## JOHN D AND SARAH K GILLMORE 10271 HILLVIEW RD. NEWCASTLE, CA 95658

February 20, 2008

RE:Livingston Batch Plant

Maywan Krach Placer County ECS 3091 County Center Drive, Suite 190 Auburn, CA 95603

Dear Maywan:

Thank you for notifying us the availability of the Draft EIR for this project.

As exemplified in Alternative B, there are other allowed uses for the site that would be far less detrimental to the quality of life of local residents. A warehouse, mini storage, or outdoor retail sale would be environmentally superior to the proposed batch plant. All of these projects would generate less noise, traffic and air pollution. We feel that the EIR incorrectly classifies many very significant impacts as less-than-significant. Also in review of the Ophir Community Plan there are apparent conflicts with the DEIR and the intent of the Community Plan that must be addressed in the Final EIR.

We believe the biggest flaw in the EIR is the conclusion of the noise study. In the noise study, the ambient noise numbers do not take into account that Interstate 80 is significantly quieter since its overlay with open grade asphalt in 2006. The EIR's assertion that a 3 decibel might have been realized through the overlay is inaccurate and misleading. Residents such as ourselves have experienced a significant and evident reduction in ambient noise. According to Ed Schlect, the Asphalt Institute District Engineer, in a paper titled "Open Grade Surfaces Offer..." open grade pavement will reduce noise levels by 3 to 7 decibels. This is a significant reduction that will result in a substantial noise impact on residents that is not covered in this EIR. Since any noise reduction in this range is discernibly quieter, the fact that this project will exceed the County Noise Ordinance is germane and important. How is the outdated analysis applicable to the changed noise environment? Should the project proceed, at the very least an entirely new Noise Study should be performed and adequate mitigation measures should be identified. Also the study does not account for Sharp Noises that may arise from use of mechanical equipment, for such uses as scraping the ground with a bucket, or material sliding out of a dump truck, which is entirely inline with this proposed use.

According to the County Noise Ordinance: "Excessive sound and vibration are a serious hazard to the public health and welfare, safety, and the quality of life. The people of Placer County have a right to and should be ensured an environment free from unnecessary, offensive and excessive sound and vibration that may jeopardize their health or welfare or safety or degrade the quality of life." How is this project consistent with the Noise Ordinance? How is this project consistent with the requirements set forth in the Ophir Community Plan for noise and conflicting rural uses adjacent to this property?

What is the impact of the delivery trucks on existing traffic patterns? Does the EIR take into account the trucks delivering materials? Will the final EIR review Hillview Rd as part of the major intersections as many truck will be leaving the freeway and entering this intersection of 193/80 and Hillview rd.?

The EIR fails to address the long term impacts of water quality and watershed impacts. This property is noted to be in a watershed area, and as such is part of a wetland area. I have noted before that the property across interstate 80 drains to this site, and thru this site. Address the Long term impacts of the used materials in the water table. DEIR states owner will capture all rain water on site, however does not include adjacent watershed

R-5

R-3

area in this area. Please assess the impacts of storm drainage from adjacent property and interstate 80, Owner will not have enough demand to use all this water and it will leave site, please provide impacts to water quality. How will it impact the hydrology of the downstream watershed? Won't this affect water quality in Auburn Ravine, the EIR should address this?

R-6

Why does a bag of concrete mix contain proposition 65 warning? Will the EIR account for these materials. Will their be impacts form concrete mix dust on neighbors? Will there be any impacts from Admixtures or any other material that are used in the generation of concrete and concrete products?

<del>-</del>7

The discussion of the impacts on wells is inadequate. The General Plan requires that projects such as a batch plant must have public water and sewer for a good reason. Residential wells on the south side of I-80, across from this project, are at risk of being run dry by a well sized to support a project such as this. County staff has acknowledged that, should a residential well run dry, the victim would have very slim chance of proving in court that it was a direct result of development. How will this project protect the wells of it's neighbors? Please address any water mining in this EIR. This project will exceed the natural recharge rate of the aquifer, will the EIR identify the recharge rate? Please identify the projected recharge that is expected at this site once they install their well and pave their site. Won't the addition of impervious surface also decrease the amount of water available to recharge groundwater supplies? Will this project have impacts to the water table?

**R-8** 

The older lights in the vicinity of this project are old and poorly designed, creating a lot of light pollution. We see that the site will be lighted, but the EIR doesn't explain how light pollution will be prevented. Will full cutoff light standards be required? Will timers be used so the lights will not be on all night? What will prevent significant impacts on neighboring properties?

R-9

The EIR does not address the placement of a batch plant in a scenic corridor. The zoning of C3-UP-Dc identifies this as a scenic corridor. By definition in the zoning ordinance this is supposed to "provide special regulations to protect and enhance the aesthetic character of lands and buildings within public view...(and) to minimize any adverse impacts of conflicting land uses". Why is this significant impact not identified in the environmental document? Why is this not in conformance with the Ophir Community Plan?

R-10

In review of the EIR documents, it does not review view corridor impacts for highway 80 traffic. In my comments of the initial study we asked that this be reviewed for duration of view and impacts to the view of the Sutter buttes, and valley views along interstate 80. In my review this proposed project (additional trees, tower, tank, retaining walls, etc) will impede the view for motorists and will restrict sight times of existing views. Will the final EIR review this significant impact on the view corridor to the west and east?

R-11

Alternative sites, the DEIR does not account for required analysis of alternative sites. Will the Final EIR address this requirement?

R-12

Not analyzing full capacity of the plant, only what they can sell to us at this time based on the available infrastructure. This DEIR should analyze the full potential of this plant (1300 c yds), not just what they currently propose in order to make this project more "palatable". Will the EIR review full impacts of running the plant at full capacity?

R-13

When responding to this letter, we expect that all our issues discussed above will receive due attention. They are:

- 1. Noise
- 2. Traffic
- 3. Wells
- 4. Lighting and Light Pollution
- 5. Scenic Corridor
- 6. Alternative Sites

In conclusion, although we understand the need for batch plants to be located in areas near transportation hubs, the project's proximity to residential homes in unacceptable and will create numerous significant impact that are not identified the DEIR. The DEIR, and indeed the proposed project are flawed and should not be supported by the County. The Ophir Community plan is very specific on the requirements for this site, and the county has not reviewed it for these requirements.

R-13

Please contact us with any questions. We appreciate your prompt response and your attention to our concerns.

