- o Install a traffic signal and construct exclusive left turn lanes for the eastbound and southbound approaches, or
- o Widen Riego Road from two to four lanes between Pleasant Grove (south) and SR 70/99 and remove the stop signs on the eastbound and westbound approaches, and construct an exclusive eastbound left-turn lane.

As the proposed mitigation measures show, the number of through lanes required at an intersection approach determines how many through lanes are required on the connecting roadway segment. Because the relevant information is already incorporated in the DEIR, a separate roadway segment analysis in the DEIR was not required for this location.

Comment 19

(Mitigation for the Riego Road intersections and the PURR crossing and grade separation must be addressed)

The four intersections along Riego Road between SR 99 and Pleasant Grove Road (south) that were analyzed in the Placer Vineyards EIR were also analyzed in the Regional University EIR, including the intersection of SR 99, Natomas Road, Pleasant Grove Road (north), and Pleasant Grove Road (south). The intersection of Pacific Avenue and Riego Road was not analyzed in either the Placer Vineyards EIR or the Regional University EIR. Based on the initial study location screening process, it was determined that an insignificant amount of Regional University traffic would use Pacific Avenue; therefore, this intersection was excluded from the study locations. Mitigation Measure 6.12-7, however, does include capacity expansion options for Riego Road that would improve traffic operations at this location.

RUSP will add traffic to Riego Road as described in the DEIR, but this traffic will not adversely affect the UPRR crossing because of the right-of-way given to trains. Vehicle traffic will continue to experience the delays associated with train crossings and Placer County may choose to participate in roadway improvements at this crossing to minimize vehicle delays. This action would be governed by Mitigation Measure 6.12-1, which requires developers of RUSP to contribute towards regional traffic impact fee programs.

Comment 20

(The EIR should address how the mitigation measures for the project might have additional adverse impact in Sutter County and other jurisdictions.)

Response to Comment 10-9 adequately addresses this concern. It states:

Draft EIR Impact 6.12-26 provides that mitigation measures implemented to reduce transportation impacts could adversely impact traffic in other jurisdictions. Mitigation Measure 6.12-26 requires Placer County to coordinate with the City of Roseville, Sacramento County, Sutter County and Caltrans to ensure the roadway improvements implemented in whole

or in part as mitigation for the proposed project are designed to minimize impacts on existing and future roadways and intersections according to the LOS policies of affected jurisdictions.

The commenter states that "coordination on past projects has not been productive, nor has a 'legally enforceable' bi-county agreement been negotiated to date." After Sutter County commenced CEQA litigation against Placer County on the Placer Vineyards Specific Plan EIR, Placer County initiated efforts to establish a bi-county agreement with Sutter County, similar to the Memorandum of Understanding (MOU) established between Placer County and Sacramento County. To date, Sutter County has not responded to Placer County's efforts. As recognized in the Draft EIR, without Sutter County's cooperation in establishing such an agreement, the project's traffic impacts on Sutter County identified in the Draft EIR would remain significant and unavoidable. (Draft EIR, pp. 6.12-102, 6.12-112.) Placer County remains able and willing to commence negotiations with Sutter County to establish a bi-county agreement; however, active participation from Sutter County is required.

(FEIR p. 4-26; see also the response above to comment 17.)

Comment 21

(Certification of the EIR should be delayed until there is an agreement as to the payment for mitigation measures in Sutter County)

Response to Comment 10-10 adequately addresses this concern. It states:

Commenter requests that the adoption of the Final EIR be delayed until successful negotiations have been concluded and the necessary institutional and legal arrangements between Sutter and Placer counties to facilitate the project's payment of "fair share" traffic impact fees. As noted earlier, Placer County acknowledges and appreciates Sutter County's willingness to commence negotiations to establish this framework; however, CEQA does not require such agreements to be in place prior to project approval. See Response to Comment 10-9.

The County believes that the Draft EIR fully complies with CEQA and adequately identifies, analyzes, and mitigates all potentially significant impacts of the proposed project.

(FEIR p. 4-26; see also the responses above to comments 17 and 20.)

Comment 22

(The traffic counts from 2005 are outdated)

The table below shows a comparison between the May 2005 traffic counts collected at intersections along Riego Road for the RUSP EIR to recent traffic counts collected in May 2007 as part of the Sutter Pointe Specific Plan. As shown, most intersection traffic counts have decreased between 2005 and 2007 during the AM and PM peak hours with the total traffic volume reducing by up to six percent under the p.m. peak hour. Further, the traffic forecasts used in the DEIR account for potential growth over time and fully capture potential traffic effects of the project, which will take years to develop.

	RUSP (May 2005)		Sutter Pointe SP (May 2007)		Sutter Pointe SP - RUSP			
Intersection	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour	AM Delta	PM Delta	AM % Change	PM % Change
10. Riego Road/Natomas Road	859	921	934	931	75	10	9%	1%
11. Riego Road/Pleasant Grove Road (north)	976	1,034	1,044	1,011	68	-23	7%	-2%
12. Riego Road/Pleasant Grove Road (south)	1,042	1,107	1,009	935	-33	-172	-3%	-16%
13. Baseline Road/Locust Road	1,108	1,317	1,151	1,258	43	-59	4%	-4%
14. SR 70/99 at Riego Road	3,997	3,921	3,835	3,674	-162	-247	-4%	-6%
TOTAL	7,982	8,300	7,973	7,809	-9	-491	1%	-6%

Comment 23

(The City of Rocklin contends that the Project will have impacts at the Whitney interchange at State Route 65. If the Project indeed would have impacts on this intersection, the EIR is required to evaluate the intersection.)

