

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS AND FACILITIES County of Placer

TO: BOARD OF SUPERVISORS DATE: November 3, 2015
FROM: KEN GREHM / PETER KRAATZ
SUBJECT: **ABANDONMENT / MILL SITE ROAD AND CROSS CUT COURT / THE
RETREAT AT NORTHSTAR**

ACTION REQUESTED / RECOMMENDATION

1. Consider an Addendum to the Siller Ranch FEIR and adopt a Resolution approving same.
2. Consider adoption of a Resolution adopting findings and statements of fact relating to the proposed abandonment of the public road easement rights to Mill Site Road and Cross Cut Court within the Retreat at Northstar Subdivision.
3. Continued public hearing to consider adoption of a Resolution to abandon the public road easement rights to Mill Site Road and Cross Cut Court within the Retreat at Northstar Subdivision under the terms of the Conditions of Abandonment, and the reservation of Drainage, Snow Storage, Slope and Public Transit Easements, and an Irrevocable Offer of Dedication.
4. Approve an Indemnity Agreement between the County of Placer and the Retreat at Northstar Association.

BACKGROUND / SUMMARY

August 4 Board Hearing on the Proposed Abandonment

Your Board conducted a public hearing and considered an item on August 4, 2015 to abandon Mill Site Road and Cross Cut Court within the Retreat at Northstar Subdivision. Staff was directed to come back to the Board with Findings reflective of the testimony and Board direction on August 4, 2015 which was consistent with approval of the abandonment with certain conditions. In addition, the Board requested that the applicant and opponents to the abandonment make additional efforts to resolve their differences. The Board action requested today mirrors that of August 4, 2015. This item was noticed for hearing on October 6, 2015. Your Board on October 6th continued the hearing to today's date and time.

The Retreat at Northstar Subdivision is a residential development consisting of 31 acres, 18 residential lots and two open space lots. The subdivision was filed for record in 2006 in Book BB of Maps at Page 8 and offered the two roadways within the development for dedication to the public, with the offer of dedication accepted by the Placer County Board of Supervisors, with the exception that the roads would be maintained by County Service Area No. 28, Zone 187. Of the two roads dedicated with this subdivision, Mill Site Road connects with the private Schaffer Mill Road to the west, and the public Big Springs Drive to the east, with Cross Cut Court being a cul-de-sac road providing access to the development's interior lots.

In February of 2014, the Retreat at Northstar Association filed a request with Public Works

(DPW) for the abandonment of the public's interest in Mill Site Road and Cross Cut Court, and to dissolve the County Service Area for the public maintenance of these roadways. The Department understands that the primary reason for the request was to preclude through traffic from the subdivision to the west, Martis Camp. The request for abandonment was distributed for comment to representatives of the Martis Camp developer, DMB Highlands Group, the Martis Camp Community Association, the Northstar Property Owners Association, along with various other interested parties, and all servicing utility companies.

Comments received indicate support for the abandonment request from the representatives of the Retreat and Northstar communities, but opposition from the representatives of the Martis Camp development. Martis Camp erected an electronically controlled gate at the easterly terminus of the Martis Camp property allowing residents of that development to exit eastbound to Northstar and enter westbound into Martis Camp, both via Mill Site Road. Law enforcement, fire and emergency personnel, and transit also have the capability to enter and exit this gate. Martis Camp's position is that Mill Site Road provides a convenient and environmental friendly access to Northstar, particularly the commercial and retail establishments at the Village at Northstar. Martis Camp also contends that as owners of real property abutting a public roadway, they have a fundamental property right to access and use Mill Site Road. The Retreat at Northstar contends that Mill Site Road was never contemplated to be utilized by through Martis Camp private vehicle traffic and that the additional traffic is not safe, nor conducive to the anticipated tranquility of their subdivision.

Martis Camp is a 668 lot development with, DPW understands, approximately 536 lots sold to date and an estimated 235 residences completed. Lot owners are issued at least one transponder allowing them to enter and exit Mill Site Road via the east gate in Martis Camp. The Department understands that over 1,000 transponders have been issued and more are anticipated to be as the remaining Martis Camp lots are sold. According to the Martis Camp Community Association, its transponder counts indicate actual usage of the east gate has never exceeded 250 vehicle trips in any given day, with weekend usage typically under 150 trips per weekend day, and under 100 trips per mid-week day. DPW traffic counts confirm this range of vehicle trips.

The Board of Supervisors can approve an abandonment if certain findings can be made in accordance with the California Streets and Highways Code sections which govern the vacating of public easements. Chapter 4 of Part 3 of the Streets and Highway Code, Section 8324, requires the hearing body to find the street "is unnecessary for present or prospective public use", and Section 892 states "rights-of-way established for other purposes by cities, counties or local agencies shall not be abandoned unless the governing body determines that the rights-of-way or parts thereof are not useful as a nonmotorized transportation facility."

Your Board heard an item on December 9, 2014 to consider a request by The Retreat at Northstar Property Owners to abandon Mill Site Road and Cross Cut Court. After extensive testimony for and against the proposed abandonment, your Board directed staff to prepare the necessary environmental documentation and other documents to further consider the abandonment at a future Board meeting and with certain conditions. Those potential conditions included:

- Pay the actual costs to prepare any necessary environmental review, determined by the County, to prepare the abandonment application for Board consideration; and
- Reserve a public utility, public transit service, emergency vehicle access and public trail access easements over Mill Site Road and Cross Cut Court; and
- Abandonment does not grant any additional entitlements to properties within the Retreat Subdivision, specifically the right to install a gate on Mill Site Road (at Big Springs Drive.) Any additional entitlements sought would be subject to separate review and

- approval; and
- Applicant will indemnify County for any actions taken by third parties who may be affected by the abandonment. Form of indemnity will be determined by County Counsel and Risk Management; and
- Recording of the abandonment will be contingent on settlement of any claims/legal actions associated with the abandonment and the passing of the statute of limitations of any further claims/legal actions; and
- Reservation of an irrevocable offer of dedication for Mill Site Road should those rights be needed in the future; and
- County Service Area Zone 187 will be dissolved and the Retreat property owners will be responsible for all maintenance, including maintaining the road for the remaining public uses.

These conditions are addressed as follows:

1. Pay the actual costs to prepare any necessary environmental review, determined by the County, to prepare the abandonment application for Board consideration –

Environmental review has been prepared for the requested abandonment for your Board's review and consideration and to support the consideration of the proposed abandonment. No additional impacts have been identified associated with the abandonment or installation of a gate at the border with the Martis Camp development.

2. Reserve a public utility, public transit service, emergency vehicle access and public trail access easements over Mill Site Road and Cross Cut Court, and an Offer of Dedication for the Drainage, Snow Storage and Slope Easements –

The applicant has agreed to the reservation of easements for public utility, emergency vehicle access and public trail easements which have separate descriptions attached. The applicant has also agreed to reserve a private road easement for the benefit of all Retreat property owners so that they all will have equal interest in Mill Site Road and Cross Cut Court. Consistent with your Board's direction on August 4th, the Department has included in the proposed resolution of abandonment a reservation of a public transit easement.

3. Abandonment does not grant any additional entitlements to properties within the Retreat Subdivision, specifically the right to install a gate on Mill Site Road (at Big Springs Drive). Any additional entitlements sought would be subject to separate review and approval –

The applicant is not proposing a gate at Big Springs Drive. The applicant does propose a gate at the terminus of Mill Site Road adjacent to the existing Martis Camp gate. No further land use entitlements would be required for this gate should your Board approve the abandonment request. The Retreat gate at the terminus would be similar to the current Martis Camp gate. The gate would be operated by a transponder and emergency responders and public transit would need transponder, or convenient, alternative gate operation. The applicant has agreed to this condition.

4. Applicant will indemnify County for any actions taken by third parties who may be affected by the abandonment. Form of indemnity will be determined by County Counsel and Risk Management –

A proposed indemnity agreement has been developed. Execution of an Indemnity Agreement acceptable to your Board is a proposed condition of the abandonment. The material terms of a proposed Indemnity Agreement have been negotiated. A copy of the Indemnity Agreement is on file with the Clerk of the Board. Staff highlights two issues for your Board's consideration:

- The Retreat at Northstar Association (a California nonprofit corporation serving as the

Retreat's homeowners association) has agreed to provide, through a special assessment on Retreat homeowners, an initial fund of \$360,000 to fund legal challenge costs and other potential indemnity obligations. The Association has requested the right to consent to any potentially binding settlement above \$360,000 in aggregate liability that the County may feel is necessary in regards to the abandonment. Whether to agree to the consent to settlement provision and the \$360,000 initial fund amount are policy decisions for your Board.

- Since the secured financial liability of the Retreat property owners is limited, staff recommends that a conditional irrevocable offer of dedication (IOD) be reserved from the proposed abandonment. The IOD would allow the County to take back the Mill Site Road, including removal of any gates or other obstructions, if ordered by a court of law, if in accordance with a settlement agreement, or if the Retreat property owners do not fulfill their obligations under the Indemnity Agreement or maintain the roadway in a manner that materially interferes with reserved easement rights. The IOD could also be accepted were all or a significant portion of Shaffer Mill Road at some point in the future become public for the purpose of access to Martis Camp via Mill Site Road.