Respectfully,

John D and Sarah K Gillmore

Submitted by:

John D. and Sarah K. Gillmore

**R-1** The comment states that there are other allowed uses for the proposed project site that would have fewer impacts than the proposed project.

The comment is correct that there are other allowed uses for the project site. It is likely that another use could generate less noise or air pollutants, or use less water than the proposed project. However, it is also possible that another use could generate more noise or traffic or air pollutants than the proposed project. As shown in *Table 8.1* on page 8-15 of the Draft EIR, the analysis of alternatives to the proposed project finds that the mini-storage alternative, Alternative B, would generate more traffic in the AM and PM peak hours than the proposed project, but would generate less noise and require less water usage. This could be considered environmentally superior to the proposed project. The alternatives analysis also considered Alternative C, which contemplated a concrete batch plant with a reduced maximum production capacity compared to the proposed project. Page 8-14 of the Draft EIR identifies Alternative C as the environmentally superior alternative because it would reduce traffic and noise associated with the proposed project.

**R-2** The comment states that the EIR incorrectly classifies many significant impacts as less than significant and that the Draft EIR does not adequately address conflicts with the *Ophir General Plan*.

The comment serves as a general introduction to the detailed comments that follow. The comment does not specify which impacts are incorrectly classified. Refer to Response to Comment E-5 regarding consistency with County plans and policies.

R-3 The comment asserts that the noise impacts analysis does not accurately consider the noise reduction on Interstate 80 (I-80) from the recent repaving of that roadway. The comment references a paper by the Asphalt Institute that says that open grade surfaces provide a noise reduction from 3 to 7 decibels (dB), rather than the 3 dB reduction cited in the EIR. The comment states that the noise analysis is outdated, and that the study does not account for sharp or intermittent noises that could be generated by the proposed project.

Refer to Response to Comment E-15 regarding the I-80 repaving. CEQA Guidelines Section (§) 15125 states that the EIR must contain "a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published" and that "this environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." The repaving of I-80 occurred after the Notice of Preparation for this project was published, thus the EIR is not required to address the effect of the repaving. Although it is not required, the EIR does provide

a brief analysis of how the repaving may affect the conclusions of the noise impact analysis. This is discussed in detail in Response to Comment E-15. In summary, the noise reducing pavement is expected to reduce noise levels on I-80 by 3 dB. During daytime, the project would generate noise levels that are approximately 7 dB lower than the reduced I-80 noise levels. During nighttime, the project would generate noise levels that are approximately the same or slightly less than the reduced I-80 noise levels. As a result, the noise from the proposed project is not expected to substantially change the existing conditions and noise impacts for the residences nearest the project site during the proposed hours of operation would remain less than significant. This determination is consistent with noise standards established by the *Placer County General Plan* and Placer County Code. The note below *Table 7.4* and text preceding *Table 7.5* in the Draft EIR indicate that when existing noise levels meet or exceed the standards expressed in those tables, the allowable noise levels would be the same or 5 dB higher than the ambient noise level

Response to Comment E-15 also discusses the data used to predict the noise generation of the proposed plant. The analysis was based on file data for similar batch plant facilities. The file data came from noise measurements taken at other batch plants, and does include sharp or intermittent noises such as those described in the comment. The file data represents a complete cycle of concrete production, which includes the use of mechanical equipment and movement of raw materials. The file data indicate an average noise level as well as maximum noise events. These peak noise levels, represented by the  $L_{\rm max}$  notation, indicate that sharp or intermittent noises are included in the file data for concrete batch plant operations.

**R-4** The comment questions how the project complies with the County's noise ordinance and provisions of the *Ophir General Plan* related to noise impacts and related to conflicts between land uses.

Refer to Response to Comment F-7 which states that the analysis of Impact 7.2 found that the noise generated by the proposed project would exceed some of the General Plan standards for noise levels at sensitive receptors. Thus the Draft EIR discloses that the project would exceed the standards set in the noise ordinance and *Ophir General Plan*. However, as stated on page 7-12 of the Draft EIR, the noise emissions from the proposed batch plant not result in a noticeable change in the background noise levels in the area. The impact is considered less than significant and no mitigation measures are required. Also refer to Response to Comment M-3, which provides additional discussion of this issue.

Refer to Response to Comment E-4, which discusses the compatibility of the proposed project with existing land uses in the vicinity. The analysis in Impact 4.3 demonstrates that the proposed project is consistent with the land use and zoning designations for the site, and that uses similar to the proposed project already exist to the west and northwest of the site. This analysis also notes that physical impacts such as traffic, water quality, and noise, are evaluated in detail in other chapters of the Draft EIR. Based on the determinations in chapters 5 through 7 of the Draft EIR that the physical impacts of the proposed project would be less than significant, the

analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity. As discussed in Response to Comment E-5, while the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

R-5 The comment questions whether the traffic impacts analysis considers trips related to delivery of raw materials to the project site. The comment also questions whether the EIR will evaluate impacts to Hillview Road and at the intersection of State Route 193 and Interstate 80.

As discussed in Response to Comment E-8, the traffic impacts analysis does consider trips related to raw material delivery. The discussion of trip generation assumptions for the proposed project is presented on pages 5-9 and 5-10 of the Draft EIR. That discussion states that Kimley-Horn, the County's traffic consultant, conducted AM and PM peak hour traffic counts at existing Livingston's Concrete Batch Plants in the greater Sacramento area. The traffic counts at existing Livingston's Concrete Batch Plants included all vehicles entering and leaving the sample sites, including employees, vehicles delivering raw materials, and concrete delivery trucks.

Refer to Response to Comment E-9 which identifies how intersections were selected for analysis of potential traffic impacts. Consistent with the requirements of CEQA, the Traffic Impacts Analysis focused on those intersections identified as having the potential to be significantly impacted by the project. This determination was based on the trip generation and distribution data collected from existing concrete plants in the region.

R-6 The comment addresses several issues related to hydrology and water quality. The comment describes the site as being part of a watershed and supporting a wetland. The comment states that an area south of the project site drains across the site and asks how this drainage will be handled and whether this drainage could adversely affect water quality. The comment states that the EIR should address how materials used at the project site could affect water quality. The comment asks how all stormwater will be collected and handled with respect to downstream conditions and water quality.

As discussed on pages 1-4 and 1-5 in Chapter 1 Introduction, the seasonal wetlands that occured on the project site were determined to be a result of artificial conditions caused by a leaking irrigation pipe that crosses the project site. In the three years since the wetland delineation was conducted, the artificial wetland has experienced substantial drying. In 2008, North Fork Associates biologists conducted a site visit with U.S. Army Corps of Engineers (Corps) staff. The wetland delineation was revised and resubmitted to the Corps for verification. On July 21, 2008, the Corps issued a verification letter stating that there are no waters of the U.S., including wetlands, present within the project site.