The City of Rocklin has recently proposed to construct the SR 65/Whitney Parkway interchange prior to 2025. The proposed design, however, would only serve traffic to and from the east with no connection to roadways west of SR 65. Thus, RUSP traffic would not impact this interchange.

Comment 24

(The City of Rocklin objects to the use of the 44% internal trip reduction)

The internalization estimate of project trips was not based on the UC Davis campus. As stated on page 4-28 of the FEIR in the response to comment 12-5, the 44 percent internalization rate is for the entire proposed project, including residential and other uses, in addition to the University. The internal trips between complementary uses was determined based on output from the Placer County model and consideration of trip lengths for various trip purposes such as travel to shopping and school. Most trip lengths for school and shopping purposes are relatively short. For example, most trips from home to a grocery store or an elementary school are less than three miles. With no competing shopping or schools adjacent to RUSP, the internalization of these trips should be high.

Studies have been conducted that have shown similar communities within the Sacramento region that contain a mix of complementary land uses such as residential, retail, schools, and jobs have internalization rates of approximately 45 percent (see Comparing Methodologies for Estimating Trip Internalization of Mixed-Use Development, presented by Fehr & Peers at the 11th Transportation Planning Applications Conference, May 6-10, 2007, Daytona Beach, FL.).

Also refer to Response to Comment 12-5 and 19-89 in the RUSP Final EIR.

Comment 25

(RUSP will have inadequate public transportation and alternative modes of transportation, in contrast with UC Davis)

This comment again ignores the RUSP's multiple provisions for enhanced transit. (See DEIR p. 6.12-107.. 6.13-11—6.13-12.) Further, Mitigation Measure 6.12-24 requires contribution towards the cost to provide public transit service with the following minimum service levels.

- Fixed-route bus service connecting the plan area to the City of Roseville and Placer County Transit with a minimum of hourly headways and a maximum of 15-minute headways added in the peak periods.
- Demand-responsive service meeting ADA paratransit requirements within the plan area
- Peak period (a.m. and p.m.) weekday commuter bus service to downtown Sacramento

Comment 26

(It is unclear how the land ownership of Watt Avenue extension would be acquired if the Watt Avenue segment needs to be constructed prior to the Sierra Vista Specific Plan Buildout)

Response to Comment 13-5 adequately address this issue:

The comment states that the Draft EIR does not make clear how land not under RUSP applicant ownership would be acquired for construction of the Watt Avenue extension, and that the EIR should disclose whether condemnation of the land is contemplated. The acquisition and/or condemnation of land is not a CEQA issue. The Draft EIR analyzes the physical effects of constructing the Watt Avenue extension.

(FEIR p. 4-32.) It is worth noting, however, that Placer County certainly has the power of eminent domain should that power ever be required to obtain the property at issue. The exercise of that governmental power, though, would not cause any environmental effects different from those that would occur should the project applicants be able to obtain the property on a free-market willing-seller basis.

Comment 27

(The improvements that are included as part of the Project should be included in the description of the Project, specifically at the intersections of Baseline Road/Fiddyment Road and Baseline Road/Watt Avenue)

The improvements referenced in this comment were addressed in the Draft EIR. (See DEIR, p. 6.12-20 ("shared through/right-turn land converted to a second through lane and an exclusive right-turn lane on northbound approach" listed for Fiddyment/Baseline Road intersection).) The Placer Vineyards EIR included the construction of this improvement as a mitigation measure. (PVSPRRDEIR p. 4.7-3.)

The RUSP will fund its share of these improvements by paying fair share fees. Mitigation Measure 6.12-1 provides that "Developers of property within the plan area ("Specific Plan" or the "the Project") shall be responsible for the project's fair share of all feasible physical improvements necessary and available to reduce the severity of the project's significant transportation-related impacts, as identified in this traffic analysis, consistent with the policies and exceptions set forth in the Transportation and Circulation Element of the 1994 Placer County General Plan as amended. The project's contribution toward such improvements, which the County recognizes will not be sufficient to mitigate all transportation-related impacts to less-than-significant levels, may take any or some combination of the following forms. . . The payment of other adopted regional impact fees that would provide improvements to roadways, intersections and/or interchanges that are affected by multiple jurisdictions (e.g., Walerga, Fiddyment, Baseline)." (DEIR, p. 6.12-95.)

In Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173 and case law cited therein, the Third District Court of Appeal held that to be sufficient under CEQA to render impacts less than significant, a fair-share mitigation fee measure must be part of a "reasonable mitigation plan" under which fair share payments will actually translate into actual mitigation. Here, because the improvements at issue would occur on a County facility in the unincorporated area in Placer County (as opposed to a freeway controlled by Caltrans or a local road in another jurisdiction over which Placer County has no control), there is certainty that the RUSP applicant's fair share payments will translate into actual mitigation. The fact that the Development Agreement for the RUSP includes details not also found in the language of the applicable Mitigation Measure and EIR does not make the measure or the EIR defective. It is typical, and to be expected, that the Development Agreement would include financial details not normally found or

required in a mitigation measure in order for it to comply with CEQA. (See also Response to Comment 13-38, FEIR p. 4-43.)

Comment 28

(The Blue Oaks Boulevard and Pleasant Grove Road must be extended into the plan area under the cumulative conditions)

This comment references Comment 13-39 on the DEIR. This comment states, "The EIR analysis relies on the extensions of Blue Oaks Boulevard and Pleasant Grove Boulevard into the Plan Area under Cumulative conditions. While the City of Roseville supports these future extensions, as these are regionally important roadway connections, the EIR needs to identify how these improvements will be funded and constructed within unincorporated Placer County."