5. Recording of the abandonment will be contingent on settlement of any claims/legal actions associated with the abandonment and the passing of the statute of limitations of any further claims/legal actions – Consistent with your Board's August 4th direction, staff recommends that the abandonment, if approved, be recorded at the direction of the Placer County Executive Officer in consultation with County Counsel, with a minimum of ninety (90) days after final action before being recorded.

6. County Service Area Zone 187 will be dissolved and the Retreat property owners will be responsible for all maintenance, including maintaining the road for the remaining public uses – The Applicant concurs with the condition to dissolve the County Service Area for road maintenance and be responsible for future maintenance of the road. The dissolution of, or other action regarding, the County Service Area would be considered by your Board in a separate future Board action, if an abandonment is approved.

A full list of the proposed Conditions of Abandonment are attached as an exhibit to the Abandonment Resolution.

ENVIRONMENTAL

A Final Environment Impact Report was prepared for the Siller Ranch development (now Martis Camp) and approved by the Board on January 18, 2005. The Siller Ranch FEIR included an analysis of the transportation related impacts of the Siller Ranch project, including estimates of how much traffic the Siller Ranch project would generate and how those trips would be distributed on area roadways. The analysis assumed that 100% of the Siller Ranch project-related traffic traveling to or from Northstar would use State Route 267. The Department of Public Works has reviewed and recommends your Board consider and approve an Environmental Checklist and Addendum to the Siller Ranch FEIR recognizing the proposed abandonment and determining that the abandonment of the public rights to the roads within The Retreat complies with the California Environmental Quality Act, and, further, that the proposed action would not create new impacts or increase previously disclosed impacts. The attached Resolution concerning the Environmental Checklist and Addendum to the Siller Ranch FEIR is presented for your Board's consideration and adoption.

FISCAL IMPACT

The applicant has submitted an appraisal report determining that the abandonment of the public's interest in the roads in The Retreat at Northstar would be offset by the reservation of

private road easement for all Retreat Property Owners, an emergency vehicle access easement, a public transit service easement and a public utility easement from the abandonment. Therefore, there would be no compensation to the County for the easement rights to be vacated. The County would no longer be financially responsible for maintenance of the subject roadways. An Indemnity Agreement between the County and the Retreat at Northstar Association has been proposed as a condition of the abandonment, which would indemnify the County to the extent provided in the Indemnity Agreement against actions taken by third parties who may be affected by or otherwise challenge the abandonment.

Attachments:

Resolution – Environmental Checklist and Addendum to Siller Ranch FEIR

Resolution – Findings and Statements of Fact

Resolution – Abandonment

Exhibit A – Public Road Vacation Legal Description

Exhibit B – Public Road Vacation Vicinity Map and Depiction

Exhibit C – Public Multi-Purpose Trail Reservation Legal Description

Exhibit D – Public Multi-Purpose Trail Reservation Vicinity Map and Depiction

Exhibit E – Conditions of Recordation

Location Map

Property Appraisal and Indemnity Agreement on file with the Clerk of the Board of Supervisors

**Before the Board of Supervisors
County of Placer, State of California**

**In the matter of: A RESOLUTION APPROVING AN
ADDENDUM TO THE SILLER RANCH FINAL
ENVIRONMENTAL IMPACT REPORT**

Resol. No: _____

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, in January 2005, the County of Placer certified a Final Environmental Impact Report ("Siller Ranch FEIR", State Clearinghouse No. 2003022122), adopted the Siller Ranch Mitigation Monitoring and Reporting Program ("MMRP") and approved the Siller Ranch project. The Siller Ranch project is now known as Martis Camp.

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA"), the County of Placer has prepared an Environmental Checklist, dated July 29, 2015, analyzing the proposed abandonment of Mill Site Road and Cross Cut Court in the Retreat at Northstar subdivision ("Road Abandonment Project").

WHEREAS, the County of Placer has determined based on the Environmental Checklist supported by substantial evidence in light of the whole record that no subsequent or supplement to the Siller Ranch FEIR is required pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162.

WHEREAS, the County of Placer has concluded that an addendum to the Siller Ranch FEIR ("Siller Ranch FEIR Addendum") pursuant to CEQA Guidelines section 15164 is appropriate as the road abandonment application analyzed by the Siller Ranch FEIR Addendum is a modification of the previously approved Siller Ranch project.

WHEREAS, the Siller Ranch FEIR Addendum concludes that the road abandonment, if approved, will not result in new significant impacts, or substantially more severe impacts, than those disclosed in the Siller Ranch FEIR.

WHEREAS the Siller Ranch FEIR Addendum concludes no new information of substantial importance has been identified which was not known and could not have been known with the exercise of reasonable diligence at the time the Siller Ranch FEIR was certified.

WHEREAS, the Siller Ranch FEIR Addendum also finds that all mitigation measures adopted and incorporated into the MMRP can be carried out without alteration, and that no new mitigation measures are required.

WHEREAS, the Board of Supervisors has duly considered the Siller Ranch FEIR Addendum, together with the Siller Ranch FEIR pursuant to CEQA Guidelines, section 15164 subd. (d), prior to making a decision on the Road Abandonment Project.

WHEREAS, the Board of Supervisors has considered the comments of the public, both oral and written and all written materials in the record connected therewith, and finds as follows:

1. The Road Abandonment Project will not result in substantial changes that would lead to the identification of new or previous unidentified significant environmental effects that would require major revisions of the previously certified Siller Ranch FEIR.
2. No new information of substantial importance which was not known, and could not have been known with the exercise of reasonable diligence at the time the Siller Ranch FEIR was certified, has been discovered which would require major revisions of the previously certified Environmental Impact Report.
3. Based on substantial evidence in the record as a whole, the Road Abandonment Project will not have a significant effect on the environment or result in any new or additional significant adverse impacts.

4. The County received comments stating that the County's reliance on the Addendum to the Siller Ranch FEIR was inappropriate. The County is not required to respond to comments on the Addendum. In addition, the County is not required to adopt findings under CEQA in connection with the Addendum. Nevertheless, the County has, in its discretion, decided to adopt the following findings with respect to these comments. In some instances, the County cites evidence in the record in support of these findings. The evidence cited consists of substantial evidence. In adopting these findings, the County does not imply that it has relied solely on the cited evidence. Rather, these findings are based on the whole of the record before the County.

a. A comment stated the Siller Ranch FEIR did not analyze the impacts of opening Mill Site Road as a public road. This statement is correct. The Siller Ranch EIR did not assign trips to the connection between Schaffer Mill Road and Mill Site Road. The Addendum acknowledges this fact. (Addendum, p. 21.) Accordingly, this comment does not demonstrate that the Addendum is incorrect.

b. A comment stated the Siller Ranch FEIR did not analyze the impacts of the proposed abandonment. This statement is correct in one sense, but misleading in another. The statement is correct in that abandonment was not contemplated at the time the Siller Ranch FEIR was prepared and, for this reason, the Siller Ranch FEIR did not analyze abandonment of this road, in that abandonment was not contemplated at that time. The statement is misleading in that the abandonment of Mill Site Road will not result in traffic patterns that differ from those analyzed in the Siller Ranch FEIR. If the abandonment is approved, traffic patterns will once again coincide with those described and analyzed in the Siller Ranch FEIR. (Addendum, p. 21; testimony at Board of Supervisors hearing (August 4, 2015).) The focus of CEQA review is the physical effects that will occur in the event the application is approved. In this case, the physical consequences of approving the abandonment project consist of a resumption of the use of Mill Site Road in a manner that is consistent with the traffic patterns analyzed in the Siller Ranch FEIR. Thus, the abandonment, if approved, will not result in new or substantially more severe significant impacts.

c. A comment stated the current use of Mill Site Road is "mitigation" that cannot be terminated without the preparation of a new or supplemental EIR. This statement is incorrect. The County has not adopted a mitigation measure requiring the use of Mill Site Road as a connection between Martis Camp and Northstar. Nor has the County relied, either directly or indirectly, on the connection as a means of avoiding or substantially lessening impacts that would otherwise be significant. For this reason, comments referring to the current use of Mill Site Road as "mitigation" are not relevant to the Addendum.

d. A comment stated the County must prepare a supplemental or subsequent EIR, rather than an Addendum. In the Addendum, the County evaluated the impacts of approving the abandonment, as compared to those impacts set forth in the Siller Ranch FEIR. The Addendum concludes that no new or substantially more severe significant impacts would occur. Under such circumstances, Public Resources Code section 21166 directs that the County shall not prepare a supplemental or subsequent EIR. The County therefore concludes that an Addendum is the appropriate document to prepare. (CEQA Guidelines, § 15164.)