Refer to Response to Comment E-30, which discusses how the drainage from the offsite area to the south would be handled. Page 6-5 of the Draft EIR summarizes the information in the Drainage Report regarding surface water flows from the 11.25 acre "upland area." On page 6-21, the Draft EIR states that stormwater runoff from this area would be "directed through a lined or cobbled swale along the western edge of the property line. Flows from this upstream area would not be detained or treated by the proposed project; i.e., flows would continue to discharge to the existing roadside ditch, the same as under existing conditions." The proposed project would not change the quantity or quality of runoff from the offsite area, so the proposed project is not required to detain or treat any runoff from that area. The drainage would be routed around the project so that it would not receive water pollutants from the project site.

Refer to Response to Comment E-2 for a detailed discussion of the potential for the project to result in contamination of groundwater or surface water. This response references page 6-18 of the Draft EIR and Mitigation Measure 6.6c which requires the project applicant to obtain Waste Discharge Requirements (WDR) from the Central Valley Regional Water Quality Control Board (RWQCB). In order to obtain the WDR, the project applicant must demonstrate that the process water collection and treatment system would not allow discharge of contaminated water to any surface drainage. The response also references page 6-28 of the Draft EIR, which notes that the proposed onsite drainage and collection system complies with this requirement by directing all process wastewater to the onsite settling basin and the Enviromatic Recycling System, and by treating any water that cannot be held in the settling basin. This would ensure that the constituents present in the process water would not be discharged to surface water in the vicinity. The soils underlying the project site do not allow substantial percolation. Groundwater recharge in the vicinity primarily occurs through major drainageways. By preventing any contaminated discharge to surface drainage, the constituents present in the process water would not enter groundwater supplies.

In addition, Response to Comment E-2 references the analysis of Impact 6.6, which provides additional consideration of potential surface water contamination during operation of the proposed project. This analysis identifies the types of pollutants associated with a batch plant, the possible pathways by which these pollutants could enter surface water drainage, and the mechanisms that must be implemented as part of the project to ensure that the project does not have a significant adverse impact on surface water quality. As noted in Response to Comment E-2, the discussions on pages 6-18 through 6-31 of the Draft EIR have been revised to correct errors in the description of the proposed three-pond drainage collection and treatment system. The proposed system is expected to ensure that pollutants associated with the proposed project do not significantly impact water quality in the project vicinity. No additional revisions to the EIR are necessary to ensure that hazardous concrete additives from plant operations do not impact ground or surface water.

Finally, Response to Comment E-22 discusses the analysis of Impact 6.5, which provides a detailed analysis of the potential for hazardous materials and general

pollutants to affect water quality. *Mitigation Measures 6.5a* through *6.5d* require that Best Management Practices and a Stormwater Pollution Prevention Plan be implemented during construction and operation of the proposed batch plant to minimize the potential release of hazardous materials into the surface water and groundwater in the project vicinity.

**R-7** The comment indicates concern regarding hazardous materials used in the production of concrete and exposure of neighbors to these materials.

Refer to Response to Comment E-22 which states that if the project is approved and constructed, the operators of the batch plant would be required to submit a Hazardous Materials Business Plan to Placer County Environmental Health Services Division (EHS). This plan is required to address standard handling and storage practices to minimize the risk of releases of hazardous materials. With approval of the Hazardous Materials Business Plan by EHS and proper implementation of that plan during operation of the proposed project, it is expected that hazardous materials used in concrete production would not be released into the environment and would not have a significant negative impact on air and water quality, residents, animals, and crops.

Also refer to Response to Comment F-2 which states that impacts to air quality, including dust emissions, are evaluated in the Initial Study. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code §41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from stationary sources within the project site (operation of the batch plant) will be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant.

R-8 The comment states that the discussion regarding impacts to wells is inadequate. The comment states that the General Plan requires that this project use public water and sewer services. The comment asks how the project will protect the existing wells in the vicinity and states that the EIR should address water mining. The comment asserts that the proposed water usage will exceed the natural recharge rate for this aquifer and requests that the recharge rate be identified in the EIR. The comment also asks whether the creation of impervious surfaces at the project site will reduce the recharge rate for this aquifer and reduce the amount of groundwater available for the existing wells in the vicinity.

Refer to Response to Comment E-5 for a discussion the project's impacts related to the General Plan policy that requires "adequate infrastructure" for commercial and industrial projects. This response summarizes the Draft EIR analysis that demonstrates there would be no significant and unavoidable environmental impacts associated with the proposed use of groundwater and an onsite septic system. As

discussed in Response to Comment E-5, while the EIR concludes that the proposed project is considered generally consistent with the goals and policies of the *Placer County General Plan* and *Ophir General Plan* adopted to avoid or minimize environmental impacts, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

The term "water mining" is used to refer to the extraction of water from non-replenishing groundwater or glacial reserves. Because of its non-replenishing characteristic, extraction of water from such sources would result in the exhaustion of water reserves. The proposed use of water from the onsite well would not be considered water mining, as the well has been shown to have adequate yield and an adequate recovery rate, as determined by the 72-hour pump test. The 72-hour pump test determined that the sustained pumping rate of the well is 25 gallons per minute. Use of the onsite well would be limited to approximately 25 percent of the well's capacity, as discussed in Responses to Comments E-5 and E-11. The 72-hour pump test indicates that the proposed pumping rate would be sustainable.

A recovery test to identify the recharge rate of the existing well was conducted as part of the 72-hour pump test, in accordance with state guidance which was later adopted as state law as discussed in Response to Comment E-5. The recovery test demonstrated that the well recovered to 96 percent within 5.5 hours after pumping had stopped. This demonstrates adequate recovery required by state law. Use of up to 10,000 gallons of water daily from the onsite well would not result in an exhaustion of water reserves. The project does not propose any water mining, and the project would not use groundwater supplies at a rate that exceeds the recharge rate of the well. Based on compliance with California Code of Regulations §64554, it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to groundwater in the project vicinity.