Response to Comment 13-39 notes that all off-site roadway capacity expansion necessary to support the project and other future cumulative development will be governed by the requirements stated in Mitigation Measure 6.12-1. (FEIR p. 4-43.) Mitigation Measure 6.12-1, also discussed above, addresses the payment of multiple fees to fund improvements like expanded roadway capacity in off-site areas. (DEIR p. 6.12-95-6.12-96.) Thus, contrary to comment's assertion, the EIR does provide information regarding how off-site improvements will be funded.

Comment 29

(The project should address the expansion of the PGWWTP; the EIR should address the NPDES permit and downstream flooding; the EIR fails to mitigate for expansion of flows in Pleasant Grove Creek.)

The commenter states that the response to City of Roseville comment 13-18 is non-responsive and that the EIR fails to mitigate for the expansion of flows in Pleasant Grove Creek. Roseville comment 13-18 relates to Impact 6.8-4, for which the Draft EIR stated that "[t]he proposed project could increase the amount (volume) of treated wastewater discharged into Pleasant Grove Creek which could exceed the capacity of the creek, exacerbating on- or off-site flooding during the 100-year storm event." This impact relates to water quantity, and not water quality. Roseville's comment is that "Environmental Utilities Staff believes the conclusion of no mitigation required for this impact is incorrect. Mitigation to obtain a NPDES permit for the additional discharge above that already permitted and to reduce flooding impacts on downstream communities should be identified."

The conclusion in the DEIR that no mitigation would be required for Impact 6-8.4 is based on a determination that discharges of treated wastewater to Pleasant Grove Creek from the proposed project would result in a less-than-significant impact to downstream flooding during the 100-year storm event. The determination that the discharges would

result in a less-than-significant-impact is based on information contained in the January 15, 2006, Technical Memorandum prepared by Merritt Smith Consulting entitled, "Cumulative Analysis of UGA Impacts on Water Quality and Aquatic Resources in Pleasant Grove Creek, Roseville, California." The technical memorandum (included as Appendix D of the RUSP Draft Environmental Impact Report) analyzed the impacts of increased future wastewater flows to, and discharges from, the Pleasant Growth Wastewater Treatment Plant (PGWWTP) from proposed Urban Growth Area (UGA) projects including the Regional University Specific Plan project.

Hydraulic modeling prepared for the Technical Memorandum found:

From WRSP (West Roseville Specific Plan) station 3.648 (+/- upstream of the PGWWTP discharge to WRSP station 2.398 (+/- mile downstream of the PGWWTP discharge) a 0.01 feet increase in 100-year water surface elevations is reported. From WRSP station 2.244 to WRSP station 1.879 (+/- 1.5 miles downstream of the PGWWTP discharge) a 0.02 feet increase in 100-year water surface elevations is reported. From WRSP station 1.825 to Carollo station 4.00 (roughly 1 mile upstream of the Sutter / Placer County line) a 0.01 feet increase in 100-year water surface elevations is reported. Downstream of this location to the Pleasant Grove canal, no further increases 100-year peak water surface elevations is reported. Overall, it is our opinion that the reported impacts would be less than measurable.

Because the impacts resulting from peak flows would be less than measurable, the DEIR concluded that the impact from such flows would be less-than-significant, requiring no mitigation. Notably, although an NPDES permit will not be required as mitigation for Impact 6.8-4, Mitigation Measure 6-11.2(c) requires Placer County to confirm that all necessary discharge permits, including NPDES permits, are in place for each increment of new development within the Regional University Specific Plan. Thus, there is no chance that flows from the project would overload the permitted capacity at the Pleasant Grove Wastewater Treatment Plant.

Comment 30

(The description of the available wastewater treatment capacity is incorrect.)

The commenter states that the response to City of Roseville comment 13-10 is both non-responsive and incorrect. City of Roseville comment 13-10 states that "[t]he description of available wastewater treatment capacity is incorrect. The analysis must rely on technical documents (the Sewer Master Plan for this project). This technical document is not referenced in the Draft EIR."

As stated on page 4-33 of the Comments and Responses section of the Final EIR, the Regional University Specific Plan Master Plan (November 2, 2007), which is the sewer

master plan prepared to calculate and analyze wastewater flows from the project, is referenced on page 6.11-5 of the DEIR.

The treatment plant capacity of the Pleasant Grove Wastewater Treatment Plant is also discussed in the Response to Comment 13-10 on page 4-34 of the FEIR. As stated in the second full paragraph on page 4-34:

The PGWWTP has a permitted capacity of 12 mgd ADWF to serve development within the 2005 SAB. At this time, the PGWWTP uses 6.5 mgd of its permitted 12 mgd of ADWF capacity. The proposed project, which is outside the 2005 SAB, would generate 1.17 mgd ADWF requiring treatment at the PGWWTP. The City of Roseville analyzed flows from areas outside the 2005 SAB in the South Placer Regional Wastewater and Recycled Water System Evaluation Report (June 2007). That analysis projected 24.1 mgd ADWF for build out of the Pleasant Grove Service Area, which includes the 2005 SAB, in addition to the eight UGAs specified in the analysis, including RUSP. The impacts of expanding the PGWWTP to increase capacity and discharge up to 29.5 mgd ADWF have previously been addressed in two environmental impact reports; Roseville Regional Wastewater Treatment Service Area Master Plan Draft EIR (1996 Master Plan EIR) prepared by Environmental Science Associates and Montgomery Watson in May 1996, and the West Roseville Specific Plan EIR prepared by EIP Associates in September 2003.

The currently permitted capacity of 12 mgd is available on a first-come first-served basis to lands with the PGWWTP service area boundary. Approximately 6.5 mgd of capacity is currently used by developed lands within the service area boundary. Approximately 5.5 mgd of currently permitted capacity remains for utilization.