e. The County received a comment stating that the proposal to abandon Mill Site Road, and thus to no longer allow the public use of this connection, is a "new" project, such that the rules governing supplemental review under Public Resources Code section 21166 do not apply, citing *Save Our Neighborhood v. Lishman* (2006) 140 Cal.App.4th 1288. The *Lishman* court held that whether a proposal is a "new" project, such that supplemental review cannot be performed, is a question of law, in which the court does not defer to the lead agency's characterization of the proposal as a modification of a previously approved project. The weight of authority holds that this issue is reviewed for "substantial evidence," rather than as a question of law. A case is pending at the California Supreme Court to address this split in authority. The County finds that substantial evidence supports the characterization of this application as a modification of a previously approved project. The County also finds that, even if this issue is regarded as a question of law, subject to *de novo* review, the proposal represents a modification of a previously approved project. In particular, the application involves an existing road network; no further road improvements are contemplated as a result of the application, with the exception of the installation of a gate. The installation of the gate is designed to replace an existing gate that was constructed at the site. The identity of the applicant is not the same as the applicant for the Siller Ranch project; under *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 120 Cal.App.4th 396, however, the appropriate focus of environmental review is the physical impact of approving the proposal, not on the applicant or end user making the proposal. In this case, the Addendum focuses on the effect of approving the abandonment application and concludes that, if approved, the proposal will result in circulation patterns that adhere to those identified and analyzed in the Siller Ranch FEIR. The record supports this conclusion. The Siller Ranch FEIR, the Retreat FEIR, and addenda to those documents all assume that vehicles traveling between Martis Camp and Northstar will travel via SR 267, not via the Mill Site Road connection. (Addendum, pp. 21-22.)

f. The County received a comment stating that the Siller Ranch FEIR did not assign traffic to the Mill Site Road connection because at the time the County approved Siller Ranch, Mill Site Road was not in existence and had not been dedicated for public use. The comment states that assigning

traffic to this connection would have been a violation of CEQA. This comment is incorrect and immaterial. The purpose of CEQA is to describe a proposal, and to forecast the impacts that will occur if a project is approved. At the time Siller Ranch was proposed, the EIR identified the proposed road network, and analyzed the impacts that would occur to that road network in the event the project was approved. None of the roads in Siller Ranch was in existence at that time, but the Siller Ranch FEIR appropriately estimated the number of vehicle trips that would be generated, and assigned them to the proposed road network. No trips were assigned to the Mill Site Road connection. That is because the Mill Site Road connection was proposed to provide only a public transit and emergency vehicle connection between Siller Ranch and Northstar; Mill Site Road was not planned or envisioned to provide a connection between Martis Camp and Northstar for private vehicles originating within Martis Camp. (See Martis Valley Community Plan, pp. 72-73; testimony at Board of Supervisors hearing (August 4, 2015).) The fact that Mill Site Road was to be constructed by another applicant is immaterial. All projects in the area – including both Siller Ranch and the Retreat – had to be constructed in a manner that was consistent with the Martis Valley Community Plan (MVCP). Had the MVCP envisioned the Mill Site Road connection as a means of access from Martis Camp to Northstar, the EIRs prepared for Siller Ranch and the Retreat, and the addenda to those documents, would have assigned private vehicle traffic to this connection. None of the documents did so. No other CEQA analysis or plan has assigned private vehicle trips to this connection. The MVCP does not identify Mill Site Road as a connection open to private vehicle trips. The only possible conclusion is that this connection was not conceived, planned, or constructed as a connection for private vehicle traffic. Second, this comment is also immaterial because, even if true, this comment pertains to the Siller Ranch FEIR, not the Addendum. Because the statute of limitations has expired to challenge the Siller Ranch FEIR (Pub. Resources Code, § 21167, subd. (c)), the analysis in the Siller Ranch FEIR must be presumed to be correct.

g. The County received a comment that approving the application will result in significant impacts with respect to global climate change and greenhouse gas emissions (“GHG”) that were not analyzed in the Siller Ranch FEIR. Climate change and GHG emissions were known at the time the County approved the Martis Camp project. As such, this information is not “new,” and does not require the preparation of a supplemental EIR. (*Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301.) In addition, the Addendum includes an analysis of GHG emissions associated with the project. The project, if approved, will result in requiring residents in Martis Camp to obtain access to Northstar via SR 267, rather than by means of the Mill Site Road connection. This analysis concludes that, using screening methodologies recommended by the San Luis Obispo Air Quality Management District, the impact is less than significant. This guidance has been widely used to assess GHG emissions, and has

been relied upon by the County as a screening tool. The County finds that this analysis is appropriate in this instance. (Addendum, pp. 11-13.) The guidance relied upon by the County is available at:

<http://www.slocleanair.org/images/cms/upload/files/Greenhouse%20Gas%20Thresholds%20and%20Supporting%20Evidence%204-2-2012.pdf>

h. The County received a comment stating that the proposal, if approved, will result in increased air pollutant emissions. The primary source of emissions at Martis Camp is vehicle exhaust. If the proposal is approved, vehicles traveling between Martis Camp and Northstar will have to travel via SR 267, rather than via Mill Site Road. The route via SR 267 is generally lengthier than the route via Mill Site Road. Although the length varies depending on the starting point within Martis Camp, the SR 267 route has been estimated to be five to six miles longer, on average, than the Mill Site Road route. Data indicates that the number of vehicles using the Mill Site Road is currently in the range of 50 to 100 trips/day, with a peak of up to 250 trips/day and an average of approximately 80 trips/day. (Testimony at Board of Supervisors hearing (August 4, 2015).) If the proposal is approved, these vehicles will have to travel an extra five to six miles (on average), resulting in increased air pollution. The additional "vehicle miles travelled" (VMT) will therefore be approximately 440/day. The Siller Ranch FEIR identified the project's long-term air pollution impacts as significant and unavoidable. The project, if approved, will not exacerbate this impact. That is because the air pollutant emissions analyzed and disclosed in the Siller Ranch FEIR assumed that Martis Camp residents will travel to or from Northstar via the SR 267 route. Thus, these emissions were included in the emissions estimated in the Siller Ranch FEIR. In addition, although the additional VMT will result in additional air pollutant emissions, as compared to current conditions, the increase will be a small fraction of the "significance thresholds" adopted by the Placer County Air Pollution Control District. (Testimony at Board of Supervisors hearing (August 4, 2015).) For both of these reasons, and each of them, the Board finds that a supplemental EIR is not required to analyze this issue. The Placer County Air Pollution Control District guidance, including recommended significance thresholds, is located at:

<http://www.placer.ca.gov/~media/apc/documents/Planning/CEQAHandbook/Final/PCAPCDCEQAHandbookComplete.pdf>

i. The County received a comment that the Addendum must analyze the impacts of the proposal measured against the existing environmental setting, which includes use of the Mill Site Road connection by Martis Camp residents. This statement is incorrect. Although the existing setting generally represents baseline conditions against which the impacts of a project are measured (CEQA Guidelines, § 15125, subd. (a)), that is not

the case for proposals undergoing supplemental review under Public Resources Code section 21166. In those instances, "baseline conditions" consists of those impacts disclosed in prior environmental analyses. (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310.) In this case, the prior analysis consists of the Siller Ranch EIR, along with every other environmental analysis prepared for projects in the vicinity (e.g. Retreat FEIR, Lookout Mountain Addendum). The Martis Camp project, as identified in the Siller Ranch FEIR, constitutes the baseline against which the impacts of the project are measured.

5. The Siller Ranch FEIR Addendum has been prepared as required by law and in accordance with all requirements of CEQA and the CEQA Guidelines and the document as adopted reflects the independent judgment and analysis of the County of Placer, which has exercised overall control and direction of the preparation of the Siller Ranch FEIR Addendum. The Board has reviewed the Siller Ranch FEIR Addendum, and bases its findings on such review and other substantial evidence in the record.

6. The custodian of records for the proposed Project is the Placer County Department of Public Works Director, 3091 County Center Drive, Auburn CA, 95603.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California as follows:

1. The Board of Supervisors hereby adopts the Siller Ranch FEIR Addendum to the Siller Ranch Final Environmental Impact Report, dated July 29, 2015, as set forth in Exhibit A and hereby incorporated herein, and
2. The Board of Supervisors hereby recognizes that the Siller Ranch FEIR MMRP applies to the Road Abandonment Project, and
3. This Resolution shall become effective immediately upon adoption.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of Supervisors that the Board of Supervisors hereby directs County staff to prepare and file a "Notice of Determination" reflecting these findings and conclusions.

EXHIBIT A

**Siller Ranch FEIR Addendum to the Siller Ranch Final Environmental Impact Report,
dated July 29, 2015**

**SUPPLEMENTAL REVIEW –
ENVIRONMENTAL CHECKLIST AND ADDENDUM TO
SILLER RANCH FEIR**

Placer County Department of Public Works
3091 County Center Drive
Auburn, CA 95603
July 29, 2015

This Environmental Checklist and Addendum to Siller Ranch FEIR has been prepared to identify and assess the level of additional environmental review required in order for the County to consider whether to approve an application to abandon Mill Site Road and Cross Cut Court filed by Retreat at Northstar property owners.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. This document has been prepared pursuant to Public Resources Code section 21166, which governs supplemental review of a proposed project that has already undergone environmental review.

In order for the County to consider the proposed project, the County must ensure that environmental review consistent with the requirements of CEQA and the State CEQA Guidelines has been completed. Consistent with the requirements of CEQA Guidelines sections 15162-15164, the County must determine whether any changed circumstances or "new information of substantial importance" will trigger the need for a subsequent or supplemental EIR. Under these sections of the State CEQA Guidelines, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project, unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If any of the triggers set forth above occurs, the County would be required to prepare a subsequent EIR, unless only "minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed circumstance," in which case a "supplement to an EIR" will suffice. (See CEQA Guidelines, § 15163.) If there are no grounds for either a subsequent EIR or a supplement to an EIR, then the County would be required to prepare an addendum pursuant to CEQA Guidelines section 151645, explaining why "some changes or additions to the previous environmental documents are necessary "but none of the conditions describe in Section 15162 calling for preparation of a subsequent EIR have occurred."