The analysis of Impact 6.3 also notes that there is expected to be minimal or no connection between the onsite well and existing wells in the vicinity, as explained in Response to Comment E-11. This determination was based on review of the Well Completion Reports for the onsite well and other wells in the vicinity in addition to observation of a neighboring well throughout the 72-hour pump test. During the test, the water level in the neighboring well declined by less than one foot. As stated on page 6-2 of the Draft EIR, this demonstrates that there is minimal communication or lateral continuity between the onsite well and neighboring wells. Because the communication is minimal, pumping from the onsite well is not expected to have a significant effect on the production of any other existing well in the vicinity.

Response to Comment E-2 notes that the soils underlying the project site do not allow substantial percolation. Groundwater recharge in the vicinity primarily occurs through major drainageways. Thus the creation of new impervious surfaces at the project site is not expected to substantially reduce groundwater recharge in the project area.

**R-9** The comment notes that lights for existing businesses along Ophir Road contribute to significant light pollution in the area and questions how the project would avoid contributing to this impact.

As discussed in Response to Comment O-2, the Initial Study analysis considered the potential for the project to create light and glare impacts. The analysis on page 21 of the Initial Study states that the project would include the installation of yard lights, but that lighting and photometric plans would be reviewed as part of the Design Review process to ensure that no significant amount of light is allowed to be emitted beyond the project site boundaries. The specific methods for ensuring that lighting does not spill over to offsite locations would be determined through the Design Review process. This would ensure that impacts remain less than significant.

R-10 The comment states that the Draft EIR does not adequately consider the aesthetic impacts of the proposed project. The comment notes that the zoning designation for the project site includes the DC combining district, which identifies the area as a scenic corridor. The comment indicates concern regarding views of the site from both Ophir Road and I-80, with particular concern that views of the Sierra Buttes and the valley from I-80 would be blocked by the proposed structures and retaining walls.

Refer to Response to Comment E-21 which discusses the Initial Study analysis of the aesthetic impacts of the proposed project when viewed from Ophir Road and from I-80. The Initial Study analysis of aesthetic impacts is summarized on pages 1-6 and 1-7 in Chapter 1 Introduction. As stated on page 1-6, the elevation at the top of the highest retaining wall would be 985, which is below the elevation of the I-80 pavement. The retaining walls and most other structures would not be visible from I-80 or other locations south of the project site.

The analysis concluded that the top 20 feet of the batch plant tower would be visible from I-80, but that this feature would be somewhat obscured by existing trees along the edge of the highway, and that the project site is located in an industrial/heavy commercial area, where other structures and equipment are visible from both Ophir Road and I-80. Thus, the addition of the batch plant would not represent a significant change from existing conditions and is considered a less than significant impact.

Page 1-7 of the Draft EIR also discusses views of the Sutter Buttes from I-80, stating that the proposed plant tower could block or encroach on views of the buttes but that the existing view from I-80 lacks vividness and exposure (because of the constrained opportunities to see the buttes from the highway), thus the introduction of the tower to this viewshed is considered less than significant. This analysis uses the standards of the Federal Highway Administration to determine the significance of this impact.

Additionally, as discussed on page 1-7, the Initial Study recognizes that the project would be subject to the Design Review process, which would include review of building design and configuration, landscaping plans, and lighting plans. The Initial Study found that the project would have less than significant impacts to the

aesthetics in the vicinity because structures would be setback from Ophir Road and generally lower in elevation than I-80, the project site plan includes a 30-foot wide easement along Ophir Road that would provide additional screening of the proposed facility, and the proposed facility is similar in nature to existing businesses immediately west of the project site. As stated on page 1-7, because the Initial Study found that impacts to aesthetics are expected to remain less than significant, no further analysis of these considerations is necessary in the EIR.

**R-11** The comment states the Draft EIR fails to include a discussion of alternative project locations.

Refer to Response to Comment E-3, which states that the analysis suggested in this comment was completed and is described in CHAPTER 8 CEQA REQUIRED DISCUSSIONS of the Draft EIR. As described in that response, several potential alternatives were considered during preparation of the analysis, including alternative locations for the proposed project. However, none of the alternative locations were selected for detailed analysis because none were found to be capable of supporting the proposed project with fewer or lessened environmental impacts compared to the proposed project site.

**R-12** The comment asserts that the EIR should evaluate operation of the proposed batch plant at its maximum possible capacity, rather than the proposed maximum production of 300 cubic yards per day.

Refer to Response to Comment E-32 which states that CEQA requires that the EIR evaluate the project as proposed. The project objectives provided on page 3-6 of the Draft EIR include the specific objective of establishing a "batch plant facility with a daily production capacity of 300 cubic yards." The analysis and mitigation measures in the Draft EIR are based on a maximum daily production of 300 cubic yards. In addition, *Mitigation Measure 6.3a* states that the Conditions of Approval for the proposed project will limit the operations to 300 cubic yards of concrete production each day.

If the project applicant wanted to increase the maximum daily production, the applicant would be required to request a modification to the Conditional Use Permit. Any modifications to an approved Use Permit require approval from Placer County Planning, Engineering and Surveying, and Environmental Health Services Departments. The process for consideration of modifications to a Use Permit is established in Section 17.58.180 of the Placer County Code. Any modification that would increase the production of concrete or could increase environmental impacts from the batch plant would be subject to additional environmental review under CEQA.

**R-13** The comment summarizes the main topics of each of the preceding detailed comments and reiterates concern that the Draft EIR does not adequately evaluate the project's consistency with the *Ophir General Plan*.

No new specific comments on the Draft EIR are provided. Responses to each of the

preceding to the EIR	specific comm Lis necessary.	nents are p	rovided abov	ve. No addit	ional respons	se or rev

From:

jerilyn green

To:

<u>Placer County Environmental Coordination Services;</u> Livingston's Concrete Batch Plant PEIR T20050072

Subject: Date:

Monday, March 17, 2008 6:15:31 PM

We are residents of 9450 Crystal Mine Rd. We oppose this concrete batch plant, due to the noise that it will create and the plant will be unsightly from everyone's view of the valley.

S-1

Traffic is already heavy, coming from Wise and Lozanos Rd. to the 80 freeway. Please consider that we are voting against the proposed plant. We will be upset if this is passed.

5 2

S-3

Sincerelly, Marty and Jeri Green Placer county voters

## Submitted by:

Marty and Jerilyn Green

S-1 The comment provides the authors' address. The comment expresses general opposition to the project due to the potential noise the plant would generate. The comment suggests that the plant would be unsightly.

No specific comments on the EIR are provided. Noise impacts are evaluated in **CHAPTER 7 NOISE**, and most impacts are found to be less than significant without mitigation. *Mitigation Measure 7.3a* is required to ensure that noise from construction of the proposed project does not significantly impact residents or businesses in the project area.