As stated on page 2-50 in the Service Area Boundary Agreement text of the Required Permits and Approvals section of the DEIR: "The operations agreement among the Participants of the South Placer Wastewater Authority will need to be modified to allow wastewater from the RUSP to be treated by a SPWA regional WWTP. Specifically, the Service Area Boundary would need to be approved by the SPWA Board and the Participants."

When the RUSP project applies for, and receives, approval for inclusion in the Service Area Boundary, the RUSP with its 1.17 mgd ADWF will be able to use a portion of the available remaining capacity.

Comment 31

(The finding regarding degradation of water quality from increased wastewater discharge to Pleasant Grove Creek was incorrect; there should be an analysis of flooding impacts on downstream communities.)

Although the commenter does not identify which City of Roseville comment that he believes has not been responded to in a meaningful way, a review of the City's comments would suggest he is referring to City of Roseville Comment 13-19, in which the City comments on Impact 6.8-13 by saying "Environmental Utilities Staff believes the conclusion of no mitigation required for this impact is incorrect. The mitigation measure should be to obtain the NPDES permit to discharge flow from the RUSP."

Contrary to what this comment suggests, the DEIR did analyze the wastewater impacts of this project and nearby urban projects on the PGWTP. (See discussion of Impacts 6.8-7—6.8-8.) The DEIR concluded that best management practices (BMPs) would include prompt re-vegetation of disturbed areas and sizing stormwater quality basins per the criteria developed by the Regional Stormwater Coordination Group, which incorporated flow-based volumetric treatment control BMPs from the CASQA Handbook. "Although implementation of the Preliminary Drainage Master Plan would include structural water quality BMPs, the absence of an operation and maintenance plan for these facilities could have a potentially significant impact on stormwater quality in Curry Creek or the Sacramento River." (DEIR, p. 6.8-30.) As a result, the project implemented Mitigation Measure 6.8-7, which includes elaborate stormwater runoff mitigation. The project's related impacts to flooding were also analyzed in the discussion of Impact 6.8-8: "The proposed project, in combination with the buildout in the Curry Creek watershed, could result in stormwater peak flows that could result in on- or off-site flooding." (DEIR, p. 6.8-33.) That section states as follows:

Cumulative development in Placer County and the City of Roseville, which includes the Curry Creek watershed, would increase the amount of impervious surface cover, which would, in turn, generate stormwater runoff peak flows. The increased runoff to the streams in the watershed would also increase the amount of stormwater runoff. This would result in a cumulatively significant impact. As noted previously in this section, several modifications to existing channels and structures are planned, and would be designed to convey the future increase in stormwater volume due to upstream developments.

(DEIR, p. 6.8-33.) The DEIR concluded that the Mitigation Measure 6.8-1 (a)—(g) (provisions for a Project Drainage Master Plan) and 6.8-5 (b)—(e) (restrictions on development near floodplains) would mitigate this impact to a less-than-significant level. Thus, this impact was thoroughly discussed in the EIR.

Impact 6.8-13 states that "[t] he proposed project, in combination with the build out of urban Growth Areas that could be served by the Pleasant Grove Wastewater Treatment Plant, could result in degradation of water quality from increased wastewater discharge to Pleasant Grove Creek."

The conclusion in the DEIR that no mitigation would be required for Impact 6-8.13 is based on a determination that continued compliance with existing Mitigation Measures 7-

2, 7-3, and 7-4 from the City of Roseville's 1996 Master Plan Environmental Impact Report (EIR) would be sufficient to reduce cumulative impacts from the PGWWTP discharges into Pleasant Grove Creek related to temperature change, introduction of trace metals and organic pollutants, and changes in dissolved oxygen to a less-than-significant level.

This determination was based on the analysis contained in the January 15, 2006, Technical Memorandum prepared by Merritt Smith Consulting entitled "Cumulative Analysis of UGA Impacts on Water Quality and Aquatic Resources in Pleasant Grove Creek, Roseville, California." The technical memorandum analyzed the impacts of increased future wastewater flows to, and discharges from, the PGWWTP from proposed Urban Growth Area (UGA) projects, including the Regional University Specific Plan project.

The cumulative assessment in the technical memorandum builds upon the cumulative assessments included in the City's 1996 Master Plan EIR and the 2004 West Roseville Specific Plan EIR, and analyzes whether new or more significant impacts to Pleasant Grove Creek water quality or aquatic biological resources would occur as a result increased flows from the proposed Urban Growth Areas to the PGWWTP and the resulting discharges of treated effluent from the PGWWTP into Pleasant Grove Creek.

The commenter is referred to the "Evaluation of Impacts" section on pages 7 through 15 of the technical memorandum, which is contained as Appendix D of the Regional University Specific Plan DEIR. The section contains evaluations of impacts related to increased water temperature, elevated levels of trace metals and organic pollutants, toxicity, mercury, ph, nutrients, dissolved oxygen, and tastes and odors, with determinations that each impact can be reduced to a less-than-significant level.

Because impacts resulting from cumulative discharges can be mitigated to less-thansignificant levels using existing required mitigation measures, no new mitigation measures are proposed. It should be noted, however, that although an NPDES permit is not be proposed as a mitigation measure for Impact 6.8-13, Mitigation Measure 6-11.2(c) requires Placer County to confirm that all necessary discharge permits, including NPDES permits, are in place for each increment of new development within the Regional University Specific Plan. Thus, there is no chance that flows from the project would overload the permitted capacity at the PGWWTP.

Comment 32

(The EIR is inadequate because the City of Roseville has demonstrated that there is no capacity at the PGWWTP to accommodate wastewater from the Regional University Specific Plan area without an expansion of the PGWWTP; an EIR is required to address the environmental impacts of expanding the PGWWTP; the project must obtain a NPDES permit for expansion of the plant and increasing the flows in Pleasant Grove Creek.)