The Placer County Department of Public Works has reviewed the proposed changes and has determined that the proposed modifications are within the scope of the previously certified environmental analysis. No new impacts or increases to previously disclosed impacts will result and no new mitigation measures are required. The conclusions regarding the potential environmental impacts contained in the certified environmental documents remain valid and no additional analysis is required.

Project Title: Application for Abandonment of Mill Site Road and Cross Cut Court – The Retreat at Northstar Subdivision	
Proposed Action): Abandonment of Mill Site Road and Cross Cut Court, subject to conditions of approval	
Site Area: Retreat at Northstar Subdivision	APN: 110-650-ROW-000
Location: The location of the application is The Retreat at Northstar Subdivision, located west of Northstar Ski Resort and east of the Martis Camp subdivision, in eastern Placer County	

A. BACKGROUND AND PROJECT DESCRIPTION:

The Retreat at Northstar (“Retreat”) is a residential development consisting of 31 acres, 18 residential lots and one open-space lot. The County approved the subdivision in February 2005. The map was recorded in 2006.

The subdivision offered a public road dedication to the County over Mill Site Road and Cross Cut Court. Mill Site Road, at its west terminus, connects to the east terminus of Schaffer Mill Road, which is private within the Martis Camp subdivision. Schaffer Mill Road is a road approved and constructed as a private roadway serving the Martis Camp subdivision immediately west of the Retreat. The easternmost 3,100 +/- linear feet of Schaffer Mill Road was constructed as an Emergency Vehicle Access (EVA) and Public Transit roadway. Per Condition of Approval # 34 (MM 4.4.7b) for the “MARTIS CAMP” (aka “SILLER RANCH”) (SUB-424/CUP-3008/PCPMT20070758) project, Public Transit is defined as, “Local public transit is defined as public transit service provided by Placer County through Tahoe Area Regional Transit or through a contract provider.” The EVA portion of Schaffer Mill Road was constructed to a 22-foot wide roadway standard and the balance of Schaffer Mill Road within Martis Camp was constructed to a 32-foot wide roadway standard. Cross Cut Court is a cul-de-sac road providing access to the Retreat subdivision’s interior lots. The County accepted the Mill Site Road and Cross Cut Court offer of dedication on May 9, 2006. Maintenance of the two Retreat roads is funded through County Service Area No. 28, Zone 187. Both Mill Site Road and Cross Cut Court were constructed to a 22-foot wide roadway standard with direct driveway access.

The construction and use of Mill Site Road and Cross Cut Court have already undergone environmental review. The abandonment of these roads will not result in any alteration in the physical environment. The roads will continue to exist and be used by residents of the Retreat. Maintenance responsibilities will shift from the CSA to the Retreat at Northstar Owner’s Association upon dissolution of County Service Area No. 28, Zone 187, should the abandonment application be approved

It is reasonably foreseeable, however, that if the County approves the application, the manner in which these roads are currently used will change.

Martis Camp (formerly Siller Ranch) is a 668-lot subdivision approved by the County in 2005. Martis Camp is a gated community; its roads are not accessible to the public. Schaffer Mill Road, within Martis Camp, is a private road accessible only to residents and visitors at Martis Camp.

Mill Site Road is connected to the EVA portion of Schaffer Mill Road at the eastern terminus of Schaffer Mill Road. This EVA portion of Schaffer Mill Road was constructed in order to provide an Emergency Vehicle Access and Public Transit connection between Martis Camp and Northstar.

The conditions of approval for Martis Camp and Retreat subdivisions required EVA and transit connection. Construction has been completed, and the County has signed off on these conditions of approval.

With the construction of Mill Site Road and Cross Cut Court improvements in 2006, a manual EVA gate was installed at the western terminus of Mill Site Road. In 2010, the Retreat’s EVA gate was removed and the Martis Camp developer installed an electronic road gate at the eastern terminus of the EVA portion of Schaffer Mill Road within Martis Camp. Martis Camp has provided EVA and Public Transit access to this gate along with its owners, guests and others. According to both the originally submitted and the “record as-built set” of Improvement Plans for

Martis Camp Unit 7A, there was an additional electronic road gate that was to be installed at the western end of the EVA portion of Schaffer Mill Road to restrict access onto the EVA portion of Schaffer Mill Road from within Martis Camp to "Emergency/Maintenance/Bus Access Only." This gate was not installed.

Radio transceiver Click2Enter access has been issued to emergency service providers, so that they can open up the EVA gate in the event of an emergency. Transponders have been issued to Public Transit providers. Emergency service providers and Public Transit agencies must be provided a means of using this roadway in order to comply with the conditions of approval for both Martis Camp and the Retreat.

Since the gate at the eastern terminus of the EVA portion of Schaffer Mill Road was installed, Martis Camp has also issued transponders to persons who purchase lots within the Martis Camp subdivision. It has been reported to the County that each owner of a lot at Martis Camp has been issued at least one transponder, allowing them to access Mill Site Road via the EVA portion of Schaffer Mill Road within Martis Camp. Thus, this connection is available to residents and visitors at Martis Camp, but is not available to others. Mill Site Road thus represents a route connecting Schaffer Mill Road to Big Springs Drive available exclusively to Martis Camp residents and visitors to reach Northstar.

It has been reported to the County that approximately 536 of the 668 lots at Martis Camp have been sold. Houses have been developed on some, but not all, of these lots. According to Martis Camp Community Association reports, over 1,000 transponders have been issued to date. Data indicates that currently 100 to 250 vehicle trips occur each day through the gate. Independent data gathered by the County in September 2014 supports this estimate. The use of the gate is expected to increase as additional lots at Martis Camp are developed and sold.

The County understands that the Retreat wishes to abandon Mill Site Road as a public road to convert the use of its roads to private access. If the application is approved, it is anticipated that the Retreat will reinstall a gate at the western terminus of Mill Site Road which would restrict the use of this road at the western terminus to emergency vehicles and transit vehicles consistent with the Retreat's conditions of approval. The Retreat has submitted to the County plans showing where this gate will be installed. The Retreat has also submitted Emergency Vehicle Access Gate Operations Plan. The plan states the gate will be a vertical electronic swing arm gate manufactured by AutoGate. The model type is the Barracuda 200 with Click2Enter and transponder access.

If the request for abandonment is approved, emergency access, transit and utility easements will be reserved over Mill Site Road. Mill Site Road will no longer be accessible to private vehicles operated by residents and visitors at Martis Camp. As a result, private passenger vehicles leaving Martis Camp to travel to Northstar will instead drive north on Schaffer Mill Road, and then turn right onto south-bound SR 267. Those returning to Martis Camp from the Tahoe basin or Northstar will, travel north-bound SR 267, and then turn left on Schaffer Mill Road.

On December 9, 2014, the County held a public meeting to consider testimony from the Retreat, from Martis Camp representatives, and from other stakeholders. The Board of Supervisors directed staff to further consider the abandonment of Mill Site Road and Cross Cut Court including undertaking an environmental analysis of the application, and to return to the Board with a package that would enable the Board to consider whether to approve the application.

The purpose of this addendum is to analyze environmental effects associated with the abandonment of Mill Site Road and Cross Cut Court. It is anticipated that, if the County approves this application, the Retreat will reinstall the Retreat's EVA gate. As a result, circulation patterns between Martis Camp and Northstar will change. The analysis focuses on the extent to which this change will result in impacts that are different than those disclosed in previous environmental analyses.

B. ENVIRONMENTAL SETTING:

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	RS PD = 1	Low Density Residential	Private/public road

North	RS PD = 3 and O	Forest	Open space – forest
South	FOR-B-X 160 AC. MIN. and RS PD = 1	Forest	Open space – forest
East	RS PD = 1	Low Density Residential	Residential lots (The Retreat at Northstar)
West	RS-B-X 20 AC. MIN.	Rural Residential	Residential lots (Martis Camp)

C. PREVIOUS ENVIRONMENTAL DOCUMENTS:

The following documents have considered the environmental impacts of the Martis Valley circulation system, the Siller Ranch project (now Martis Camp), and the Retreat at Northstar subdivision. These documents are relevant to the current proposed project because they analyze the circulation system for the Martis Valley area, including SR 267, Northstar Drive, Big Spring Drive, Schaffer Mill Road, and Mill Site Road:

Martis Valley Community Plan FEIR (certified December 2003, State Clearinghouse No. 2001072050)

Siller Ranch FEIR (certified January 2005, State Clearinghouse No. 2003022122)

Retreat at Northstar FEIR (certified February 2005, State Clearinghouse No. 2003032042)

Lookout Martis Addendum to Siller Ranch FEIR (December 2007, Addendum to State Clearinghouse No. 2003022122)

These documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. The documents are also available in the Placer County DPW Tahoe Engineering Division Office, 7717 North Lake Blvd., Kings Beach, CA 96148.