Impacts relating to aesthetics are analyzed in the Initial Study and were determined to be less than significant. The Initial Study found that while portions of the project would be visible from I-80, Ophir Road, and existing residences, the project would not substantially change the existing character of the project area, and the aesthetic impacts of the project would be less than significant. Because impacts to aesthetics were determined to be less than significant, they were not discussed in the Draft EIR. The Initial Study is included as an appendix to the EIR. A summary of the Initial Study analysis of aesthetic impacts is provided on pages 1-6 and 1-7 of the Draft EIR.

**S-2** The comment states that traffic on Wise Road and Lozanos Road to access the freeway is heavy.

No specific comments on the EIR are provided. **CHAPTER 5 TRANSPORTATION AND CIRCULATION** of the Draft EIR analyzes the project's potential impacts to traffic. Refer to Response to Comment E-9 regarding the intersections that were included in the traffic impacts analysis. Also refer to Response to Comment F-2, which summarizes the conclusions of the traffic impacts analysis. The analysis of Impact 5.1 finds that the project would have a less than significant impact on traffic operations under short-term conditions and no mitigation is necessary. The analysis of Impact 5.2 finds that the project would contribute to significant impacts on traffic operations under the long-term or cumulative conditions. Mitigation is required to ensure that the project pays a fair share proportion of funding necessary to implement improvements to provide acceptable traffic conditions.

S-3 The comment expresses opposition to the proposed plant.

No specific comments on the EIR are provided. The EIR does not recommend approval or denial of the project. The Placer County Planning Commission will consider this comment, with all other comments made on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

From:

tom grove

To:

Placer County Environmental Coordination Services; Virginia Grove;

info@tedgaines.com;

Subject:

PEIR T20050072; Livingston"s Concrete Batch Plant

**Date:** Friday, March 14, 2008 10:27:31 AM

## To Whom It May Concern,

I hate to be one of those who say, "Not in my neighborhood", but the reality is that the commercial corridor in which Livingston wants to build this plant was not designed for this type of industry. Light comercial is OK, but a manufacturing plant replete with dust, noise, and a huge increase in the volume of commercial truck traffic belongs somewhere else than in our back yard. Please consider the following:

T-1

# I'm concerned with a number of environmental issues including:

Increased dust and other particulates the plant would exact on air quality.

T-2

Increased noise and it's affect on the animals and surrounding residents.

T-3

Increased traffic on Ophir Rd. and it's affect on local traffic flow.

**l** T-4

Impact on the local water table that an *initial* proposed 10,000 gal. of water usage / day.

T-5

There are sufficient areas near Rocklin that already cater to this type of industrial usage and development; better to locate there than in the immediate environs of our residential community.

T-6

Tom Grove 9460 Crystal Mine Rd. Newcastle, CA 95658 Submitted by:

Tom Grove

T-1 The comment states that the project site is not an appropriate site for a manufacturing plant, and indicates concerns with dust, noise, and traffic.

The project site is zoned as C-3 - Heavy Commercial. As discussed on page 4-2 of the Draft EIR, this zoning designation provides for :intensive service commercial uses primarily of a non-retail nature, which may require outdoor storage or activity areas. As discussed on page 4-8 of the Draft EIR, manufacturing and processing land uses are allowed under the land use and zoning designations applied to the project site. Refer to Response to Comment E-4 for additional discussion of the Draft EIR analysis of the project's compatibility with existing land uses in the vicinity. The analysis in Impact 4.3 demonstrates that the proposed project is consistent with the land use and zoning designations for the site, and that uses similar to the proposed project already exist west and northwest of the site. This analysis also notes that physical impacts such as traffic, water quality, and noise, are evaluated in detail in other chapters of the Draft EIR. Based on the determinations in the other chapters that the physical impacts of the proposed project would be less than significant, the analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity.

**T-2** The comment indicates concern with impacts to air quality from emissions of dust and other particulates from the proposed project.

Refer to Response to Comment F-2, which summarizes the analysis of air quality impacts, including from dust emissions presented in the Initial Study. The project would be required to implement mitigation measures to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code Section (§) 41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from operation of the batch plant would be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant.

T-3 The comment indicates concern with the impacts to animals and surrounding residents from noise generated by the proposed project .

As discussed in **CHAPTER 7 NOISE**, the project area is characterized by existing noise levels that exceed the County's standards. Response to Comment F-7 summarizes

the analysis of noise impacts from the proposed project. The analysis of Impact 7.2 found that the noise generated by the proposed project would also exceed some of the General Plan standards for noise levels at sensitive receptors. However, as stated on page 7-12 of the Draft EIR, the noise emissions from the proposed batch plant would be below the existing traffic noise levels at the nearest residences. The noise generated by the project is not expected to result in a change in the background noise levels in the area that would be noticeable or have an impact on either animals or residents in the vicinity. The impact is considered less than significant and no mitigation measures are required.

**T-4** The comment indicates concern with potential impacts to traffic flow due to the new traffic generated by the proposed project.

Refer to Response to Comment F-2, which summarizes the analysis of traffic impacts presented in Chapter 5 Transportation and Circulation. The analysis of Impact 5.1 finds that the project would have a less than significant impact on traffic operations under short-term conditions and no mitigation is necessary. The analysis of Impact 5.2 finds that the project would contribute to significant impacts on traffic operations under the long-term or cumulative conditions. Mitigation is required to ensure that the project pays a fair share proportion of funding necessary to implement improvements to provide acceptable traffic conditions.

T-5 The comment indicates concern with the proposed water usage. The comment refers to the use of 10,000 gallons of water daily as an initial proposal, implying that the project water usage may increase over time.

Refer to Responses to Comments E-5 and E-11, which summarize the analysis in the EIR related to the proposed water usage. These responses note that Impact 6.3 finds that the proposed water usage would result in less than significant impacts to groundwater in the project vicinity. The determination that use of a daily maximum of 10,000 gallons of water would have a less than significant impact was based on the results of the 72-hour pump test and a State of California guideline regarding groundwater use for public water systems. As discussed in Response to Comment E-5, the conclusions in the Draft EIR were based on the state guideline, which was later codified as California Code of Regulations Section §64554. California Code of Regulations \$64554 requires that daily pumping from a public water supply well drilled in hard rock formation be limited to 25 percent of the pumping rate. This law was promulgated as guidance for public water supplies drilled in hard rock fracture formations, which is the type of formation present in the project area. The maximum daily water volume that the project would be allowed to pump from the onsite well is 10,000 gallons. This limit is noted in the discussion of Impact 6.3 and expressed in Mitigation Measure 6.3a. Refer to Response to Comment E-38 for a discussion of minor revisions to Mitigation Measure 6.3a.