The commenter states that the response to City of Roseville comment 13-21 is non-responsive, that the City of Roseville has clearly shown that there is no capacity at the PGWWTP to accommodate the wastewater from the Regional University Specific Plan area without an expansion of the PGWWTP, and that an expansion of the wastewater treatment plant will be necessary as a direct result of the Project.

Regarding language in the DEIR, City of Roseville Comment 13-21 states "Page 6.8-26: First paragraph (continued from previous page); This paragraph as written is unacceptable. First, the analysis implies that the PGWWTP with RUSP results in flows less than 12 mgd. The analysis fails to consider future flows from projects that are already located within the service area boundary. Second, the conclusion that there is 'adequate capacity to serve the project' is incorrect. Capacity is not available within the 12 mgd at the PGWWTP."

The text in question on page 6.8-26 is the DEIR discussion related to Impact 6.8-4. Please refer to the response to Comment 29 regarding Impact 6.8-4, which explains that because the impacts resulting from peak flows would be less than measurable, the DEIR concluded that the impact from such flows would be less than significant, requiring no mitigation. Please also refer to Response to Comment 30, which explains that there is indeed adequate capacity at the PGWWTP. An additional point regarding treatment plant capacity should also be noted. While unused capacity at the Pleasant Grove Wastewater Treatment Plant is available to lands within the South Placer Wastewater Authority Service Area Boundary on a first-come, first-served basis, such capacity is not "reserved" for said lands.

The commenter is also referred to Mitigation Measures 6.11-2 (a) and (c), which state:

Mitigation Measure 6.11-2 (a):

Commitments from the wastewater treatment provider to receive anticipated flows from the Specific Plan area at the PGWWTP shall be secured by Placer County prior to County approval of improvement plans for wastewater collection and transmission infrastructure. The County shall comply with General Plan Policy 4.D.2, which requires written certification from the service provider that either existing services area available or needed improvements will be made prior to occupancy to meet wastewater demands of the Specific plan area.

Mitigation Measure 6.11-2 (c):

For each increment of new development within the Specific Plan area, the County shall confirm that all necessary permits (e.g., NPDES) are in place for the PGWWTP to discharge additional treated effluent in the amounts associated with the new development. This shall include a determination

that development timing will not impede other development for which entitlements have been issued. The requirement for such a showing shall be made a condition of any small lot tentative map approval associated with the new development and shall be verified by the County prior to recordation of any small lot tentative map associated with the new development. Where no small lot tentative map and final map are required prior to non-residential development having the potential to increase wastewater flows, the requirement for such verification, to be demonstrated no later than the time of issuance of building permits, shall be made a condition of approval of project-level discretionary approvals analogous to issuance of small-lot tentative maps.

Compliance with these measures ensures that adequate capacity will exist at the PGGWWTP and that appropriate NPDES permits will be in place for development of the Regional University Specific Plan.

Comment 33

(The EIR improperly concludes that the impact to receiving waters from discharges by the PGWWTP is less than significant; the expansion of the PGWWTP must be addressed in this EIR.)

The commenter states that the response to City of Roseville comment 13-26 is non-responsive, and that because expansion of the PGWWTP is necessary in order for the project to move forward, the expansion has to be addressed in the project EIR. The comment further notes, "The studies need to be completed to demonstrate that additional treated effluent can be discharged into the creek and that permits can be obtained for expansion of the sewer treatment plant."

Regarding language in the DEIR, City of Roseville comment 13-26 states "Page 6.11-10: Full paragraph under Table 3.11-4: Environmental Utilities Staff does not concur with the 'less than significant impact' conclusion to this paragraph. This impact could be potentially significant if there is no assimilative capacity of the receiving water for discharge and therefore no ability to obtain a NPDES permit. Please be aware that this project is outside the 2005 Service Area Boundary and therefore not contemplated in any other environmental review. Therefore this impact is potentially significant and appropriate mitigation should be identified."

The less-than-significant determination referred to applies to Impact 6.11-3. This Impact states, "The proposed project, in combination with other developments that would contribute wastewater flows to the PGWWTP, could fail to meet the wastewater treatment requirements of the Regional Water Quality Control Board."

The subject paragraph, as well as the balance of the discussion related to Impact 6.11-3, was updated in the Response to Comment 13-10 on pages 4-33 through 4-37 of the Comments and Responses section of the RUSP FEIR. The conclusion that there would

be a less than significant impact is based on the entire discussion regarding the impact, not just the single identified paragraph.

As stated in the discussions regarding the impact in the original DEIR and the FEIR, the conclusion that no mitigation would be required for Impact 6.11-3 is based on a determination that continued compliance with existing Mitigation Measures 4-13, 7-2, 7-3, and 7-4 from the City of Roseville's 1996 Master Plan Environmental Impact Report (EIR) will reduce cumulative impacts from the PGWWTP discharges into Pleasant Grove Creek related to temperature change, introduction of trace metals and organic pollutants, and changes in dissolved oxygen to less than significant levels.

These determinations were based on the analysis contained in the January 15, 2006, Technical Memorandum prepared by Merritt Smith Consulting entitled, "Cumulative Analysis of UGA Impacts on Water Quality and Aquatic Resources in Pleasant Grove Creek, Roseville, California." The technical memorandum analyzed the impacts of increased future wastewater flows to, and discharges from, the PGWWTP from proposed Urban Growth Area (UGA) projects including the RUSP project.

The cumulative assessment in the technical memorandum builds upon the cumulative assessments included in the City's 1996 Master Plan EIR and the 2004 West Roseville Specific Plan EIR. The assessment builds on this prior analysis and analyzes whether new or more significant impacts to Pleasant Grove Creek water quality or aquatic biological resources would occur as a result increased flows from the proposed UGA projects to the PGWWTP and the resulting discharges of treated effluent from the PGWWTP into Pleasant Grove Creek.

