizations and/or permits). All such debris and waste will be picked up daily and properly disposed of. All construction debris and associated materials will be removed from the work site upon Project completion.
- d. Consistent with the Project's approved Construction SWPPP, erosion controls will be installed in appropriate locations to reduce the introduction of sediment into surface water during construction.
- e. After construction, all temporarily disturbed work areas will be stabilized and restored. This will include application of standard erosion control seed mix and installation of erosion and sediment controls consistent with the Project's approved Construction SWPPP.

Precautions to minimize turbidity/siltation will be considered during project planning and implementation and memorialized in the Project's approved Construction SWPPP. Such precautions may entail the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures will be taken. The sediment barrier(s) will be maintained in good operating condition throughout the construction period. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw bale dikes. Non-biodegradable silt barriers (such as plastic silt fencing) shall be removed after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season).

**ESM-5: Construct Outside of Nesting Season or Conduct Pre-Construction Nesting Surveys**

To avoid disturbance of breeding and nesting activity, including nesting of fully protected species, CESA-listed species, and other migratory and non-migratory birds, the following shall be implemented:

Fully Protected Species:

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"If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the white-tailed kite nesting season (typically between February 1 and September 15), a focused survey for white-tailed kite nests on the site and within 0.25 mile of the site will be conducted by a qualified biologist no greater than 15 days prior to the start of project activities (including clearing and grubbing). If white-tailed kites are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting white-tailed kite including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. If a lapse in project-related work of fifteen (15) days or longer occurs, the qualified biologist shall perform a new focused survey, and if nests are found, perform the tasks described in this measure.

- If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.
- If potential impacts are identified during the course of the project, project personnel shall fully avoid impacts to fully protected species."

CESA-listed Species:

If equipment staging, site preparation, grading, excavation or other project-related activities are scheduled during the Swainson's hawk nesting season (typically March 1 through September 15) surveys for active nests of such birds shall be conducted by a qualified biologist in accordance with the typical survey protocol: Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). Surveys shall be conducted at the appropriate radius and time periods listed in the survey protocol. Since the project spans over multiple years, a new survey shall be conducted for each nesting season to capture any new Swainson's hawk nests that may be established.

If Swainson's hawk is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting Swainson's hawk including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist

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implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

- If no active nests are found during the focused survey, nothing further will be required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey is required before project activities can be reinitiated.
- If an active Swainson's hawk nest is found during project surveys, the project shall demonstrate compliance with CESA. If during consultation it is determined that implementation of the project as proposed may result in take of Swainson's hawk, the project may consult with CDFW and may seek related take authorization as provided by the Fish and Game Code."

**Other Migratory and Non-Migratory Birds:**

In each year in which project activities would occur during the breeding season (generally February 1 through September 15), the Board, Aerojet, or the Contractor will retain a qualified wildlife biologist with knowledge of the relevant species to conduct nesting surveys no greater than 15 days prior to the start of project activities (including clearing and grubbing). Surveys will include a search of suitable nesting habitat in the project area including staging and stockpile areas. The minimum survey radii surrounding the work area shall be the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; iii) 1,000 feet for larger raptors such as buteos. If nesting birds are present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to avoid impacting nesting birds including, but not limited to appropriate no-disturbance buffers with appropriate flagging or staking and behavior-based monitoring by a biologist. CDFW recommends having the qualified biologist continuously monitor any active nest(s) to detect behavioral changes resulting from project activities. If behavioral changes occur, the work causing that change should stop until the qualified biologist implements additional avoidance and minimization measures in consultation with CDFW. Any no-disturbance buffers shall remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

- If no active nests are detected during these surveys, no additional measures are required. If a lapse in project-related activities of 14 days or longer occurs, another focused survey will be required before project activities can be reinitiated.

**ESM-6: Avoid the Introduction or Spread of Noxious Weeds in the Project Area**

To avoid the introduction or spread of noxious weeds into previously uninfected areas, the Project contractor will revegetate disturbed areas immediately after construction is complete using certified weed-free native and nonnative mixes.

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**ESM-7: Proper Handling of Hazardous Materials**

Construction documents will identify materials that are considered hazardous consistent with the Project approved JTD. The Project contractor will be required to develop a Health and Safety Plan that addresses release prevention measures; employee training, notification, and evacuation procedures; and emergency response protocols and cleanup procedures consistent with requirements of the JTD. The contractor will comply with the California Occupational Safety and Health Administration (Cal-OSHA) standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in California Labor Code, Division 5, Chapter 2.5.