**T-6** The comment states that there are areas near the City of Rocklin that would be better locations for the proposed project.

As discussed in Response to Comment E-3, the analysis of alternatives to the project

considers the feasibility of constructing the proposed project in a different location. CEQA requires that alternatives to the project must be capable of meeting most of the project objectives (refer to CEQA Guidelines §15126.6(a)). Project Objective 4, listed on page 3-6 of the Draft EIR, is to "operate in a location that allows Livingston's to serve projects in the general Auburn area within the narrow timeframe (90 minutes) allowed for delivery of their product in its optimum form." Locating the proposed batch plant in or near the City of Rocklin would limit the ability of the proposed project to serve the north Auburn area. In addition, the project applicant already has a plant in the Sunset Industrial Area of Placer County, which is northwest of the City of Rocklin. Placement of the proposed project in close proximity to the existing plant would not meet the objectives of the proposed project, thus this alternative would not be considered an alternative capable of meeting most of the project objectives.

# **Draft EIR Comments**

More information of	n the project is available on the County	y web site:			
	gov/Departments/CommunityDevelopment/Er				
Project Title:	Livingston's Concrete Batch P	lant (PEIR T20050072)			
Public Hearing Date	e: February 28, 2008				
Public Review Perio	od: <u>February 1, 2008—March 17, 2</u>	2008			
<ul> <li>Your comments</li> </ul>	must be postmarked by <u>March 17</u>	, 2008			
<ul><li>Comments mus</li><li>Comments may</li></ul>	•	act information in order to be considered. RECEIVED			
By Fax	530-745-3003	MAR 1 1 2008			
By Émail	cdraecs@placer.ca.gov				
By Mail	Environmental Coordination Services	ENVIRONMENTAL COORDINATION SERVICES			
Placer County Community Development Resource Agency					
3091 County Center Drive, Suite 190					
Please attach a	Auburn CA 95603 dditional pages if more space is neede				
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## RESPONSE TO COMMENT LETTER U

Submitted by:

Joan Hammon

**U-1** The comment expresses opposition to the proposed project. The comment indicates concerns with truck traffic and aesthetic impacts.

No specific comments on the Draft EIR are provided. CHAPTER 5 TRANSPORTATION AND CIRCULATION of the Draft EIR evaluates potential impacts associated with all traffic generated by the proposed project, including truck traffic. Potential impacts to aesthetics are evaluated in the Initial Study and summarized in CHAPTER 1 INTRODUCTION of the Draft EIR. No response or revision to the Draft EIR is necessary.

From:

Huber

To:

Placer County Environmental Coordination Services;

CC:

Lynn Huber;

Subject:

Livingston Concrete Batch Plant (PIER T20050072)

Date:

Monday, March 17, 2008 10:18:10 AM

March 17, 2008

Project title: Livingston's Concrete Batch Plant (PIER T20050072)

Sirs;

We are vehemently opposed to this cement batch plant being located on Ophir Rd. What is being proposed is not within the scope of the general plan for the community and creates several serious impacts on the community as well as safety issues for the residents of the community.

One of our greatest concerns is the lack of notification to the residents of the Ophir community. We were not notified in writing of the initial hearing February 28, 2008 nor of the comment dates. We learned of it by word of mouth. The impact of this project is much greater than adding another business to the Ophir community in that it is an <u>industrial</u> operation and involves not only materials that may be harmful to our environment, but daily activities that significantly increase the safety of the residents using the Ophir Rd. as part of their daily lives.

#### Points of Concern:

- Ophir Rd is used as a commute access to Highway 80 for hundreds of residents living North West of highway 80. Lozanos Rd and Wise Rd are main arteries connecting Ophir Rd to Highway 80. Additional TRUCKS of 30 to 60 a day will significantly increase the congestion and flow of that traffic.
- 2. The additional proposed traffic from the Cement Plant will increase the safety of our children who are picked up and dropped off on Ophir Rd. for school. It will increase the potential for serious accidents for those individuals using the bike lane as well as those who walk Ophir daily.
- 3. Ophir Rd is an historical landmark. The daily use of heavy trucks will not only deteriorate the road more rapidly, but distract from the scenic aspect of the road significantly.
- 4. Ophir Rd. is a short stretch of road that at times each year is used to divert traffic on highway 80 when there is an accident or fires. The potential of accidents during this timeframe will be increased with the significant increase of large trucks entering and exiting the road to the proposed Cement Plant.

V-1

V-2

V-3

V-4

V-5

- 5. The proposed use of 10,000 gallon of water a day to run the plant will have a tremendous impact to water table of the community which does Not have city water and relies solely on well water. The initial information for this project was that it would not be considered until there was city water available to handle the demand. What happened? Each year more and more residents have less water in the late summer. This much increase in the use of well water above the Ophir area will have an adverse impact on the residents of the community.
- 6. The noise will increase significantly. We live roughly a mile below Ophir Rd and the highway noise is still very auditable. Adding a Cement Plant will significantly increase that noise level and impact the quality of country life we hoped to enjoy.
- 7. The dirt and dust from a Cement Plant will create an air quality that will have an impact on the residents, both human and nonhuman. Cementing the plant only means the dirt and dust is not directly absorbed into the ground.
- 8. Contamination from the run off of the plant will destroy our water ways, which are significant in the area, not only with creeks and wetlands, but the canals that carry water to other areas of Placer County.

  Contamination is a high risk with such an operation. In the early 90 Simpson and Simpson and Toms Sierra were sued for contamination of the Dutch Ravine. And, they are a much smaller operation.
- 9. There is not an infrastructure in the area to handle a Cement Plant this large such as sewer, water, traffic flow and open space.

Our county officials are not getting or caring to understand the impact the proposed Cement Plant will have on an area that they once considered a historical scenic area. This is not the right location for such a plant. Generally a plant of this nature is located in an open industrial area, not tight against a major highway, on a historical scenic road in a rural residential area. The city and county planners decided to build a fake mine shaft just prior to Auburn to draw visitors in and now within five miles of approaching Auburn they are planning to have a Cement Plant, definitely not a draw for visitors.

The county is having trouble with Chevreaux and the residents of Meadow Valley. Chevreaux was there before many of the homes were built. In this case the Cement Plant is the late comer. Are you not creating a similar problem?