The commenter is referred to the "Evaluation of Impacts" section on pages 7 through 15 of the technical memorandum, which is contained as Appendix D of the RUSP DEIR. The section contains evaluations of impacts related to increased water temperature, elevated levels of trace metals and organic pollutants, toxicity, mercury, ph, nutrients, dissolved oxygen, and tastes and odors, with determinations that each impact can be reduced to a less-than-significant level. This section of the Technical Memorandum provides the basis for the summary discussion provided on pages 6.8-36 through 6.8-39.

Because impacts resulting from cumulative discharges can be mitigated to less than significant levels using existing required mitigation measures, no new mitigation measures are proposed. However, Mitigation Measure 6.11-2 (c) will still require that that the County confirm that all necessary permits, including appropriate NPDES permits, are in place for the RUSP project to be developed.

Comment 34

(The Responses to Comments do not adequately address the suggestion that the mitigation measure for 6.8-10 should include the ability to expand the PGWWTP

to meet current buildout commitments and Project commitments and the ability to obtain a NPDES permit for the Project impacts.)

The commenter states that the response to City of Roseville comment 13-27 regarding Mitigation Measure 6.8.10 is non-responsive and that the EIR should include a comprehensive study of the expansion of the PGWWTP.

City of Roseville comment 13-27 refers to the mitigation measure on page 6.11.10 of the Regional University Specific Plan DEIR, and states "Environmental Utilities Staff believes the conclusion of no mitigation required for this impact is incorrect. The mitigation measure should be the ability to expand the PGWWTP to meet current buildout commitments and project commitments and the ability to obtain an NPDES permit for the project impacts."

The mitigation measure on page 6.11-10 refers to the mitigation for Impact 6.11-3, not Impact 6.8-10, as stated by commenter. Impact 6.11-3 states that "[t]he proposed project, in combination with other developments that would contribute wastewater flows to the PGWWTP, could fail to meet the wastewater treatment requirements of the Regional Water Quality Control Board."

The commenter is referred to the modified text for Impact 6.11-3 on pages 4-36 and 4-37 of the Comments and Responses section of the FEIR prepared in Response to Comment 13-10:

The projected flows to the PGWWTP at buildout, including buildout of the 2005 SAB and the urban growth areas (which include the proposed project), is estimated to be 24.1 mgd ADWF. As discussed in the 1996 Wastewater Master Plan EIR, the potentially significant impacts to Pleasant Grove Creek associated with discharges of up to 29.5 mgd ADWF on water temperature, trace metals, organics, and dissolved oxygen were all reduced to less-than significant levels with mitigation measures included in the 1996 Wastewater Master Plan, summarized in Table 6.11-4. An increase in the permitted level of discharge could be required prior to buildout, which may result in the need to obtain additional permits from the RWQCB to increase the discharge amount.

The current permitted capacity of the PGWWTP is 12 mgd, which is available only to serve development within the 2005 SAB. Any request to expand the 2005 SAB would require appropriate CEQA review and any expansions of capacity beyond 12 mgd would require additional permits for discharge into Pleasant Grove Creek. The demand projected for buildout of the 1996 SAB in the 1996 Master Plan EIR was 20.7 mgd; the recent analysis prepared for the City of Roseville for demand in the UGAs found that demand in the 1996 service area boundaries would actually be 14.6 mgd due to revised flow estimates. As mentioned previously, treatment capacity expansion to meet the projected 24.1 mgd of all the

UGAs analyzed by the City will be required. The extent to which the PGWWTP would need to expand to treat additional wastewater beyond the 24.1 mgd would depend on which projects would use the plant, subject to approval of the SPWA. Wastewater flows from outside the 2005 SAB would need to be analyzed, since that was the selected alternative in the Wastewater Master Plan EIR. Expansion of the plant to serve such unanticipated flows could result in impacts on the environment associated with construction to increase the capacity of the plant, loss of natural and other resources to expand the footprint of the facility, and degradation of water quality as a result of increased discharges to Pleasant Grove Creek. However, as noted above, prior to any expansion of the PGWWTP, the plant operator would be required to obtain and comply with a RWQCB permit. Compliance with the requirements in the permit would ensure that discharges from the PGWWTP would not exceed wastewater treatment requirements.

As in the DEIR, the FEIR concludes that the impact will be less-than-significant and no mitigation measure is required.

The commenter is also referred to the discussion in Response to Comment 31 above.

Comment 35

(The EIR must discuss the environmental impact associated with acquiring the area that is necessary to expand the PGWWTP; the claim that there would be other projects that would contribute to the demand that could necessitate expansion of the treatment is insufficient.)

The commenter states that the Response to Comment 19-21 is non-responsive in stating that other projects would contribute to the demand that could necessitate an expansion of the treatment plant. The commenter claims this response is contrary to the City of Roseville position that there is insufficient capacity at the treatment plant and the RUSP cannot go forward without a plant expansion.

The currently permitted capacity of the Pleasant Grove Wastewater Treatment Plant (PGWWTP) is 12 mgd. This capacity is available on a first-come first-served basis to lands within the South Placer Wastewater Authority (SPWA) Service Area Boundary for the PGWWTP. Approximately 6.5 mgd of capacity is currently used by developed lands within the service area boundary, leaving 5.5 mgd of remaining capacity for use. The average dry weather flow (ADWF) from the Regional University Specific Plan project is calculated to be 1.17 mgd. The combined existing and RUSP flow would be 7.67 mgd, less than the permitted capacity of 12 mgd, thus making it possible for the RUSP to proceed without expansion of the PGWWTP.