D. DISCUSSION OF ISSUES:

The following discussion is based on the initial study checklist used by the County to evaluate whether a proposed project will have significant environmental effects. Because this application involves supplemental review, this analysis focuses on the extent to which the current proposal, if approved, will result in significant environmental impacts that have not been identified and analyzed in previous environmental documents. This analysis also focuses on the extent to which circumstances have changed in environmentally significant ways since the preparation of prior environmental documents.

The analysis focuses on the extent to which the approval of this application will result in new or substantially more severe impacts, as described in the certified FEIR prepared for Siller Ranch (now Martis Camp). This focus is appropriate because the Siller Ranch FEIR included an analysis of the traffic and related impacts that would occur in the event the Martis Camp project went forward. The sole effect of the application, if approved, will be to alter the circulation patterns of Martis Camp residents and visitors.

Because this checklist is being prepared to perform supplemental review, the tables below use the following definitions:

- "No impact" means that the project, if approved, will not result in any new impact, or any substantially more severe impact, as compared to impacts disclosed in the Siller Ranch FEIR.
- "Less than significant" means the project, if approved, will result in an impact that was not disclosed in the Siller Ranch FEIR, but that impact is not significant or substantially more severe.

- "Less Than Significant with Mitigation Measures" means the project, if approved, will result in an impact that was not disclosed in the Siller Ranch FEIR, and that impact is potentially significant, but that impact can be avoided or substantially lessened if mitigation measures are adopted. In that instance, the checklist identifies the recommended mitigation measures.
- "Potentially significant" means the project, if approved, will result in an impact that was not disclosed in the Siller Ranch FEIR, and that impact is potentially significant.

This checklist is used in order to systematically address each environmental resource area potentially affected by the proposed project.

I. AESTHETICS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)				X
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)				X
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)				X

Discussion:

(1), (2) and (3): The project, if approved, will not result in significant new construction. The Retreat will reinstall the EVA gate at the western terminus of Mill Site Road if the project is approved. The emergency access connection between Martis Camp and the Retreat and the related EVA gates were contemplated and analyzed in the Siller Ranch and Retreat FEIRs. (See, e.g., MVCP, Circulation Diagram, Figure 2; Siller Ranch DEIR, p. 3.0-18.) The visual impact of the new gate is not significant. No new significant impact. No substantially more severe impact.

(4) If the project is approved, it is foreseeable that vehicles that are currently using Mill Site Road for access to Northstar will no longer be able to do so. Data indicates that up to 250 vehicles per day to and from Martis Camp are currently using Mill Site Road for Northstar access. If the project is approved, those cars will instead travel northward on Schaffer Mill Road, and then turn right on SR 267.

Vehicle headlights will be a source of glare. Vehicles are already using these roadways. This impact was already addressed in the Siller Ranch FEIR, as the Siller Ranch FEIR assumed all vehicles traveling to or from Martis Camp would use the entrance at SR 267; no trips were assigned to the emergency/transit road connecting to Mill Site Road. (See Siller Ranch FEIR, Chapter 4.4 (traffic); see Figures 4.4 and 4.5, which assign all traffic traveling to or from Northstar to Siller Ranch to SR 267); letter from Sara T. Hawley, LSC Transportation Consultants, Inc., to Chris Hanrattie (February 21, 2014) ("LSC Letter") [confirming that the traffic modeling performed for Siller Ranch did not assign any private vehicle trips to the emergency access road as a means of gaining access to Northstar from Martis Camp subdivision].) The Siller Ranch FEIR did not identify headlight glare as a significant impact, and did not recommend mitigation measures to address headlight glare. (Siller Ranch Draft EIR, Chapter 4.12.) No new significant impact. No substantially more severe impact.

II. AGRICULTURAL & FOREST RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X
4. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use? (PLN)				X

Discussion:

(1), (2), and (3): There are no farmlands, Williamson Act contract lands or agricultural operations on or in the vicinity of the project site. No new significant impact. No substantially more severe impact.

(4), (5): Mill Site Road and Cross Cut Court are not zoned TPZ. The approval of the project will not result in a need to rezone the property. The development of the site will not result in a significant loss or conversion of forest land to non-forest uses. No trees will need to be cut down in order to reinstall the Retreat's EVA gate. No new significant impact. No substantially more severe impact.

III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)				X
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)				X
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)				X
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)				X

5. Create objectionable odors affecting a substantial number of people? (APCD)				X
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Discussion:

The project is located within the Mountain Counties Air Basin (MCAB) portion of Placer County, within the area encompassed by the Placer County Air Pollution Control District (APCD).

The Siller Ranch FEIR included a discussion of the project's impacts on air quality. The impacts addressed included construction emissions. The Siller Ranch Draft EIR concluded the Siller Ranch project would have significant construction-related impacts, and identified mitigation. (Siller Ranch Draft EIR, Chapter 4.6.) Emissions associated with reinstallation of the Retreat's EVA gate have not been quantified. Those emissions, however, would be negligible, and would be far below the thresholds recommended by the Placer County Air Pollution Control District. No new significant impact. No substantially more severe impact.

If the project is approved, it is foreseeable that vehicles that are currently using the EVA portion of Schaffer Mill Road within Martis Camp and Mill Site Road within the Retreat for access to Northstar will no longer be able to do so. Data indicates that up to 250 vehicles per day to and from Martis Camp are currently using the road. If the project is approved, those cars will instead travel northward on Schaffer Mill Road, and then turn right on SR 267. Vehicles generate air pollutant emissions. If vehicles travel to Northstar via SR 267, rather than via the access provided by the EVA portion of Schaffer Mill Road and Mill Site Road, then these trips will lengthen, and vehicle miles travelled will increase.

Martis Camp has submitted information regarding the extent to which Martis Camp residents and visitors will have to drive further to Northstar if they travel via SR 267, rather than using the access afforded by the EVA portion of Schaffer Mill Road and Mill Site Road. According to Martis Camp, residents wishing to drive from Martis Camp to Northstar via the EVA portion of Schaffer Mill Road and Mill Site Road are able to do so by driving 1.7 to 3.9 miles, depending on where the lot is located within Martis Camp. If those same residents are no longer able to use the Mill Site Road access, they will have to drive to Northstar via Schaffer Mill Road, SR 267, and Northstar Drive. Again, depending on the location of the lot in Martis Camp, the length of that trip ranges from 6.7 to 8.9 miles. (See letter from Lanny T. Winberry to Placer County Board of Supervisors (July 21, 2014), Attachment 3.) On average, trips via the Mill Site Road route are 2.8 miles each way, and trips via SR 267 are 7.8 miles each way. If the Mill Site Road access is no longer available, the average trip would therefore involve an extra five miles of travel.

The impact of these trips, and corresponding air pollutant emissions, were addressed in the Siller Ranch FEIR. The Siller Ranch FEIR assumed all vehicles traveling to or from Martis Camp would travel via Schaffer Mill Road and SR 267; no private vehicle trips were assigned to the EVA portion of Schaffer Mill Road within Martis Camp or Mill Site Road within the Retreat. (See Siller Ranch FEIR, Chapter 4.4 (traffic); see Figures 4.4 and 4.5, which assign all traffic traveling to or from Siller Ranch to Northstar on SR 267); LSC Letter (February 21, 2014).) This traffic study provided the information used to estimate the project's operational air pollutant emissions. (Siller Ranch, Draft EIR, pp. 4.6-5 – 4.6-6; see also Draft EIR, Volume 2, Appendix 4.6 [air quality appendix].) If the Mill Site Road and Cross Cut Court abandonment project is approved, then traffic patterns will be consistent with those described and analyzed in the Siller Ranch FEIR.

The Siller Ranch Draft EIR concluded that the Siller Ranch project would contribute to significant air pollution impacts. (Siller Ranch Draft EIR, Chapter 4.6.) The FEIR recommended, and the County adopted, mitigation measures to reduce this impact. (See Siller Ranch MMRP, Mitigation Measures 4.3-6a – 4.3-6d.)

In 2008, the County considered an Addendum to the Siller Ranch FEIR and approved a connection between Martis Camp and the Northstar Lookout Mountain ski trails and ski lift (the "Lookout Martis Addendum"). This project enabled Martis Camp residents to obtain direct access to Northstar via the Lookout Mountain ski lift. The Lookout Martis Addendum concluded this project would result in a small reduction in the amount of traffic traveling from Martis Camp to Northstar via SR 267. The Lookout Martis Addendum also noted that Martis Camp would, at build-out, generate fewer overall trips than had been estimated in the Siller Ranch FEIR. (Lookout Martis Addendum, p. 11.) The Lookout Martis Addendum did not assign any vehicle trips to the EVA connection between the EVA portion of Schaffer Mill Road and Mill Site Road; thus, the Lookout Martis Addendum continued to assume that this connection would not be used by the public, but only by emergency access vehicles and Public Transit. The Lookout Martis Addendum concluded the project would result in significant and unavoidable air quality impacts, but those impacts would be no more severe than disclosed in the Siller Ranch FEIR. (Lookout Martis Addendum, p. 17.)

The road abandonment project, if approved, would not interfere with implementation of the measures adopted by the County to address air quality. Air quality impacts would be no more severe than those identified in the Siller Ranch FEIR and the Lookout Martis Addendum. The project would not result in a new significant impact, or a substantially more severe impact, to air quality.

IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)				X
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (PLN)				X
6. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)				X
7. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)				X
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

Discussion:

(1), (2), (3), (4), (5), (6), (7), (8): The project, if approved, will not result in significant new construction. The Retreat will reinstall its EVA gate at the western terminus of Mill Site Road if the project is approved. The construction of the existing Martis Camp EVA gate did not result in biological impacts. The reinstallation of the Retreat's EVA gate also would not result in biological impacts. The ground disturbance associated with reinstalling of the Retreat's EVA gate footings within the profile of the existing road is negligible. The gate would be installed in a corridor that

has already been disturbed as a result of the construction of Mill Site Road. The EVA portion of Schaffer Mill Road and the associated EVA gate(s) within Martis Camp were contemplated and analyzed in the Siller Ranch FEIR. (See Siller Ranch DEIR, p. 3.0-18.) The Siller Ranch Draft EIR does not identify the location of the emergency access road as containing sensitive habitat. (See Siller Ranch Draft EIR, Chapter 4.9.) No new significant impact. No substantially more severe impact.

If the project is approved, it is foreseeable that vehicles that are currently using the EVA portion of Schaffer Mill Road and Mill Site Road to access Northstar will no longer be able to do so. Data indicates that up to 250 vehicles per day to and from Martis Camp are currently using Mill Site Road. If the project is approved, those cars will instead travel northward on Schaffer Mill Road, and then turn right on SR 267. Vehicular traffic may cause biological impacts. In particular, vehicles may strike birds and wildlife, including mule deer, which are known to inhabit and migrate through the area. This impact was already addressed in the Siller Ranch FEIR, as the Siller Ranch FEIR assumed only one ingress/egress point on Schaffer Mill Road at SR 267 at the north end of Martis Camp, and that all vehicles traveling to or from Martis Camp would use Schaffer Mill Road via SR 267; no private vehicle trips were assigned to the EVA portion of Schaffer Mill Road within Martis Camp or Mill Site Road within the Retreat. (See Siller Ranch FEIR, Chapter 4.4 (traffic); see Figures 4.4 and 4.5, which assign all traffic traveling to or from Siller Ranch to Northstar on SR 267; see Siller Ranch FEIR, Chapter 4.9; LSC Letter (February 21, 2014).) No new significant impact. No substantially more severe impact.

V. CULTURAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)				X
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)				X
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)				X
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including those interred outside of formal cemeteries? (PLN)				X

Discussion:

(1), (2), (3), (4), (5), (6): The project, if approved, will not result in significant new construction. The Retreat will reinstall its EVA gate at the western terminus of Mill Site Road if the project is approved. The construction of the preexisting gate did not result in impacts to cultural resources. The construction of a similar gate would not result in damage to cultural resources. The gate would be installed in a corridor that has already been disturbed as a result of the construction of Mill Site Road. No cultural resources have been identified in the location of the gate. The road profile has already been disturbed, so the potential to discover unknown resources in this location is negligible. Adopted mitigation measures for unknown cultural resources would continue to apply. (Siller Ranch Draft EIR, Chapter 4.10.) A shift in vehicle traffic from the EVA portion of Schaffer Mill Road and Mill Site Road to other, existing roads would not affect cultural resources. No new significant impact. No substantially more severe impact.

VI. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)				X
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)				X
3. Result in substantial change in topography or ground surface relief features? (ESD)				X
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)				X
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)				X
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)				X
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)				X
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)				X

Discussion:

(1), (2), (3), (4), (5), (6), (7), (8), (9): The project, if approved, will not result in significant new construction. The Retreat will reinstall its EVA gate at the western terminus of Mill Site Road if the project is approved. The construction of the preexisting gate did not result in impacts to geologic resources. No fault zones or other geological hazards have been identified in the vicinity of the preexisting gate. (Siller Ranch Draft EIR, Chapter 4.8, Figure 4.8-2.) Mitigation measures addressing geologic hazards would continue to apply to reinstallation of the Retreat's EVA gate. (See Siller Ranch FEIR, Mitigation Measures 4.8.4a – 4.8.2d.) The gate would be installed in a corridor that has already been disturbed as a result of the construction of Mill Site Road. A shift in vehicle traffic from the EVA portion of Schaffer Mill Road and Mill Site Road to other, existing roads would not affect geologic resources. No new significant impact. No substantially more severe impact.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant and/or cumulative impact on the environment? (APCD)			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (APCD)			X	

Discussion- All Items:

(1), (2): Greenhouse gas (GHG) emissions of primary concern from land use projects include carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O). Construction related activities resulting in exhaust emissions may come from fuel combustion for heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, material delivery trucks, and worker commuter trips. Operational GHG emissions would result from on-site fuel combustion for space and water heating, fireplaces/stoves; off-site emissions at utility providers associated with the project's electricity and water demands; and indirect emissions associated with vehicle trips.

The Siller Ranch Draft EIR addresses traffic and air pollutant emissions associated with the Siller Ranch Project. The Lookout Martis Addendum also addresses these impacts, and concludes that the direct access to Northstar via the Lookout Mountain ski lift would not result in more severe traffic or air quality impacts. The road abandonment project, if approved, would result in traffic patterns and air pollutant emissions the same as those set forth in the Siller Ranch FEIR and Lookout Martis Addendum. Please see sections III (air quality) and XVI (traffic).

The Siller Ranch Draft EIR and the Lookout Martis Addendum do not address GHG emissions and climate change. The issue of GHG emissions and climate change was known at the time the County approved the Siller Ranch and the Lookout Mountain extension projects. The issue could have been raised at that time, but was not. For this reason, the issue need not be addressed as part of the County's supplemental review of the Mill Site Road and Cross Cut Court abandonment application. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301; *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515.) Information has been provided to the County stating that the Mill Site Road and Cross Cut Court abandonment project, if approved, will result in longer trip lengths and, accordingly, significant GHG emissions. As noted above in Section III, if the road abandonment project is approved, trip lengths from Martis Camp to Northstar will lengthen by an average of roughly five miles per trip, or ten miles per round trip. (See letter from Lanny T. Winberry to Placer County Board of Supervisors (July 21, 2014), Attachment 3.)

This information is not new. The Siller Ranch FEIR and Lookout Martis Addendum both assumed that those vehicles traveling from Martis Camp to Northstar would do so by way of SR 267, not by way of the EVA portion of Schaffer Mill Road and Mill Site Road.

In addition, available data indicates that currently 100 to 250 trips to and from Martis Camp occur each day on the EVA portion of Schaffer Mill Road and Mill Site Road. There may be days, particularly during "shoulder" seasons, when the volume of traffic is below this range. Lengthier trips result in increased vehicle emissions. Vehicle emissions are a source of GHG emissions.

Neither Placer County nor the Placer County APCD has formally adopted a threshold for determining whether a project's GHG emissions are significant. The County has, however, used the following thresholds in recent EIRs and other environmental analyses. A project's contribution to GHG emissions is considered cumulatively considerable if the project would emit more than 1,150 metric tons of CO2e annually. This threshold is equivalent to the GHG emissions generated by a project consisting of approximately 70 primary residence single-family dwelling units in an urban setting, or 49 primary residence single-family dwelling units in a rural setting, taking into account all sources of GHG emissions from such a project (heating, water use, vehicular emissions, etc.). (Greenhouse Gas Thresholds, San Luis Obispo County APCD (March 2012).)

Martis Camp more closely resembles a rural setting than an urban setting. Thus, this threshold is equivalent to a 49-lot primary residence subdivision.

The number of vehicle trips associated with 49 primary residence single-family dwelling units can be estimated using the Institute of Transportation Engineers (ITE) Trip Generation manual. (ITE, 2008.) The ITE manual estimates that such a project will generate approximately 10 trips/day per dwelling unit, or approximately 490

trips/day (approximately 178,850 trips/year). This total is well in excess of the number of trips using the EVA portion of Schaffer Mill Road within Martis Camp and Mill Site Road within the Retreat as access from Martis Camp to Northstar. Thus, the GHG emissions associated with the road abandonment project are considered less than significant.

These emissions will be associated with vehicular traffic. GHG emissions from vehicular emissions are anticipated to decline based on Federal and State regulatory requirements. Assembly Bill 1493 (Health and Safety Code sections 42823 and 43018.5) require the California Air Resources Board to adopt regulations to reduce GHG emissions from noncommercial passenger vehicles and light-duty trucks of model years 2009–2016. These regulations will reduce GHG emissions as the vehicle fleet turns over. The State is also implementing regulations establishing a Low Carbon Fuel Standard, which will further reduce GHG emissions associated with transportation sources. In 2012, the USEPA adopted regulations establishing heightened fuel efficiency standards. The road abandonment project will not interfere with implementation of these standards. This impact is less than significant.

VIII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)				X
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)				X
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)				X
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)				X
8. Create any health hazard or potential health hazard? (EHS)				X
9. Expose people to existing sources of potential health hazards? (EHS)				X

Discussion:

(1), (2), (3), (4), (5), (6), (7), (8), (9): No significant hazards were identified in connection with the Siller Ranch project. (Siller Ranch Draft EIR, Chapter 4.3.) The construction of the Retreat's replacement EVA gate, and the resulting shift in travel patterns, would not alter those conclusions. No new significant impact. No substantially more severe impact.