**ESM-8: Prepare and Implement a Fire Suppression and Control Plan**

The Project contractor will coordinate with Sacramento County Fire to ensure a fire control plan is prepared and implemented to reduce the risk of fires during construction. The fire prevention and control plan will include requirements for onsite extinguishers; roles and responsibilities of Aerojet, the Project contractor; specification for fire suppression equipment and other critical fire prevention and suppression items.

**ESM-9: Prepare and Implement a Construction Traffic Management Plan**

As necessary, Aerojet will require the Project contractor(s) prepare a Traffic Control Plan in accordance with Sacramento County requirements, the Aerojet Landfill CCP (as amended by the proposed Project), any applicable emergency evacuation plans, and professional engineering standards prior to construction. The Traffic Control Plan could include the following requirements:

- a. Traffic controls required within Aerojet's access-controlled property and where approved haul and material deliver routes may intersect with the public transportation system, shall be provided. Adequate provisions shall be made for the protection of the traveling public. All traffic control, including devices and personnel requirements, will be consistent with the current State of California Manual of Traffic Controls for Construction and Maintenance Work Areas.
- b. Emergency services access to local land use shall be maintained for the duration of construction activities.
- c. Access for all area public and private land uses and open space/agricultural lands shall be maintained during construction activities.

**ESM-10: Utilization of Existing Infrastructure for Storage and Power**

Temporary service lines shall be utilized for all construction activity stationary equipment to the extent feasible.

**ESM-11: Implement a Recycling Program with a Local Recycler/Landfill Operator**

Project recycling requirements outlined in the JTD shall be implemented through agreements executed with a local recycling or landfill operator (e.g., Schnitzer Steel in Rancho Cordova and/or Kiefer Landfill).

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**ESM-12: Implement Measures to Minimize Air Quality Impacts**

The Project contractor will be required to implement the following measures to minimize air quality impacts:

- a. Install cobble at construction site entrance/exit.
- b. Suspend grading during high wind.
- c. Maintain adequate moisture in disturbed or stockpiled materials, apply water mist and spray to control fugitive dust emissions.
- d. Compact or utilize soil stabilizers and/or temporary cover materials to protect disturbed or stockpiled materials.

**ESM-13: Perform Air Quality Monitoring to Protect Construction Workers**

Aerosol meters and other local air monitoring devices would be employed during Transfer Material placement to ensure emission compliance and worker safety. Five gas meters with photo ionization detector functions will be utilized during excavation and other remedial efforts to monitor for typical conditions and contaminants of concern that might be encountered. Results of soil vapor/gas monitoring would be used to refine protections as warranted. For example, should landfill gas or other vapor contaminants be present, additional monitoring equipment will be installed or issued to crew members in order to monitor conditions in real-time consistent with Project permits and Occupational Safety and Health Administration (OSHA) requirements.

Perimeter air monitoring for visible dust and other contaminants will be established on a case-by-case basis or as required in association with issued permits.

**ESM-14: Conduct Construction Worker Cultural Resources Awareness Training**

A consultant and construction worker cultural resources awareness brochure and training program for all personnel involved in ground-disturbing activities will be developed and disseminated by an archaeologist to all operators of ground-disturbing equipment prior to construction commencing. The program will include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating state laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located in the Project Area and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered. The program will also underscore the requirement for confidentiality and culturally appropriate treatment of any find of significance to Native Americans. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form shall be provided to the CVRWQCB as proof of compliance.

## **5.5 Mitigation Monitoring and Reporting Program**

The column categories identified in **Table 5-1. Mitigation Monitoring and Reporting Program** are described below.

- **Mitigation Measure** – This column lists the mitigation measures by number.
- **Monitoring Activity/Timing/Frequency/Schedule** – This column lists the activity to be monitored for each mitigation measure, the timing of each activity, and the frequency/schedule of monitoring for each activity.
- **Implementation Responsibility/Verification** – This column identifies the entity responsible for complying with the requirements of the mitigation measure and provides space for verification initials and date.
- **Responsibility for Oversight of Compliance/Verification** – This column provides the agency responsible for oversight of the mitigation implementation and is to be dated and initialed by the agency representative based on the documentation provided by the construction contractor or through personal verification by agency staff.
- **Outside Agency Coordination** – This column lists any agencies with which CVRWQCB may coordinate for implementation of the mitigation measure.
- **Comments** – This column provides space for written comments, if necessary.

