
2. REVISIONS TO THE DEIR TEXT

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REVISIONS TO THE DRAFT EIR TEXT

2.0 INTRODUCTION

The Revisions to the Draft EIR Text chapter presents all of the revisions made to the Draft EIR in response to comments received and four minor staff initiated edits. It should be noted that the following revisions do not change the intent or content of the analysis or effectiveness of mitigation measures presented in the Draft EIR.

2.1 DESCRIPTION OF CHANGES

New text is **bold** and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

2.0 EXECUTIVE SUMMARY

As a result of the change to Mitigation Measure 5-3(b) initiated by Staff, Table 2-1, Summary of Impacts and Mitigation Measures, page 2-12, is hereby revised as follows (see also the similar change made below to Chapter 5 of the Draft EIR):

5-3(b) *Prior to issuance of a grading permit, the project applicant shall coordinate with USFWS to determine appropriate ~~vernal pool~~ **invertebrate** habitat mitigation for project impacts. Typically, the USFWS requires compensatory mitigation for impacts to these species at a 3:1 ratio (2:1 preservation and 1:1 creation). Mitigation could include, but would not be limited to, on-site or off-site preservation and creation of seasonal wetlands or purchase of seasonal wetland credits at a qualified mitigation bank.*

As a result of the change to Mitigation Measure 5-5(b) made in response to comments, Table 2-1, Summary of Impacts and Mitigation Measures, page 2-14, is hereby revised as follows (see also the similar change made below to Chapter 5 of the Draft EIR):

5-5(b) *Prior to initiation of any construction activities, a 250-foot buffer zone shall be established around each burrow with an active nest until the young have fledged and are able to exit the burrow. In the case of occupied burrows without active nesting, active burrows after the young have fledged, or if development commences after the breeding season (February 1 to August 31),*

*passive relocation, which involves installing a one-way door at the burrow entrance to encourage the owls to move from the occupied burrow, shall be performed **by a qualified biologist**. The CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site.*

3. PROJECT DESCRIPTION

Since the release of the Draft EIR for public review, the County has determined that one clarification needs to be made regarding the proposed rezone for the project. On page 3-4 of Chapter 3, *Project Description*, of the Draft EIR, the rezone is described as RS-B-42 DL 0.83. Staff has determined that this description requires a slight modification, as follows:

The GBCP designates the project site as Rural Low Density Residential (0.9 to 2.3 acres per unit), with a density limitation of 0.83 units per acre. The project site is currently zoned RS-AG-B-100 PD 0.83 (Residential Single-Family, Combining Agricultural, Combining Minimum Building Site of 100,000 square feet, Planned Development 0.83 units per acre). The current base zoning would allow up to 42 residential lots on the project site, and up to 63 residential lots if developed as a Planned Development. In order to enable the development of 89 single-family units on the project site, the proposed project would include a rezone of the property to **RS-B-X-42,000 square feet DL 0.83** (Residential Single-Family, Combining Minimum Building Site of 42,000 square feet, Density Limitation 0.83 units per acre). The Combining Agricultural and Planned Development districts would be removed. The resultant project density would be consistent with the site's current GBCP designation.

This change is hereby also made throughout the Draft EIR to all occurrences of the proposed rezone description. These changes do not affect the previous environmental analysis contained in the Draft EIR given that the minor adjustment in the rezone description does not change the amount of development that could be built on-site.

Since the release of the Draft EIR for public review, the County has determined that it is necessary to clarify that the off-site emergency vehicle access route proposed for the project is not being required by Placer County; rather it is a result of the negotiations between the project developer and the South Placer Fire District in an effort to improve secondary emergency response to the project site and surrounding area. Therefore, for clarification purposes page 3-6 of the Draft EIR is hereby revised as follows:

(The nearest South Placer Fire District station to the project site is located within a quarter-mile at 5300 Olive Ranch Road.) The project developer has obtained ~~permission~~ **and recorded easements in favor of the South Placer Fire District** from private property owners **on South Shadow Oaks Lane** to establish an off-site emergency vehicle access (EVA) route that would provide a north-south connection between Olive Ranch Road and Cavitt-Stallman Road. The South Placer Fire District has indicated that such an off-site EVA would ~~not only provide adequate secondary emergency~~ **access to the project site, but**

would also improve emergency response to neighborhoods along Shadow Oaks Lane and Cavitt-Stallman Road, as it would eliminate the need for secondary responders the District to travel the circuitous route along Sierra College Drive Boulevard to access the project site, as well as provide a direct emergency response route for the District to access those neighborhoods along Shadow Oaks Lane and Cavitt-Stallman Road. ~~(The nearest fire station to the project site is located within a quarter mile at 5300 Olive Ranch Road.)~~ The improved emergency access route would traverse South Shadow Oaks Lane located approximately 1,000 feet east of the project site. The project developer has obtained easements from property owners and the EVA easements would extend over three consecutive parcels (APN 046-140-035, APN 046-140-037, and APN 046-140-038), from Olive Ranch Road northerly along the west side of South Shadow Oaks Lane.

The above changes are for clarification purposes and do not change the environmental analysis contained in the Draft EIR.

The reference to an earlier version of the Vesting Tentative Map for the proposed project included a lot entitled "Open Space Lot G;" however, in response to County Staff comments, this lot was re-labeled on the Vesting Tentative Map as "Common Lot G", prior to releasing the DEIR for public review. The re-labeling was made in recognition of the fact that Lot G will contain a sewer pump station, standby generator, a storage building, and vehicle access and maintenance parking. Inadvertently, Lot G is still shown in the legend list of "Open Space" lots on Figure 3-3, Vesting Tentative Map, of the DEIR Project Description. In addition, Figures 3-4 through 3-6 of the Project Description chapter of the DEIR, and Figures 10-2, 12-1, and 13-1 of the DEIR require similar modifications to clarify Lot G as a "Common Lot" in the legend list. As a result, Figures 3-3 through 3-6, 10-2, 12-1, and 13-1 of the DEIR are hereby revised for clarification.

5. BIOLOGICAL RESOURCES

Since the release of the DEIR for public review, the County has determined that a minor wording change is needed to Mitigation Measure 5-3(b), so as to create consistency with similar language in Mitigation Measure 5-3(a). Therefore, for clarification purposes, Mitigation Measure 5-5(b), on page 5-34 of the Draft EIR, is hereby revised as follows:

5-3(b) *Prior to issuance of a grading permit, the project applicant shall coordinate with USFWS to determine appropriate ~~vernal pool~~ invertebrate habitat mitigation for project impacts. Typically, the USFWS requires compensatory mitigation for impacts to these species at a 3:1 ratio (2:1 preservation and 1:1 creation). Mitigation could include, but would not be limited to, on-site or off-site preservation and creation of seasonal wetlands or purchase of seasonal wetland credits at a qualified mitigation bank.*

As mentioned above, this minor wording change is needed to create semantic consistency between Mitigation Measure 5-3(b) and Mitigation Measure 5-3(a), which reads as follows (italics added):

5-3(a) *If impacts to “invertebrate” habitat cannot be avoided, prior to issuance of a grading permit, protocol-level surveys shall be conducted by a qualified biologist to determine the presence or absence of freshwater invertebrate species, for the review and approval of the Planning Department. If the species are absent and USFWS accepts the survey findings, further mitigation is not necessary. If the species are present (or if the project applicant chooses to assume presence without conducting the surveys), the applicant shall implement Mitigation Measure 5-3(b).*

The above change is for clarification purposes and does not change the environmental analysis contained in the Draft EIR.