Please do not allow this project to continue, without further research and involvement of the people who live in the area. This would require a more in depth study and actual written notification and public meetings with the community.

V-6

V-7

V-8

\/\_Q

V<sub>-</sub>10

V-11

# Respectfully

Don and Lynn Huber 850 Geraldson Rd. Newcastle Ca.

Mail address PO Box 5422 Auburn, Ca. 95604

530 888 8163

Submitted by:

Don and Lynn Huber

V-1 The comment indicates opposition to the proposed project, stating that the project is not consistent with the General Plan and would create several impacts to the community. The comment notes strong concern regarding the notification process for public meetings at which the project was discussed. The comment indicates concern that the project would introduce hazardous materials to the project area and reduce safety on Ophir Road.

Refer to Response to Comment E-4, which discusses the compatibility of the proposed project with existing and planned land uses in the project vicinity. As stated on page 4-7 of the Draft EIR, development of manufacturing and processing uses at the project site is consistent with the land use and zoning designations for the project site. Based on the determinations in chapters 5 through 7 of the Draft EIR that the physical impacts of the proposed project would be less than significant, the analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity.

Refer to Response to Comment H-4, which discusses the analysis in the Draft EIR related to safety on Ophir Road. With implementation of *Mitigation Measures 5.3a* and *5.4a*, it is expected that the proposed project would not create any significant road safety hazards.

Placer County mailed notices of availability of the Draft EIR and notices for each public hearing and meeting regarding the proposed project to all landowners within 300 feet of the project site, as required by Placer County Code. Notification for future meetings will also be provided as required by state law and the County Code.

Refer to Response to Comment E-22 regarding the use of hazardous materials onsite and the potential for those materials to be released into the environment. With implementation of the Hazardous Materials Business Plan, compliance with all conditions of the Permit to Construct and Authority to Operate permits, and compliance with all mitigation measures related to protection of water quality, the project is expected to have less than significant impacts to the environment related to the use of hazardous materials.

Refer to Response to Comment H-4 regarding traffic safety. Impact 5.4 in CHAPTER 5 TRANSPORTATION AND CIRCULATION of the Draft EIR analyzes whether the design of the project (specifically the proposed dual driveways accessing Ophir Road) would result in an increase in traffic hazards from design features. The EIR finds the impact to be potentially significant, however, with implementation of *Mitigation Measure 5.4a* which requires the project applicant to construct a left-turn lane to

facilitate access to the "entrance" driveway, the impact is expected to be less than significant. The analysis of Impact 5.3 determined that providing a striped bicycle lane, as required by *Mitigation Measure 5.3a*, would ensure that the project would not negatively affect bicycle and pedestrian travel in the project vicinity. Impacts 5.1 and 5.2 evaluate the potential for the project to affect traffic operations in the project vicinity. Under Impact 5.1, the project is not expected to have a significant impact on traffic operations in the short-term conditions and no mitigation is required. Under Impact 5.2 implementation of *Mitigation Measure 5.2a* is necessary to ensure that the project would have a less than significant impact on traffic operations in the long-term. Based on the acceptable levels of service that would occur in the project vicinity, the traffic generated by the proposed project is not expected to result in any decrease in roadway safety or any increase in accident rates.

V-2 The comment indicates concern that the proposed project would contribute to congestion on Ophir Road, Lozanos Road, and Wise Road.

The traffic impacts analysis focuses primarily on impacts to Ophir Road. As noted above, under Impact 5.1, the project is not expected to have a significant impact on traffic operations on Ophir Road in the short-term conditions and no mitigation is required. Under Impact 5.2 implementation of *Mitigation Measure 5.2a* is necessary to ensure that the project would have a less than significant impact on traffic operations on Ophir Road in the long-term.

Refer to Response to Comment E-9 regarding the intersections included in the traffic impacts analysis. Lozanos Road and Wise Road were not studied in the traffic impacts analysis because these roadways were not identified as having the potential to be significantly impacted by the project based on the trip generation and distribution assumptions used in the analysis. *Figure 5-4* indicates the project will result in fewer than thirteen site trips using Ophir Road east or west of the site during any peak hour, thus fewer than thirteen trips would be expected to access Lozanos Road and Wise Road.

V-3 The comment indicates concern that the proposed project would decrease safety of pedestrians and bicyclists on Ophir Road, including children going to and from school.

As stated in Response to Comment V-1, with implementation of *Mitigation Measures* 5.3a and 5.4a which require provision of a Class II bicycle lane and a left-turn lane to access the project entrance driveway, it is expected that the proposed project would not create any significant road safety hazards.

V-4 The comment states that the truck traffic from the proposed project would contribute to deterioration of Ophir Road and adverse aesthetic impacts in the vicinity.

Refer to Response to Comment H-2, which states that the Cultural Resources section of the Initial Study reports that the Placer County Department of Museums determined that the proposed project is not expected to damage Ophir Road because Ophir Road was constructed to support heavy truck traffic. It currently supports

heavy truck traffic associated with the existing heavy commercial development in the vicinity. The increase of truck traffic on this road is not considered a substantial change from the existing conditions relative to aesthetic impacts.

V-5 The comment states that Ophir Road is sometimes used as a detour for traffic on Interstate 80 (I-80) and that the truck traffic from the proposed project would increase the risk of accidents during these times.

Refer to Response to Comment E-35 which states that the occasional use of Ophir Road as a detour to congestion on I-80 is not a normal condition, thus it is not necessary for the EIR to consider potential impacts under this condition.

V-6 The comment states that the proposed use of 10,000 gallons of water daily would adversely affect existing wells in the vicinity. The comment notes that residents in the vicinity understood that the project would not be considered for approval until public water is available at the project site. The comment also notes that the production rates of existing wells have been declining in recent years.

Refer to Responses to Comments E-5 and E-11, which summarize the analysis in Impact 6.3 of the impacts to existing wells from the proposed use of groundwater. Based on the results of a 72-hour pump test and compliance with a state guideline related to public water supplies drilled in the same type of formation that exists in the project vicinity, the proposed project is not expected to have an adverse impact on existing wells. The state guideline on which the Draft EIR analysis was based was codified in state law following publication of the Draft EIR.

In addition, as explained in Response to Comment E-11, the 72-hour pump test and a review of Well Completion Logs indicate that there is minimal communication or lateral connectivity between the well on the project site and other wells in the vicinity. Because the water use rate complies with state law and the pump test showed minimal communication with the adjacent well, the project is not expected to adversely affect existing wells in the project area.