IX. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any federal, state or county potable water quality standards? (EHS)				X
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)				X
3. Substantially alter the existing drainage pattern of the site or area? (ESD)				X
4. Increase the rate or amount of surface runoff? (ESD)				X
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)				X
6. Otherwise substantially degrade surface water quality?(ESD)				X
7. Otherwise substantially degrade ground water quality? (EHS)				X
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)				X
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)				X

Discussion:

(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12): The road abandonment project does not include housing, and therefore would not place housing within a mapped flood plain. The project would have no impact on groundwater resources, in that it does not involve the use of water, or alteration of groundwater flows; rather, the sole construction that would occur consists of an emergency access gate. The project would not use potable water or alter a potable water supply. The project would not use groundwater or create substantial impervious surface that could alter groundwater recharge. The proposed project will not violate any potable water quality standards, nor will the project impact any groundwater supplies. The proposed project will require nominal earth disturbance (gate footings), and no tree clearing is proposed. The replacement gate footings would be located on the shoulder of Mill Site Road, in an area that is already disturbed. As a result, any potential impacts resulting from alterations in drainage patterns and increases in the amount and rate of runoff are considered to be less than significant. The road is not within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency (FEMA), and as designed does not contribute to down-stream flood events. (Siller Ranch Final EIR, pp. 3.0-266 – 3.0-267.) The gate would not be constructed within a 100-year flood hazard area and no flood flows would be impeded or redirected. The project location is elevated well above areas that are subject to flooding, and therefore there are no impacts due to exposing people or structures to a significant risk or loss, injury, or death, including flooding as a result or failure of a levee or dam. There are very few drainage courses within proximity of the site where the gate would be constructed. (Siller Ranch Draft EIR, Chapter 4.7; see Figures 4.7-12 – 4.7-14.) An alteration of travel patterns would have no impact on hydrology; in addition, if the road is no longer used by Martis Camp residents and visitors as access Northstar, the circulation system will operate in a manner consistent with the project as described and analyzed in the Siller Ranch FEIR and the Lookout Martis Addendum. No new significant impact. No substantially more severe impact.

X. LAND USE & PLANNING – Would the project:

Environmental Issue	General Significant Impact	Special Study with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)				X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)				X

8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X
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Discussion:

(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12): The Martis Valley Community Plan contains the following statements with respect to the connection between Schaffer Mill Road and Mill Site Road:

The County had an in-depth analysis performed for two road networks for the development of this plan. One scenario included a through connection between Schaffer Mill Road and Northstar Drive, through connections between the Eaglewood and Sierra Meadows/Ponderosa Palisades developments, and a through connection from Big Springs Drive into the Highlands development in Northstar-at-Tahoe. The second scenario removed the through connections from Schaffer Mill Road to Northstar and from Eaglewood to Sierra Meadows/Ponderosa Palisades developments.

Of these two roadway network scenarios, the one with the connections was the proposed roadway network initially presented to the community at public meetings due to the overall circulation benefits. Based on community and landowners input however, this Plan proposes the second scenario and further proposes that the Northstar Highlands to Northstar Village connection via Big Springs Road be limited to transit, pedestrian, bicycle and emergency access. Additionally the proposed roadway system includes transit and emergency access only between Shaffer Mill Road and Northstar.

[]

Schaffer Mill Road

Schaffer Mill Road is classified as a collector road and will be the access to a majority of the large land holdings remaining within Martis Valley. Dedicated turn lanes will be required into all of the large developments that front Schaffer Mill Road for the entire length of the roadway. This roadway will be extended to make a connection with Northstar-at-Tahoe, via Big Springs Drive as an emergency access and as a local transit route when conditions on SR267 warrant. The decision as to when conditions warrant will be made concurrent with the development of the MVCP transit plan. This roadway connection may also be designated for use as a bicycle and pedestrian trail subject to the principles set forth in Policy 7.E.4.

Big Springs Drive

Big Spring Drive is classified as a collector road and will extend from its current termination southward to the Highlands Development as a pedestrian, bicycle, transit and emergency access corridor. In addition, this roadway will tie-in with Schaffer Mill Road as a transit and emergency access corridor.

Bicycle, Pedestrian and Emergency Access Corridors

There are existing roadways within the Palisades/Sierra Meadows subdivisions that have been designed for future connections to the south. Star Pine Road and Palisades Drive will be used for bicycle, pedestrian and emergency access corridors. With the development of the adjacent parcel, currently known as Eaglewood, these connections shall be made. The connection from Northstar Drive to Schaffer Mill Road shall be made with the development of the Siller Ranch and the Retreat Subdivision at Northstar, or other Northstar developments. All emergency access gates shall be approved by the governing fire district.

(Martis Valley Community Plan, pp. 72-73.) The approval of the Mill Site Road and Cross Cut Court abandonment project will result in the operation of the EVA portion of Schaffer Mill Road and Mill Site Road in the manner anticipated by these statements. (See Siller Ranch Draft EIR, pp. 3.0-18 [describing emergency access road], 4.0-68 – 4.0-69 [land-use analysis concluding project is consistent with polices re: emergency access in light of

construction of road connecting to Mill Site Road].) No new significant impact. No substantially more severe impact.

XI. MINERAL RESOURCES – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion:

(1), (2): The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state as the project area does not contain known mineral resources that would be of value to the region and the residents of the state. No impact.

XII. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)				X
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

Discussion:

(1), (2), (3), (4), (5): If the project is approved, a replacement EVA gate will be installed at the western terminus of Mill Site Road. Constructing this gate would generate noise. The noise would be negligible. Mitigation measures

addressing construction noise would continue to apply. (Siller Ranch Draft EIR, Mitigation Measure 4.5.1; see adopted MMRP, Mitigation Measure 4.5.1.) Existing travel patterns may shift, such that travel patterns match up with those identified and analyzed in the Siller Ranch FEIR. Vehicles traveling on Schaffer Mill Road, and on other roadways in the area, generate noise. This impact is less than significant. (Siller Ranch Draft EIR, pp. 4.5-17.) No new significant impact. No substantially more severe impact.

XIII. POPULATION & HOUSING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

Discussion:

(1), (2): The project, if approved, will lead to the replacement of the Retreat's EVA gate. The replacement gate will be installed at the western terminus of Mill Site Road. Existing travel patterns may shift, such that travel patterns match up with those identified and analyzed in the Siller Ranch FEIR. Housing and population will not be affected. No new significant impact. No substantially more severe impact.

XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)				X
2. Sheriff protection? (ESD, PLN)				X
3. Schools? (ESD, PLN)				X
4. Maintenance of public facilities, including roads? (ESD, PLN)				X
5. Other governmental services? (ESD, PLN)				X

Discussion:

(1), (2), (3), (4), (5): The project, if approved, will lead to the replacement of the Retreat's EVA gate at the western terminus of Mill Site Road. Construction of this gate would have no impact on public services. The project would not involve any new residences or commercial uses, so no impacts to schools or government services would occur.

Emergency access via this roadway would be maintained; thus, there would be no impact on fire or sheriff protection or other emergency services. The Siller Ranch Draft EIR includes the following statement:

The project would have three emergency access roads that connect with adjacent projects. These include an emergency access road located on the eastern border of the project site connecting to a planned emergency access road in "The Retreat" at Northstar-at-Tahoe that would eventually connect to Big Springs Road....

(Siller Ranch Draft EIR, p. 4.11-3.)

The Siller Ranch Draft EIR identified mitigation measures to address impacts to public services. These measures address hazards from wildland fires or other emergencies. The measures include the following provisions relevant to the proposed project:

- Emergency access roads shall be designed and gated to meet District, County, and State standards unless exceptions are approved.
- Emergency access into Northstar-at-Tahoe with a connection to Big Springs Drive shall be provided with Phase 5 improvements.
- A Knox box system, or equivalent, shall be provided at all gated entrances and emergency access roads to provide access to the fire district.

(Siller Ranch Draft EIR, pp. 4.11-4 – 4.11-6, Mitigation Measure 4.11.1.2a.)

These measures continue to apply to the project. Any gate reinstalled by the Retreat will have to be approved by the Northstar Fire Department, and will have to meet these same requirements to ensure emergency access is maintained.

The Siller Ranch Draft EIR includes the following statements:

The emergency access connections through Lahontan to State Route 267 and Big Springs Drive to Northstar Drive could accommodate the increased traffic with no additional environmental impacts. The emergency access road connection would also benefit the community of Northstar-at-Tahoe by providing secondary access through Siller Ranch to Schaffer Mill Road.

(Siller Ranch Draft EIR, p. 4.11-8.) These statements would remain true if the project is approved.

The Retreat has submitted a proposed plan for the operation of the gate. The plan requires the Retreat to ensure that emergency, transit and public utility access consistent with the Retreat's conditions of approval is maintained. The project, if approved, will require the Retreat to carry out this plan.

No new significant impact. No substantially more severe impact.