Mitigation Measure 5-5(a) requires pre-construction surveys by a qualified biologist, and thus the work required in Mitigation Measure 5-5(b) is meant to be performed by a qualified biologist as well. Therefore, for clarification purposes, Mitigation Measure 5-5(b), on page 5-36 of the Draft EIR, is hereby revised as follows:

5-5(b) *Prior to initiation of any construction activities, a 250-foot buffer zone shall be established around each burrow with an active nest until the young have fledged and are able to exit the burrow. In the case of occupied burrows without active nesting, active burrows after the young have fledged, or if development commences after the breeding season (February 1 to August 31), passive relocation, which involves installing a one-way door at the burrow entrance to encourage the owls to move from the occupied burrow, shall be performed **by a qualified biologist**. The CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site.*

The above changes are for clarification purposes and do not change the environmental analysis contained in the Draft EIR.

8. TRANSPORTATION AND CIRCULATION

Since the release of the Draft EIR for public review, the County has determined that it is necessary to clarify that the off-site emergency vehicle access route proposed for the project is not being required by Placer County; rather it is a result of the negotiations between the project developer and the South Placer Fire District in an effort to improve secondary emergency response to the project site and surrounding area. Therefore, for

clarification purposes Impact 8-8 on page 8-35 of Chapter 8, *Transportation and Circulation*, of the DEIR is hereby revised as follows:

8-8 Impacts related to emergency vehicle access.

~~The project developer has obtained permission from private property owners to establish an off-site emergency vehicle access (EVA) route that would provide a north-south connection between Olive Ranch Road and Cavitt-Stallman Road. The South Placer Fire District has indicated that such an off-site EVA would provide adequate access to the project site, as well as improve the response times for existing and future developments in the project vicinity. As discussed in Chapter 43 of the DEIR (Public Services~~**Project Description**~~), the closest fire station is located at 5300 Olive Ranch Road, approximately one quarter of a mile east of the project site. In the event of an emergency response call, the first engine to respond to the project site would likely come from the Olive Ranch Road fire station and secondary responders would come from the fire station located to the northeast, via the new emergency vehicle access (EVA) route. The new EVA route would eliminate the need for the second responders to travel the circuitous route along Sierra College Drive Boulevard to access the project site and vicinity, as well as provide a direct emergency response route for the District to access those neighborhoods along Shadow Oaks Lane and Cavitt-Stallman Road. The project developer has obtained permission and recorded easements in favor of the South Placer Fire District from private property owners on South Shadow Oaks Lane to establish an off-site emergency vehicle access (EVA) route that would provide a north-south connection between Olive Ranch Road and Cavitt-Stallman Road. The South Placer Fire District has indicated that such an off-site EVA would not only provide adequate secondary emergency access to the project site, but would also improve emergency response to neighborhoods along Shadow Oaks Lane and Cavitt-Stallman Road, as well as improve the response times for existing and future developments in the project vicinity.~~

The improved emergency access route would traverse South Shadow Oaks Lane located approximately 1,000 feet east of the project site. The project developer has obtained easements from property owners and the EVA easements would extend over three consecutive parcels (046-140-035, 046-140-037, and 046-140-038), from Olive Ranch Road northerly along the west side of South Shadow Oaks Lane (See Figure 8-9). The easement agreement includes plans for the construction and operation of two emergency access gates along South Shadow Oaks Lane, which would be activated by the strobe lights of emergency vehicles and equipment, but not be accessible for day-to-day traffic. However, the emergency access gates would permit pedestrian access along this route.

Concurrent with emergency gate installations, the developer would pave the existing dirt portion of the Shadow Oaks community roadway for a total paved width of 20 feet (as specified by South Placer Fire District). The pavement would extend from the northernmost emergency access gate northward to the existing paved community road north of Shadow Oaks Lane for a total approximate distance of 250 feet (See Figure 8-9). As the area between the two emergency access gates will be

paved by the property owner, subsequent pavement activities are not required for any roadway sections.