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<p><b>AQ-1</b> The following practices are considered feasible for controlling fugitive dust from a construction site. Control of fugitive dust is required by District Rule 403 and enforced by SMAQMD staff.</p> <ul style="list-style-type: none"> <li>• Treat all exposed surfaces at least two times daily during active site work and as needed on all other days in order to remain in compliance with Sacramento Metropolitan AQMD adopted Rule 403 at all times during the project. Exposed surfaces include but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. Consistent with adopted Rule 403, treatment may include application of asphalt, oil, water, or suitable chemicals on dirt roads, material</li> </ul>	<p><b>Activity:</b> Control fugitive dust</p> <p><b>Timing:</b> During construction</p> <p><b>Frequency:</b> Ongoing</p>	<p><b>Contractor, SMAQMD staff</b></p>	<p><b>CVRWQCB</b></p>	<p><b>SMAQMD</b></p>	

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<p>stockpiles, and other surfaces which can give rise to airborne dust.</p> <ul style="list-style-type: none"> <li>• Cover, or wet and maintain at least 2 feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.</li> <li>• Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</li> <li>• Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>• All roadways, driveways, sidewalks, and parking lots to be paved</li> </ul>					

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<p>should be completed as quickly as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</p> <ul style="list-style-type: none"> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment must be checked by a certified mechanic and determine</li> </ul>					

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to be running in proper condition before it is operated.					
<p><b>BIO-1: Special-Status Plant Species:</b> Prior to Phase 1 or 2 construction activities, the following actions are recommended for avoiding impacts to special-status plant species:</p> <ul style="list-style-type: none"> <li>Perform focused plant surveys according to USFWS, CDFW, and CNPS protocols. Surveys should be timed according to the blooming period for target species and known reference populations, if available. For CDFW, survey procedures would be consistent with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) or the most recent agency approved survey protocol.</li> </ul>	<p><b>Activity:</b> Conduct Pre-Construction Special-Status Plant Surveys</p> <p><b>Timing:</b> Prior to construction</p> <p><b>Frequency:</b> Once</p>	Project Biologist	CVRWQCB	USFWS, CDFW	

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<ul style="list-style-type: none"> <li>• The USFWS generally considers plant survey results valid for approximately three years. Therefore, follow-up surveys may be necessary if Project implementation occurs after this three-year window.</li> <li>• If special-status plant species are found, avoidance zones may be established around plants to clearly demarcate areas for avoidance. Avoidance measures and buffer distances may vary between species and the specific avoidance zone distance would be determined in coordination with appropriate resource agencies (CDFW and/or USFWS).</li> <li>• In the event special-status species can't be avoided, compensation make take the form of permanent protection, enhancement, or restoration of suitable habitat, or</li> </ul>					

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<p>purchase of credits in an approved mitigation or conservation bank.</p> <ul style="list-style-type: none"> <li>If special-status plant species are found within the Project and avoidance of the species is not possible, additional measures such as seed collection and/or translocation may be developed in consultation with the appropriate agencies. For species that are not state or federally listed, any such plan shall include no net loss performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible.</li> </ul>					

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<ul style="list-style-type: none"> <li>• In the event take of CESA-listed plants cannot be avoided, the project proponent may seek related take authorization as provided by the Fish and Game Code and USFWS.</li> <li>• If no special-status plants are found, no further measures pertaining to special-status plants are necessary.</li> </ul>					

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<p><b>BIO-2: American Badger:</b> Potentially suitable habitat (e.g., annual grassland) is present onsite for one special-status mammal, the American badger. To ensure that there are no impacts to American badgers, the following measures are recommended:</p> <ul style="list-style-type: none"> <li>Retain a qualified biologist to Conduct a pre-construction survey for American badger no greater than 15 days prior to the start of project activities. The survey shall include all suitable habitat in the project area and within a 500-foot radius around the project area including staging and stockpile areas. The survey effort should be focused on identifying actively used burrows or other signs of presence for the species such as recent scat, tracks, etc. If American badger is present, the qualified biologist shall prepare and implement a site-specific avoidance plan based on the species, physical site characteristics, and proposed activities. The avoidance plan should include measures to protect American badger, including but not limited to appropriate no-disturbance buffers with appropriate flagging or staking,</li> </ul>	<p><b>Activity:</b> Conduct American Badger Surveys</p> <p><b>Timing:</b> Prior to construction</p> <p><b>Frequency:</b> Once</p>	<p><b>Project Biologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>USFWS, CDFW</b></p>	
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Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>behavior-based monitoring by a biologist, and exclusion zones/fencing with an active movement corridor between any burrows and adjacent suitable habitat. If no evidence (e.g., sign, scat, burrows) of American badger presence is found, no further measures are necessary.</p> <ul style="list-style-type: none"> <li>If evidence of American badger presence is found, consult with CDFW to determine if any additional measures are necessary.</li> </ul>					
<p><b>BIO-3: Native Oak Trees:</b> The Applicant shall implement the following measures to minimize potential impacts to native oak trees:</p> <ul style="list-style-type: none"> <li>Conduct an arborist survey according to Sacramento County guidelines by an International Society of Arboriculture</li> </ul>	<p><b>Activity:</b> Conduct arborist survey and obtain a Sacramento County Tree Permit if necessary</p>	<p><b>Project Biologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>Sacramento County</b></p>	