In compliance with the requirement stated in the Service Area Boundary Agreement text on page 2-50 of the Required Permits and Approvals section of the DEIR, the RUSP

project will apply for inclusion in the SPWA Service Area Boundary. With approval from the SPWA to join the Service Area Boundary, the RUSP with its 1.17 mgd ADWF will be able to use a portion of the available remaining capacity.

As stated in the original Response to Comment 19-21 (FEIR, pp. 4-69-4-70): "there would be other projects that would contribute to the demand that would necessitate an expansion of the treatment plant. This other development would occur concurrently with that of the proposed project, all of which would cumulatively create demand at the PGWWTP. It would be the cumulative development, and not the proposed project alone, that would result in the need for expansion at the PGWWTP. Therefore, it would not be appropriate to require the RUSP to independently analyze the treatment plant expansion."

Compliance with Mitigation Measure 6.11-2 (b), which says in part, "Specific Plan proponents shall prepare, or shall provide a fair share contribution toward the preparation of any additional CEQA analysis that may be required for plant modifications and/or expansions" defines an appropriate level of RUSP participation for an analysis of a treatment plant expansion caused by cumulative development.

Comment 36

(The mitigation measures for added treatment capacity should parallel those in the West Roseville Specific Plan EIR; the statement in the Final EIR that commitments from the Wastewater Treatment Provider to receive anticipated flows at the PGWWTP shall be secured by Placer County prior to County approval of improvement plan insufficient.)

The commenter states that the response to comment 19-22 is inadequate and non-responsive. Original comment 19-22 reads as follows:

The Mitigation Measures included in Mitigation Measure 6.11-2 is not sufficient. The EIR should include Mitigation Measure similar to MM 4.11-5 and MM 4.11-6 in the West Roseville Specific Plan EIR. There should be a Mitigation Measure requiring adequate treatment capacity. The Mitigation Measure should state as follows:

Prior to obtaining building permits for development in the RUSP Area, the applicant shall demonstrate that the PGWWTP will be expanded to accommodate the waste water flows. This includes all necessary permits to discharge the treated flow. The applicant shall also demonstrate that the timing of the plant will be adequate to serve the RUSP Area without impeding other planned development assumed in the Waste Water Master Plan and other annexations to the service area. Further, the applicant shall implement all relevant Mitigation Measures in the Waste Water Master Plan EIR.

Any proposal for development in the RUSP Area shall require that adequate treatment capacity at the PGWWTP be demonstrated and evaluated in environmental document that tiers from the RUSP EIR in order to provide a project-level analysis. The environmental documents shall be the responsibility of the applicant. Permits to discharge the treated flow shall also be obtained prior to the granting of any occupancy within the RUSP Area. Further, all relevant Mitigation Measures identified in the Waste Water Master Plan EIR shall be implemented.

Contrary to commenter's claim that the mitigation measures included in Mitigation Measure 6.11-2 are insufficient, compliance with Mitigation Measures 6.11-2 (a), (b), and (cwill satisfy the same requirements in the commenter's suggested mitigation measures. These measures provide as follows:

Mitigation Measure 6.11-2 (a):

Commitments from the wastewater treatment provider to receive anticipated flows from the Specific Plan area at the PGWWTP shall be secured by Placer County prior to County approval of improvement plans for wastewater collection and transmission infrastructure. The County shall comply with General Plan Policy 4.D.2, which requires written certification from the service provider that either existing services area available or needed improvements will be made prior to occupancy to meet wastewater demands of the Specific plan area.

Mitigation Measure 6.11-2 (b):

Specific Plan proponents shall participate financially through connection fees and other financial mechanisms in the construction of additional wastewater treatment capacity sufficient to accommodate projected flows and treatment at the PGWWTP. In addition, Specific Plan proponents shall prepare, or shall provide a fair share contribution toward the preparation of any additional CEQA analysis that may be required for plant modifications and/or expansions.

Mitigation Measure 6.11-2 (c):

For each increment of new development within the Specific Plan area, the County shall confirm that all necessary permits (e.g., NPDES) are in place for the PGWWTP to discharge additional treated effluent in the amounts associated with the new development. This shall include a determination that development timing will not impede other development for which entitlements have been issued. The requirement for such a showing shall

be made a condition of any small lot tentative map approval associated with the new development and shall be verified by the County prior to recordation of any small lot tentative map associated with the new development. Where no small lot tentative map and final map are required prior to non-residential development having the potential to increase wastewater flows, the requirement for such verification, to be demonstrated no later than the time of issuance of building permits, shall be made a condition of approval of project-level discretionary approvals analogous to issuance of small-lot tentative maps.

Commenter's suggested mitigation measure language states that "[p]rior to obtaining building permits for development in the RUSP Area, the applicant shall demonstrate that the PGWWTP will be expanded to accommodate the waste water flows." This language implies that the PGWWTP must be expanded to accommodate flows from the RUSP. It has not been demonstrated, however, that the PGWWTP must be expanded to accommodate the flows from the RUSP. Please see the response to comment 30 regarding capacity.

Compliance with MM 6.11-2 (a) will ensure the wastewater treatment provider has provided written certification that the flows from the RUSP can be accommodated and satisfies commenter's suggested mitigation measure language "any proposal for development in the RUSP Area shall require that adequate treatment capacity at the PGWWTP be demonstrated."

Commenter's suggested mitigation measure language states that "[t]he applicant shall also demonstrate that the timing of the plant will be adequate to serve the RUSP Area without impeding other planned development assumed in the Waste Water Master Plan and other annexations to the service area." As previously stated, the permitted capacity of the treatment plant is available on a first-come first-served basis to lands within the SPWA service area. Capacity is not reserved for "planned" or "undeveloped" land within the service area. Compliance with MM 6.11-2 (c), which states in part that "[t]his [confirmation that all needed permits have been obtained] shall include a determination that development timing will not impede other development for which entitlements have been issued," will protect treatment capacity for entitled projects being actively developed within the service area.