~~With the incorporation of the~~ **The developer's proposed off-site EVA route would allow emergency responders to drive along the private South Shadow Oaks Lane in shorter time frames and be able to serve the project site and properties in the vicinity of Shadow Oaks Lane and Cavitt-Stallman Road from a more direct route, as well as allow for secondary emergency response to the project site.** Through-traffic by non-emergency vehicles would be prohibited by the emergency access gates. Improvements to South Shadow Oaks Lane would assist in emergency response times to the project site and project vicinity. ~~With the incorporation of emergency access gates and EVA easements,~~ **Whether or not the off-site EVA route for secondary emergency response is provided with this project,** impacts related to emergency vehicle access to the site would be *less-than-significant*. It should be noted that, as a project Condition of Approval, a letter from the South Placer Fire District will be required to be obtained by the applicant, ~~stating that the District does not have any concerns with the width of roadways, number of access points, grades, parking restrictions, location of hydrants, emergency access ingress and egress, or private gates.~~

The above changes are for clarification purposes and do not change the environmental analysis contained in the Draft EIR.

12. HYDROLOGY AND WATER QUALITY

Since the release of the Draft EIR for public review, an incorrect textual reference has been detected on page 12-15 of the *Hydrology and Water Quality* chapter. The first paragraph under Impact 12-4, *Exposure of people and structures to flood hazards on the project site*, references a Mitigation Measure 4-3(a), which does not exist. In an initial draft of Chapter 4, Land Use, a mitigation measure was included requiring a 100-foot setback from the centerline of Miners Ravine for all new on-site structures. However, the applicant proactively addressed this GBCP requirement by incorporating the 100-foot setback into the project design, as clearly indicated on the Vesting Tentative Map included in the Draft EIR *Project Description* chapter as Figure 3-3. Therefore, because the text on page 12-15 is now obsolete, the first paragraph is revised as follows:

According to the preliminary hydrology study prepared for the Community Plan area and the two Flood Insurance Rate Maps (FIRMs) issued by FEMA for the project site (Panel No. 06061C0483G and 06061C0479G, respectively), northern portions of the site along Miners Ravine are located within a 100-year floodplain. The remaining areas of the project site are areas designated as Zone X, which are outside of the 100-year floodplain located along Miners Ravine. The proposed project includes plans to fill in low areas of Lots 7-11, which could impact the 100-year floodplain along Miners Ravine. Included in Appendix P, A.R. Associates included an analysis for pre- and post-project 100-year floodplain impacts. The analysis was performed to determine if filling in the low areas of Lots 7-11 would impact the 100-year flood level. The water surface and stream bottom elevations collected by A.R. Associates field crew were compared to the FEMA stream

characteristics to assess whether the 100-year floodplain encroached onto Lots 7-11. The analysis determined that the proposed fill activities for Lots 7-11 would be completed outside of the 100-year floodplain. Per the requirements of the GBCP, Policy 6 of the Safety Element, all new construction shall not be permitted within 100 feet of the centerline of Miners Ravine. ~~Mitigation Measure 4-3(a), presented under Impact Statement 4-3 in Chapter 4, Land Use, of this EIR,~~ **The Vesting Tentative Map (see Figure 3-3 of the Project Description chapter) for the project requires includes a 100-foot setback from the centerline of Miners Ravine for all new on-site structures proposed for development.**

The above changes are for clarification purposes and do not change the environmental analysis contained in the Draft EIR.

13. PUBLIC SERVICES AND UTILITIES

Since the release of the DEIR for public review, the County has determined that minor wording changes are needed to Mitigation Measure 13-1, as follows:

*13-1 Prior to approval of Improvement Plans, the project applicant shall receive a water availability letter from SJWD confirming adequate water supply and system service capacity exists to serve the proposed project. The project applicant shall submit water system improvement plans for the review and approval of San Juan Water District (SJWD) and ~~County Planning Department~~ the Placer County Development Review Committee. The project applicant shall fund and construct all necessary water system improvements needed for the project and comply with SJWD requirements and standards. **The applicant shall connect the project to this treated domestic water supply.** Individual will-serve applications, payment of fees, and charges for each metered connection are required prior to receiving water service to each parcel **and prior to building permit issuance for each residence.***

The above changes are for clarification purposes only and do not affect the adequacy of the previous environmental analysis concerning public services and utilities.