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<p>certified arborist for the Project footprint.</p> <ul style="list-style-type: none"> <li>• If no impacts to protected trees are found, no action is required.</li> <li>• Should the arborist report identify potential impacts to trees protected by County ordinance, prepare and submit an application for a Sacramento County Tree Permit. The tree permit would outline mitigation measures to reduce impacts to protected trees to less-than-significant consistent with County requirements.</li> </ul>	<p><b>Timing:</b> Prior to construction</p> <p><b>Frequency:</b> Once</p>				
<p><b>BIO-4: Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp:</b> The following measures are recommended to minimize potential impacts to vernal pool fairy shrimp and vernal pool tadpole shrimp:</p>	<p><b>Activity:</b> Conduct Special-Status invertebrate surveys; conduct Section 7 Consultation;</p>	<p><b>Aerojet/Project Biologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>USFWS, CDFW</b></p>	

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<ul style="list-style-type: none"> <li>During Phase 1 construction, the following will be implemented by Aerojet’s construction contractor to ensure indirect impacts to vernal pool branchiopod habitat are avoided: ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas will be implemented to protect any onsite or adjacent offsite vernal pool branchiopod habitat that occurs within 100 feet of ground disturbance.</li> <li>The Applicant may assume presence of listed large branchiopods. Prior to any construction or work related activities or impacts to any features that provide suitable habitat (vernal pools, seasonal wetlands, and seasonal wetland swales) for the aforementioned listed large branchiopod species, Section 7 consultation would take place with USFWS to establish mitigation,</li> </ul>	<p>mitigate for and protect sensitive invertebrate habitat</p> <p><b>Timing:</b> Prior to construction</p> <p><b>Frequency:</b> Once</p>				

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<p>avoidance, and/or minimization measures as part of the Section 404 permitting process.</p> <ul style="list-style-type: none"> <li>• If the Applicant does not assume presence of listed large branchiopods, perform protocol level surveys pursuant to the current USFWS Guidelines. The findings of the protocol surveys would dictate mitigation, avoidance, and/or minimization measures through Section 7 consultation with USFWS.</li> <li>• Aerojet may compensate for Phase 2 direct impacts on vernal pool fairy shrimp and vernal pool tadpole shrimp (vernal pool branchiopod) habitat by purchasing appropriate habitat credits at a USFWS-approved mitigation or conservation bank. The habitat impacts will be mitigated at a 2:1 ratio (2 acres preserved for every 1 acre affected).</li> </ul>					

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<p>Mitigation and conservation banks in Sacramento County that sell vernal pool branchiopod credits and are authorized by the USFWS include the Van Vleck Mitigation Bank, the Bryte Ranch Conservation Bank and Clay Station Mitigation Bank.</p> <ul style="list-style-type: none"> <li>The exact acreage of Phase 2 direct impacts to vernal pool branchiopod habitat will be determined after the Phase 2 WRND cap design has been finalized and appropriate surveys conducted. At that time the IS/MND Phase 2 programmatic analysis and related mitigation measures will be reviewed by the Lead Agency to determine if subsequent CEQA analysis is required.</li> </ul>					

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Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p><b>BIO-5: Elderberry Longhorn Beetle:</b> The following measure is recommended to minimize potential impacts to VELB:</p> <ul style="list-style-type: none"> <li>• During Phase 1 construction, the following will be implemented by Aerojet’s construction contractor to ensure indirect impacts to VELB habitat (i.e., elderberry shrubs) are avoided:               <ul style="list-style-type: none"> <li>ESM-2 Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas will be implemented to protect any onsite or adjacent offsite elderberry shrubs that occur within 100 feet of ground disturbance.</li> </ul> </li> <li>• Conduct surveys for elderberry shrubs within areas of the Study Area that have not been previously surveyed (i.e., the Phase 2 development area).</li> <li>• If elderberry shrubs would be removed, an evaluation using the 2017</li> </ul>	<p><b>Activity:</b> Conduct elderberry shrub surveys; conduct Section 7 Consultation; mitigate for and protect sensitive elderberry beetle habitat</p> <p><b>Timing:</b> Prior to construction</p> <p><b>Frequency:</b> Once</p>	<p><b>Aerojet/Project Biologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>USACE, USFWS</b></p>	