Response to Comment E-5 also discusses the consistency of the proposed project with General Plan Policy 1.E.1, which states that projects in the C-3 zone district must have "adequate infrastructure." This policy is typically interpreted as requiring public water and sewer services, neither of which are available at the project site. However, Response to Comment E-5 demonstrates that the EIR analysis concludes that use of groundwater and an onsite septic system would not result in any significant and unavoidable environmental impacts. Based on the determination that no significant and unavoidable environmental impacts would occur, the proposed infrastructure is determined adequate as it relates to the environmental impacts analysis. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

**V-7** The comment states that the project would significantly increase noise levels in the project vicinity.

Refer to Response to Comment M-3 which summarizes the EIR analysis of noise impacts and clarifies the conclusion of Impact 7.4 that the proposed project would not generate a substantial increase in the existing noise levels in the vicinity.

V-8 The comment states that the project would create significant air quality impacts, including from dirt and dust.

Refer to Response to Comment F-2 which summarizes the Initial Study analysis of potential air quality impacts. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project complies with California Health and Safety Code Section (§) 41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from operation of the batch plant would be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant.

V-9 The comment states that contamination in water runoff from the project site would adversely affect surface water in the project area.

Refer to Responses to Comments E-2 and E-26 which discuss how the project would prevent contaminated water from entering surface water in the project area.

**V-10** The comment states that the infrastructure in the project area, including sewer, water, transportation, and open space, would not support the proposed project.

Refer to Response to Comment E-5 regarding the adequacy of the proposed sewer and water infrastructure to support the proposed project. As demonstrated in that response, the analysis in the Draft EIR concludes that the proposed use of an onsite well and onsite septic system would not result in any significant and unavoidable environmental impacts. The onsite well and septic system are capable of supporting the proposed project. Refer to Response to Comment F-2 which summarizes the analysis of traffic impacts in the Draft EIR. That analysis concludes that the project would not have a significant and unavoidable impact on transportation and circulation infrastructure in the project area, thus the transportation infrastructure is considered capable of supporting the proposed project. The proposed project would not increase the need for open space in the project area.

V-11 The comment states that the project site is not an appropriate location for the proposed project because it would adversely affect a scenic corridor and lead to land use conflicts with existing residents in the area. The comment concludes that more detailed analysis and additional public meetings are needed before the project can be

approved.

As discussed above, Response to Comment E-4 discusses the compatibility of the proposed project with existing and planned land uses in the project vicinity. Based on the determinations in chapters 5 through 7 of the Draft EIR that the physical impacts of the proposed project would be less than significant, the analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies

Also refer to Response to Comment E-21 which discusses the Initial Study analysis of the aesthetic impacts of the proposed project when viewed from Ophir Road and from I-80. The Initial Study analysis of aesthetic impacts is summarized on pages 1-6 and 1-7 in Chapter 1 Introduction. The project area supports other heavy commercial land uses and the proposed project would be similar in nature and appearance to the existing businesses. The Initial Study determined that the project would have a less than significant impact on aesthetic resources and would not represent a substantial change from the existing conditions.

The responses to all comments in this Final EIR demonstrate the adequacy of the EIR analysis with respect to the requirements of CEQA. In addition, CEQA requires that Placer County provide opportunities for public comment on the EIR. By providing Notice of Availability of the Draft EIR, allowing for a 45-day public comment period, and providing these responses to all comments received on the Draft EIR, Placer County has met the CEQA requirements for public review, as expressed in CEQA Guidelines §15087. The proposed project and the EIR will be considered by the Placer County Planning Commission in a public hearing, as suggested by this comment.

# RECEIVED

MAR 18 2008

March 15, 2008

ENVIRONMENTAL COORDINATION SERVICES

Dear Maywan Krach,
Placer County Community Development Resource Agency

As residents of Newcastle we have several objections about the Livingston Concrete Plant proposal.

W-1

 Water issues appear to be extremely important to all residents in a wide area. Ground water is a shared resource that is relatively scarce. In many areas we exist on wells producing less than three gallons per minute. Livingston's large draw on the water table could have devistating results leaving most of us with no available source.

W-2

 Traffic and road conditions in and out of this area of Ophir would be impacted by heavy trucks far beyond the current level in and around this mostly residential area.

M\_3

 The noise and visual effect for nearby residents and those of us that pass frequently will be a reminder of what we had and what we have given away.

N-4

Please forward our objections to this project at this time in the Ophir location.

Thank you

Carl and Louise Isaacson

100 Lehi Lane

Newcastle, CA 95658

916.663.2369

## Submitted by:

Carl and Louise Isaacson

**W-1** The comment states that the authors are residents of Newcastle that have several objections to the proposed project.

No specific comments on the Draft EIR are provided. No response or revision to the Draft EIR is necessary.

W-2 The comment indicates concern that the proposed use of groundwater would adversely affect existing wells in the vicinity.

Refer to Responses to Comments E-5 and E-11, which summarize the analysis in the EIR related to the proposed water usage. These responses note that Impact 6.3 finds that the proposed water usage would result in less than significant impacts to groundwater in the project vicinity. The determination that use of a daily maximum of 10,000 gallons of water would have a less than significant impact was based on the results of the 72-hour pump test and a State of California guideline regarding groundwater use for public water systems. As discussed in Response to Comment E-5, the conclusions in the Draft EIR were based on the state guideline, which was later codified as California Code of Regulations Section §64554. California Code of Regulations §64554 requires that daily pumping from a public water supply well drilled in hard rock formation be limited to 25 percent of the pumping rate. This law was promulgated as guidance for public water supplies drilled in hard rock fracture formations, which is the type of formation present in the project area.

The 72-hour pump test also included monitoring of the nearby well at the American River Propane property, west of the project site. During the pump test, the depth to water level in the American River Propane well dropped less than one foot. This indicates that there is minimal communication or lateral continuity between these two wells. As explained in Response to Comment E-11, if substantial communication was present, the neighboring well would have shown a more prominent decline that was proportional to the amount of water being pumped. Based on the Well Completion Reports, the 72-hour test results, and compliance with the State guideline for public water supply systems, it is expected that the project would have no potential to affect other nearby wells by pumping from the onsite well.

W-3 The comment states that traffic and road conditions in the project area would be impacted by heavy trucks.

As discussed in Response to Comment F-2, CHAPTER 5 TRANSPORTATION AND CIRCULATION of the Draft EIR provides an analysis of potential impacts from the proposed project associated with traffic. The analysis in the EIR concludes that