Compliance with MM 6-11.2 (c), which requires "confirmation that all necessary permits are in place for the PGWWTP to discharge additional treated effluent associated with the new development," satisfies commenter's suggested language that "[t]his includes all necessary permits to discharge the treated flow" and that "[p]ermits to discharge the treated flow shall also be obtained prior to the granting of any occupancy within the RUSP."

Compliance with MM 6.11-2 (b), which requires that "Specific Plan proponents shall prepare, or shall provide a fair share contribution toward the preparation of any additional CEQA analysis that may be required for plant modifications and/or expansions," ensures

that the RUSP will participate as needed in additional appropriate environmental studies, and satisfies commenter's suggested language "that adequate treatment capacity at the PGWWTP be demonstrated and evaluated in environmental document that tiers from the RUSP EIR in order to provide a project-level analysis. The environmental documents shall be the responsibility of the applicant."

Finally, the commenter suggests language that "the applicant shall implement all relevant Mitigation Measures in the Waste Water Master Plan" and that "all relevant Mitigation Measures in the Waste Water Master Plan shall be implemented." The DEIR refers to and relies on the continued compliance with mitigation measures from the City of Roseville's 1996 Master Plan Environmental Impact Repor, such as Mitigation Measures 4-13, 7-2, 7-3, and 7-4, to mitigate impacts to less than significant levels, so the addition of commenter's language is redundant.

Comment 37

(Response to Comment 19-23's conclusion that the 2003 West Roseville Specific Plan EIR was in error when it stated that an expansion of the PGWWTP beyond 20.7 mgd would be necessary to accommodate the RUSP was invalid.)

The commenter states that the Response to Comment 19-23 is inadequate because the City of Roseville states that the RUSP cannot be accommodated by the 20.7 mgd capacity that was anticipated by the City's 1996 EIR. The comment asserts that the City's position on this issue should be dispositive because it owns and manages the treatment plant.

The original comment 19-23 states that "[t]he discussion in Section 6.11-3 of the DEIR is totally improper. It is clear for the West Roseville Specific Plan that the waste water flows will exceed 20.7 mgd. In fact, in order to accommodate the West Roseville Specific Plan, the West Roseville Specific Plan EIR considered waste water flows in excess of 20.7 mgd."

Table 6.11-1 "ADWF Capacity at PGWWTP" on page 6.11-3 of the DEIR defines the Pleasant Grove Wastewater Treatment Plant capacities studied in various Environmental Impact Reports and Technical Memoranda. According to the table, the Expanded Design Capacity Evaluated by the West Roseville Specific Plan EIR was 24.7 mgd, the Certified Capacity in EIR for the 1996 Master Plan EIR was 20.7 mgd, and the Impact of Discharge Evaluated in the 1996 Master Plan EIR and January 15, 2006, Merritt Smith Consulting Technical Memorandum was 29.5 mgd. The table does not dispute that the West Roseville Specific Plan EIR considered flows in excess of 20.7 mgd.

As the original Response to Comment 19-23 states, the analysis and conclusions in the DEIR are based on technical data that was prepared more recently than the 2003 West Roseville Specific Plan EIR. Thus, the DEIR uses more current information than the

2003 West Roseville Specific Plan EIR, even if the West Roseville's Specific Plan EIR information was valid at the time it was certified.

The original response then refers the commenter to the Response to Comment 19-20, which describes the more recent technical data and states:

As discussed in Response to Comment 13-10, the City of Roseville analyzed flows from outside the SPWA boundary in several technical memoranda (RMC, Wastewater Treatment projected Loadings and Buildout – TM4a, February 8, 2006, Table 2) which projected total flows 23.4 mgd for buildout of the Pleasant Grove Service Area and the eight UGAs specified in the analysis, including RUSP. Therefore, based upon current data, the proposed project, in addition to other development assumed to use the Pleasant Grove Wastewater Treatment Plant, could be accommodated by the 29.5 mgd treatment capacity analyzed in the Roseville Regional Wastewater treatment Service Area Master Plan Draft EIR (1996 Master Plan EIR) and the West Roseville Specific Plan EIR.

As the response indicates, the proposed project, in addition to other development assumed to use the Pleasant Grove Wastewater Treatment Plant, could be accommodated by the 29.5 mgd treatment capacity analyzed in the 1996 Master plan EIR.

The City of Roseville is one of three participating agencies that make up the South Placer Wastewater Authority (SPWA). Placer County and the South Placer Municipal Utility District (SPMUD) make up the balance of the participating agencies. Wastewater from lands within the SPWA Service Area is treated at either the Pleasant Grove Wastewater Treatment Plant (PGWWTP) or the Dry Creek Wastewater Treatment Plant (DCWWTP). The City of Roseville, on behalf of the regional partners of the SPWA, owns and operates the PGWWTP and DCWWTP.

Comment 38

The EIR does not contain an adequate discussion of the impacts associated with construction of drainage basins.

The County stands by its very lengthy response to Comment 19-75 from the Final EIR, which explains how the air emissions from the overall project, including the detention basins, have been properly addressed and accounted for. That response included updated information and introduced revisions to Draft EIR mitigation measures intended to make the previously proposed mitigation even stronger. Another point worth making is that Mitigation Measure 6.3-1 (c) is intended to prevent scenarios where wind conditions make dust construction-related dust generation problematic. That measure applies broadly to the generation of PM₁₀ through land-clearing activity and other earth-moving activities during construction, including work on the detention basins. It requires that the