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<p>USFWS guidance entitled USFWS 2017 Framework for Assessing Impacts to the VELB should be conducted to determine the appropriate mitigation needs to minimize impacts to VELB and its host shrub.</p> <ul style="list-style-type: none"> <li>Section 7 consultation would take place with USFWS to establish mitigation, avoidance, and/or minimization measures as part of the Section 404 permitting process.</li> </ul>					
<p><b>BIO-6: Western Spadefoot:</b> The following measures shall be implemented to minimize potential impacts to western spadefoot:</p> <ul style="list-style-type: none"> <li>Although no formal survey protocol is required by agencies to determine presence of western spadefoot, it is recommended that nighttime auditory</li> </ul>	<p><b>Activity:</b> Survey for Western Spadefoot and breeding sites; avoid and protect breeding sites and protect/relocate any</p>	<p><b>Aerojet/Project Biologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>CDFW</b></p>	

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<p>surveys and dip net surveys are made in suitable aquatic habitat during the breeding season (typically late February into April, Shedd 2016).</p> <ul style="list-style-type: none"> <li>• If no western spadefoot is detected during the surveys no further measures are needed.</li> <li>• If western spadefoot is detected, a qualified biologist shall develop a site-specific avoidance, minimization, and/or relocation plan to ensure that any measures in the approved plan are in place prior to construction and implemented during construction. If any breeding sites are identified, these habitats should be avoided to the extent feasible. If not feasible, individuals can be relocated. The relocation plan may include establishing temporary no disturbance areas where the individuals are found,</li> </ul>	<p>Western Spadefoots found</p> <p><b>Timing:</b> Prior to and during construction</p> <p><b>Frequency:</b> Throughout entire Project</p>				

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<p>exclusion fencing for construction areas (with suitable refuge opportunities), and biological monitoring for Project activities. To the extent relocation is needed, relocation sites should be identified and minimum qualifications (i.e., CDFW Scientific Collecting Permit) for those handling the species should be established.</p>					
<p><b>BIO-7: Waters of the United States/Waters of the State.</b> To minimize potential impacts to Waters of the U.S./State, the following measures shall be implemented prior to Phase 2 construction.</p> <ul style="list-style-type: none"> <li>To compensate for the permanent loss of Waters of the U.S./State, Aerojet shall obtain Section 404 and 401 Permits from the USACE and RWQCB and either</li> </ul>	<p><b>Activity:</b> Survey for waters of the U.S./State; obtain appropriate permits; ensure no net loss</p> <p><b>Timing:</b></p>	<p><b>Aerojet/Project Biologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>USACE, USFWS</b></p>	

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<p>create replacement wetland habitat or purchase credits at an agency-approved mitigation bank.</p> <ul style="list-style-type: none"> <li>The wetland compensation ratio Shall be a minimum of 1:1 (one acre of wetland habitat credit for every one acre of impact) to ensure no net loss of wetland habitat functions and values. The project shall also implement the conditions and requirements of the state and federal permits. The actual mitigation ratio and associated credit acreage may be modified based on final design and USACE and RWQCB permitting which will dictate the ultimate compensation for permanent impacts to Waters of the U.S./ State.</li> <li>If applicable, Aerojet shall also obtain a Section 1602 Permit from the California Department of Fish and Wildlife.</li> </ul>	<p>Prior to Phase 2 ground disturbing activities</p> <p><b>Frequency:</b> Once</p>				

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<ul style="list-style-type: none"> <li>If applicable, the Applicant would obtain a 1602 CDFW Streambed Alteration Permit.</li> </ul>					
<p><b>CUL-1: Unanticipated Discovery</b> - If any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered during the initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the construction supervisor shall immediately notify the CVRWQCB representative. If the find includes human remains, CVRWQCB shall immediately notify the Sacramento County Coroner and the procedures in Section 7050.5 of the California Health and Safety Code and, if applicable, Section 5097.98 of the Public</p>	<p><b>Activity:</b> Stop work for unanticipated cultural resource discoveries and protect the find; evaluate the find; and protect significant cultural resources</p> <p><b>Timing:</b> Prior to construction activities</p> <p><b>Frequency:</b></p>	<p><b>Aerojet/Project Archaeologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>Sacramento County Coroner, tribal representatives</b></p>	