15. ALTERNATIVES

Upon further review, an inadvertent inconsistency has been detected between the conclusion in Table 15-1 and the text discussion on page 15-6 of the Draft EIR concerning biological resource impacts resulting from the Base Zoning Alternative. As a result, Chapter 15, under the Biological Resources header, page 15-6, is hereby revised as follows in order to be consistent with Table 15-1 of the Draft EIR:

In addition, similar to the proposed project, the Base Zoning Alternative would require removal of trees and habitat that would impact special-status species and jurisdictional wetlands. ~~However, significant oak tree losses on individual~~

~~residential lots could be greater than the Proposed Project. Therefore, the Base Zoning Alternative would result in greater impacts related to biological resources, as compared to the Proposed Project. Both the Base Zoning Alternative and the proposed project would include similar lot-specific grading as the units are developed. Though somewhat speculative, the possibility exists that some homeowners would preserve a greater number of trees under the Base Zoning Alternative simply because their lots will be 1.3 acres larger than those proposed for the project, thereby allowing more trees to be retained. However, the extent to which each property owner would preserve trees on their property is speculative and for purposes of this analysis it is assumed that the level of biological impacts would be roughly equal for the proposed project and the Base Zoning Alternative. However, it should be noted that similar to the Proposed Project, development of the Base Zoning Alternative would result in a significant and unavoidable cumulative impact to biological resources.~~

In addition, in Response to Comment 12-14 and upon further consideration, page 15-6 of the Draft EIR regarding the Base Zoning Alternative is hereby further revised to clarify the extent of possible impacts to biological resources resulting from implementation of the Base Zoning Alternative (note: the below text includes revisions already made to the “Biological Resources” discussion for the Base Zoning Alternative on page 15-6 – see Response to Comment 2-40):

In addition, similar to the proposed project, the Base Zoning Alternative would require removal of trees and habitat that would impact special-status species and jurisdictional wetlands. ~~However, significant oak tree losses on individual residential lots could be greater than the Proposed Project. Therefore, the Base Zoning Alternative would result in greater impacts related to biological resources, as compared to the Proposed Project. Both the Base Zoning Alternative and the proposed project would include similar lot-specific grading as the units are developed. Though somewhat speculative, the possibility exists that some homeowners would preserve a greater number of trees under the Base Zoning Alternative simply because their lots will be 1.3 acres larger than those proposed for the project, thereby allowing more trees to be retained. However, the extent to which each property owner would preserve trees on their property is speculative and for purposes of this analysis it is assumed that the level of biological impacts would be roughly equal for the proposed project and the Base Zoning Alternative.~~ Concerning impacts to waters of the U.S., as indicated in the conceptual plan for the Base Zoning Alternative, Figure 15-1 of the Draft EIR, a road would likely not be included in the southwest corner, thereby not requiring a bridge over Swale A. This would eliminate the potential impact resulting from the proposed project to 0.18 acres of perennial marsh. All other impacts to waters of the U.S. resulting from the proposed project would be expected to occur with implementation of the Base Zoning Alternative. However, it should be noted that similar to the Proposed Project, development of the Base Zoning Alternative would result in a significant and unavoidable cumulative impact to biological resources.

In addition, based upon the above minor revisions to the Biological Resources write-up for the Base Zoning Alternative, Table 15-1 on page 15-16 of the DEIR is hereby clarified as follows:

Table 15-1 Environmental Impacts of the Proposed Project and Project Alternatives				
Impact	Proposed Project	No Project – No Build Alternative	Base Zoning Alternative	Planned Development Alternative
Land Use	Potentially Significant	None	Less	Less
Biological Resources	Significant and Unavoidable	None	<u>Roughly</u> Equal	Equal

The above changes to the Draft EIR analysis of the Base Zoning Alternative serve to provide greater specificity regarding the extent to which the alternative may impact waters of the U.S., as well as establish consistency with the data in Table 15-1. The additional specifics will be considered by the decision-makers as they review the alternatives evaluated in the Draft EIR.