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<p>Resources Code, shall be followed. If the discovery is reasonably associated with Native American culture, CVRWQCB shall coordinate any necessary investigation of the discovery with an appropriate tribal representative and a qualified archaeologist approved by CVRWQCB. As part of the site investigation and resource assessment, CVRWQCB shall consult with appropriate parties to develop, document, and implement appropriate management recommendations, should potential impacts to the resources be found by CVRWQCB to be significant. Possible management recommendations could include documentation, data recovery, or (if deemed feasible by CVRWQCB) preservation in place. The contractor shall implement any measures deemed by CVRWQCB, at its discretion, to be necessary and feasible to avoid, minimize,</p>	<p>As needed</p>				

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or mitigate significant effects to the cultural resources.					
<p><b>CUL-2: Human Remains Discovery</b> - If human remains of any kind, or remains that are potentially human, are found during any phase on any portion of the Project, a qualified professional archaeologist 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 Public Resources Code, 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</p>	<p><b>Activity:</b> Stop work for unanticipated human remain discoveries and protect the find; evaluate the find; and protect significant cultural resources</p> <p><b>Timing:</b> Prior to construction activities</p> <p><b>Frequency:</b> As needed</p>	<p><b>Aerojet/Project Archaeologist</b></p>	<p><b>CVRWQCB</b></p>	<p><b>Sacramento County Coroner, NAHC, tribal representatives/ Native American Most Likely Descendants</b></p>	

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<p>NAHC, which then will designate a Native American Most Likely Descendant for the project (§ 5097.98 of the Public Resources Code). The designated Most Likely Descendant 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 Most Likely Descendant, the NAHC may mediate (§ 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in</p>					

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<p>which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>					
<p><b>GEO-1: Discovery of Unknown Paleontological Resources</b> - Any deep excavations extending below the surface dredge tailings or landfill materials will be monitored closely by a qualified paleontologist. If any paleontological resources (i.e., fossils) are found during excavation, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until the lead agency, Central Valley Water Quality Control Board, is notified and the area is cleared for future</p>	<p><b>Activity:</b> Implement unanticipated discoveries protocol</p> <p><b>Timing:</b> During ground disturbing activities</p> <p><b>Frequency:</b> Same as Timing</p>	<p><b>Aerojet/Project Paleontologist, Contractor</b></p>	<p><b>CVRWQCB</b></p>		

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**Aerojet Waste Consolidation Unit Project**  
**Mitigation Monitoring and Reporting Program**

<b>Mitigation Measure</b>	<b>Monitoring Activity/Timing/Frequency/Schedule</b>	<b>Implementation Responsibility</b>	<b>Responsibility for Oversight of Compliance/Verification</b>	<b>Outside Agency Coordination</b>	<b>Comments</b>
<p>work. A qualified paleontologist will evaluate the findings 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 lead agency resumes work in a location where paleontological remains have been discovered and cleared, the lead agency will have a paleontologist onsite to observe any continuing excavation and 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.</p>					

**Aerojet Waste Consolidation Unit Project**  
Final Initial Study and Mitigated Negative Declaration

**Aerojet Waste Consolidation Unit Project**  
**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p><b>TCR-1: Unanticipated Discovery</b> - If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. The CVRWQCB shall invite a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area to make recommendations about whether or not the discovery represents a TCR (PRC §21074) and, if so, to make recommendations for culturally-appropriate treatment. The contractor shall implement any measures determined by the CVRWQCB to be necessary. Work at the discovery location cannot resume until the treatment has been implemented to the satisfaction of the CVRWQCB.</p>	<p><b>Activity:</b> Stop work and protect the find if any suspected TCRs are discovered;</p> <p><b>Timing:</b> During construction</p> <p><b>Frequency:</b> As needed</p>	<p><b>Aerojet, Contractor, Project Archaeologist</b></p>	<p><b>CVRWQCB, Tribal Representative</b></p>	<p><b>UAIC, Placer County Coroner</b></p>	

## **SECTION 6 LIST OF ATTACHMENTS**

Attachment A – Notice of Intent

Attachment B – Proof of Publication

# **ATTACHMENT A**

Notice of Intent

Central Valley Regional Water Quality Control Board

## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

DATE: June 22, 2020

TO: Responsible Agencies, Interested Parties, and Organizations

SUBJECT: **Aerojet Waste Consolidation Project Initial Study/Mitigated Negative Declaration**

The Central Valley Regional Water Quality Control Board (CVRWQCB) is the California Environmental Quality Act (CEQA) Lead Agency for the proposed Aerojet Waste Consolidation Project (Proposed Project). The CVRWQCB has directed the preparation of an Initial Study (IS) Mitigated Negative Declaration (MND) in compliance with CEQA.

**Project Location:** The Proposed Project is located on an Aerojet-Rocketdyne Inc. (Aerojet) owned ±250-acre parcel referred to as the White Rock North Dump (WRND) parcel. The WRND parcel includes a ±100-acre pre-regulation “dump” and is within Aerojet’s access-controlled property located south of State Highway 50 between the Cities of Rancho Cordova and Folsom in Sacramento County, CA. The Project site address is 12353 White Rock Road, Sacramento County, CA. 95742 (APN: 072-0100-020).

**Project Description:** The Project is a proposal by Aerojet to implement the following phased improvements:

- **Phase I AWCU:** Construct, fill and close consistent with Title 27 requirements a Class II Landfill to be known as the Aerojet Waste Consolidation Unit (AWCU) on top of ±50-acres of the WRND within the existing Aerojet-owned ±250-acre WRND parcel. Dispose of up to 1,000,000 CYs of waste soil that meets the Class II waste requirements and inert construction debris (together referred to as Transfer Material) in the AWCU. Transfer Material would be generated from future remediation projects located within the proposed AWCU Service Area which comprises approximately 7500 acres of Aerojet access-controlled property. This would include accepting transfer Material from the Aerojet Landfill consistent with the approved Aerojet Landfill Clean Closure Plan. The Aerojet Landfill is an existing approximately 180-acre, non-operating, closed landfill owned by Aerojet located within the proposed AWCU Service Area approximately 2.3 miles north of the proposed WRND parcel. To facilitate the revised Aerojet Landfill disposal location, the Project also includes amending the 2015 County-approved Aerojet Landfill CCP to replace the identified offsite haul route with the Aerojet Landfill Haul Route identified in the initial study.
- **Phase 2 WRND Cap and Closure:** Cap and close the remainder of the existing pre-regulation ±100-acre WRND in accordance with Title 27 requirements (±50 acres plus any remaining portion of the ±50-acre AWCU area not filled with Transfer Material).
- **Entitlements:** The current ±250-acre WRND parcel, inclusive of the ±100-acre former dump is zoned M1, which does not include landfill activities. In order to bring the parcel into compliance with its current use and to construct the AWCU on the parcel, incorporation of the WRND parcel into the

## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

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Aerojet Special Planning Area (SPA) is required. Therefore, Project entitlements include amending the Aerojet SPA chapter of the Sacramento County zoning code to add the WRND parcel into the SPA "Industrial Zone."

- **Schedule:** It is anticipated the entire Project lifecycle would not exceed 15 years from the issuance of the solid waste facility permit. Assuming construction of the AWCU commences in Spring 2021, Transfer Material could be received as soon as Fall 2021. Although Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to an AWCU closure by December 31, 2035. The preferred schedule for implementation of the WRND Phase 2 Cap is to begin when 1,000,000 CY of Transfer Material have been placed in the AWCU. However, since Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to the completion of the Phase 2 Cap by December 31, 2035.

**Potentially Significant Environmental Impacts:** Potentially significant impacts to air quality, biological resources, cultural resources, and geology and soils were identified in the Initial Study. All impacts would be reduced to a less-than-significant level with the implementation of identified mitigation measures.

**Hazardous Waste Sites:** Pursuant to Section 15087(c)(6) of the Guidelines for California Environmental Quality Act, CVRWQCB acknowledges the WRND parcel is a designated hazardous waste site.

**IS/MND Document Review and Availability:** The public review and comment period for the IS/MND will extend for 30 days starting **June 24, 2020 and ending July 24, 2020**. The IS/MND can be viewed and/or downloaded at the following website:

[https://www.waterboards.ca.gov/centralvalley/public\\_notices/#SiteCleanup](https://www.waterboards.ca.gov/centralvalley/public_notices/#SiteCleanup)

The IS/MND will also be made available for public review at the following location. To review at this location, calling ahead is recommended to ensure offices are open to the public.

- Central Valley Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670-6114

**Comments/Questions:** Comments and/or questions regarding the IS/MND may be directed to: Alexander MacDonald, Senior Water Resources Engineer, Central Valley Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670-6114 or [amacdonald@waterboards.ca.gov](mailto:amacdonald@waterboards.ca.gov)

## **ATTACHMENT B**

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Proof of Publication



## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
780782	0004678501	Notice of Intent to Adopt a Mitigated Negative Dec	Legal Notice	\$1,345.68	2	8.14 In

**Attention:** Matteo Rodriquez

ECORP CONSULTING, INC.  
2525 WARREN DRIVE  
ROCKLIN, CA 95677

### DECLARATION OF PUBLICATION (C.C.P.2015.5)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the printer and principal clerk of the publisher of The Sacramento Bee, printed and published in the City of Sacramento, County of Sacramento, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sacramento, State of California, under the date of September 26, 1994, Action No. 379071; that the notice of which the annexed is a printed copy, has been published in each issue thereof and not in any supplement thereof on the following dates, to wit:

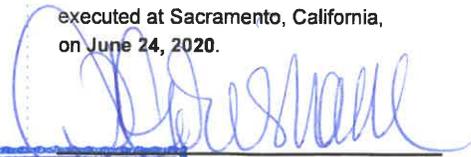
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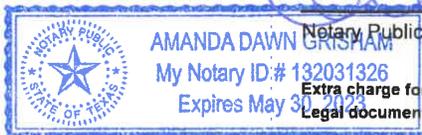
Published On:  
June 24, 2020

  
Legals Clerk

COUNTY OF DALLAS  
STATE OF TEXAS

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Sacramento, California, on June 24, 2020.





Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study  
DATE: June 24, 2020  
TO: Responsible Agencies, Interested Parties, and Organizations  
SUBJECT: Aerojet Waste Consolidation Project Initial Study/Mitigated Negative Declaration

The Central Valley Regional Water Quality Control Board (CVRWQCB) is the California Environmental Quality Act (CEQA) Lead Agency for the proposed Aerojet Waste Consolidation Project (Proposed Project). The CVRWQCB has directed the preparation of an Initial Study (IS) Mitigated Negative Declaration (MND) in compliance with CEQA.

**Project Location:** The Proposed Project is located on an Aerojet-Rockaldyne Inc. (Aerojet) owned ±250-acre parcel referred to as the White Rock North Dump (WRND) parcel. The WRND parcel includes a ±100-acre pre-regulation "dump" and is within Aerojet's access-controlled property located south of State Highway 50 between the Cities of Rancho Cordova and Folsom in Sacramento County, CA. The Project site address is 12953 White Rock Road, Sacramento County, CA. 95742 (APN: 072-0100-020).

**Project Description:** The Project is a proposal by Aerojet to implement the following phased improvements:

- **Phase 1 AWCU:** Construct, fill and close consistent with Title 27 requirements a Class II Landfill to be known as the Aerojet Waste Consolidation Unit (AWCU) on top of ±50 acres of the WRND within the existing Aerojet-owned ±250-acre WRND parcel. Dispose of up to 1,000,000 CYs of waste soil that meets the Class II waste requirements and inert construction debris (together referred to as Transfer Material) in the AWCU. Transfer Material would be generated from future remediation projects located within the proposed AWCU Service Area which comprises approximately 7500 acres of Aerojet access-controlled property. This would include accepting transfer material from the Aerojet Landfill consistent with the approved Aerojet Landfill Clean Closure Plan. The Aerojet Landfill is an existing approximately 180-acre, non-operating, closed landfill owned by Aerojet located within the proposed AWCU Service Area approximately 2.3 miles north of the proposed WRND parcel. To facilitate the revised Aerojet Landfill disposal location, the Project also includes amending the 2015 County-approved Aerojet Landfill GDP to replace the identified offsite haul route with the Aerojet Landfill Haul Route identified in the initial study.
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- **Schedule:** It is anticipated the entire Project lifecycle would not exceed 15 years from the issuance of the solid waste facility permit. Assuming construction of the AWCU commences in Spring 2021, Transfer Material could be received as soon as Fall 2021. Although Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to an AWCU closure by December 31, 2035. The preferred schedule for implementation of the WRND Phase 2 Cap is to begin when 1,000,000 CY of Transfer Material have been placed in the AWCU. However, since Aerojet does not know the exact timing of all projects that would generate Transfer Material, Aerojet commits to the completion of the Phase 2 Cap by December 31, 2035.

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[https://www.waterboards.ca.gov/centralvalley/public\\_notices/#531eCleanup](https://www.waterboards.ca.gov/centralvalley/public_notices/#531eCleanup)

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are open to the public.

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