XV. RECREATION – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

Discussion:

(1), (2): The Siller Ranch Draft EIR concluded that, because Martis Camp is a private, gated community, the project could have an adverse impact on recreational resources. (Siller Ranch Draft EIR, Impact 4.11.8.2.) The Draft EIR recommended, and the County adopted, Mitigation Measures 4.11.8.2a and 2b to address this impact. They state:

MM 4.11.8.2a The public trail system on the project site shall be designed and constructed to meet the national trail grade requirements (not to exceed 12 percent), while ensuring trail connections with existing or planned public trails. This public trail system shall generally be provided along the project's perimeter as shown on the project's Vesting Tentative Subdivision Map if it is approved as a gated community. Public trail easements shall be provided for the on-site public trail system.

MM 4.11.8.2b The Placer County Parks Division shall coordinate with the project applicant and the Eaglewood property owners in the establishment of a public trail generally located along the common boundary of the two project sites and the designation of a trail staging area. An agreement regarding the trail alignment, easements, staging area and funding for the construction of the facilities shall be made among the two property owners and the County. If an agreement regarding the trail facility cannot be made, the first property to begin site development shall be required to construct the public trail and staging area.

The perimeter trail identified in MM 4.11.8.2a crosses the EVA portion of Schaffer Mill Road. The trail is located on Martis Camp property. The reinstallation of the Retreat's EVA gate at the western terminus of Mill Site Road would not interfere with this trail. No recreational impacts will result, and no mitigation is required. A condition of approval will require that, if the road abandonment application is approved, the County will reserve an easement over a portion of Mill Site Road at its western end for the Tompkins Memorial Trail, if required, to maintain public access to the Tompkins Memorial Trail.

XVI. TRANSPORTATION & TRAFFIC – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)				X
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)				X

3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)				X
4. Inadequate emergency access or access to nearby uses? (ESD)				X
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)				X
7. Conflicts with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (PLN)				X

Discussion:

(1), (2), (3), (4), (5), (6), (7), (8): The project, if approved, will not result in significant new construction. The Retreat, will replace and upgrade the Retreat's EVA gate and it will be located at the western terminus of Mill Site Road if the project is approved. The Siller Ranch FEIR concluded that construction-related traffic during Phase I would not result in a significant impact. (Siller Ranch Draft EIR, pp. 4.4-56 – 4.4-57.) This amount of construction vastly exceeded the construction traffic that would occur in order to reinstall the Retreat's EVA gate. No new significant impact. No substantially more severe impact.

If the project is approved, it is foreseeable that Martis Camp vehicles that are currently using Mill Site Road to access Northstar will no longer be able to do so. Data indicates that up to 250 vehicles per day to and from Martis Camp are currently using the road. If the road abandonment project is approved, those cars will instead travel northward on Schaffer Mill Road, and then turn right on SR 267. This impact was already addressed in the Siller Ranch FEIR, as the Siller Ranch FEIR assumed all vehicles traveling to or from Martis Camp would use the entrance at SR 267; no trips were assigned to the EVA portion of Schaffer Mill Road or Mill Site Road. (See Siller Ranch FEIR, pp. 4.0-27 ["The project only proposes one ingress/egress off of Shaffer Mill Road"], 4.4-33 ["Trip Distribution: It should be noted that the ski lift in Siller Ranch would not connect to Northstar; therefore, residents wishing to go skiing at Northstar-at-Tahoe would need to access Northstar via SR 267."]; see also Figures 4.4 and 4.5 [assigning all traffic traveling to or from Siller Ranch to Northstar to SR 267].) This impact was also addressed in the Lookout Martis Addendum, which likewise assigned no trips to the EVA portion of Schaffer Mill Road or Mill Site Road. (Lookout Martis Addendum (2007), p. 11 ["The ability of Martis Camp residents to access Northstar™ from the Martis Camp site will result in a slight reduction in projected traffic volumes along SR 267 and Northstar Drive..."]; Memorandum from Gordon Shaw, LSC Transportation, to Beth Thompson (November 21, 2007) (Appendix A to Lookout Martis Addendum), pp. 1 ["Martis Camp residents/guests would access Northstar by driving via SR 267, or by using the shuttle service (via SR 267) provided by Martis Camp."], 3 ["Prior to 2010, there would be no change in Martis Camp-to-Northstar traffic volumes from those identified in the DEIR, as all access would remain via SR 267. Starting in 2010, Martis Camp residents' use of the Lookout Martis lift to replace a trip via SR 267 would reflect a regional benefit through a reduction in traffic on SR 267 between Schaffer Mill Road and Northstar Drive, as well as a reduction in traffic and parking within Northstar."].)

Martis Camp has submitted information stating that SR 267 is congested. Martis Camp states that the road network benefits from diverting trips originating within Martis Camp to the access provided by the emergency access road and Mill Site Road.

The current road system allows the use of this access by Martis Camp residents and guests. No environmental analysis has been performed of the use of the access in this manner. Thus, the potential adverse impacts of the use of this access are not known.

Martis Camp has stated that, because Martis Camp residents and visitors would be able to access Northstar via the Mill Site Road access, these trips would be kept off SR 267, and thus reduce the congestion on SR 267. The Siller Ranch FEIR analyzed the congestion on SR 267, under the assumption that all trips traveling from Martis Camp to Northstar would travel via SR 267. Thus, this impact is not "new." Rather, this impact has already been addressed in the Siller Ranch FEIR. Other traffic analyses prepared for the area have similarly assumed that residents and visitors at Martis Camp would travel to Northstar via SR 267; that is, they have assigned no trips traveling between Martis Camp and the Retreat by way of the EVA portion of Schaffer Mill Road. (See Lookout Martis Addendum to Siller Ranch FEIR (December 2007), p. 11; Retreat Subdivision Draft EIR, Chapter 4.4, Figure 4.4-4 (August 2004) [estimated trips on road network].)

At the time the County approved the Martis Valley Community Plan, the County considered whether to provide a publicly-accessible road connecting Siller Ranch to Northstar. The policy decision was made to provide a connection for emergency access and transit only. (MVCP, pp. 71-72.) The proposal to abandon Mill Site Road is consistent with that policy decision, in that it would result in the use of the EVA portion of Schaffer Mill Road and Mill Site Road for emergency vehicles and transit.

Siller Ranch FEIR mitigation measure 4.4.7b requires Martis Camp to provide an easement to establish Public Transit service between Martis Camp and Northstar. The EVA portion of Schaffer Mill Road meets this requirement. If the project is approved, the County will reserve the right to a transit easement, so that transit service will be able to use this route. The project will therefore not interfere with implementation of this measure. No new significant impact. No substantially more severe impact.

Mill Site Road meets the 22-foot wide road standard (22' wide with two 2' shoulders), and includes grades of up to 10%, which is the maximum steepness permitted in snow areas within Placer County without County Engineer approval. Per County Code, the 22-foot road standard is allowed for up to 50 units on a cul-de-sac. The road was designed to accommodate Retreat residents and visitors as well as emergency access and transit, and was not designed for significant volumes of vehicular traffic. As such, Mill Site Road was approved with 9 direct driveway encroachments within its 0.3-miles of length. If the road abandonment project is approved, and the Retreat reinstalls its gate, vehicular traffic from Martis Camp will be reallocated to Schaffer Mill Road and SR. 267, rather than using the access via the EVA portion of Schaffer Mill Road and Mill Site Road, in order to reach Northstar. The non-EVA portion Schaffer Mill Road is designated a "collector road" under the Martis Valley Community Plan (MVCP, p. 72) and, as such, is designed to handle higher volumes of traffic. The non-EVA portion of Schaffer Mill Road within Martis Camp was built to a 32-foot wide road standard (32' with two 2' shoulders) and no direct driveway access. From a traffic safety perspective, this impact is considered beneficial. No new significant impact. No substantially more severe impact.

XVII. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)				X
3. Require or result in the construction of new on-site sewage systems? (EHS)				X
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)				X

5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)				X
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)				X
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)				X

Discussion:

The reinstalled gate will require a connection to electrical power. This impact is negligible. The existing drainage courses and facilities will continue to operate in their historical manner without any alterations (see Item IX, Hydrology and Water Quality). The Retreat has submitted a proposed plan for the operation of the gate. The plan requires the Retreat to ensure that public utility access is maintained. The project, if approved, will require the Retreat to carry out this plan. No impact.

E. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

The project would not result in impacts that are considered "mandatory" significant impacts under CEQA. (See CEQA Guidelines, § 15065.) In particular, the project would not have impacts on biological resources that qualify as "mandatory findings of significance." See the discussion of biological resources for further details. Cumulative impacts with respect to traffic, air quality and GHG emissions are also discussed above. No other cumulative effects have been identified.

F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

California Department of Fish and Game	Local Agency Formation Commission (LAFCO)
California Department of Forestry	National Marine Fisheries Service
California Department of Health Services	Tahoe Regional Planning Agency
California Department of Toxic Substances	U.S. Army Corp of Engineers

California Department of Transportation	U.S. Fish and Wildlife Service
California Integrated Waste Management Board	Northstar Fire X
California Regional Water Quality Control Board	

The County is the sole agency with jurisdiction or permitting authority over the Mill Site Road and Cross Cut Court abandonment application. When the Retreat reinstalls its gate at the western terminus of Mill Site Road, then the design, under adopted mitigation measures, will be reviewed and approved by Northstar Fire and Placer County DPW to ensure it provides adequate emergency and transit access.

G. DETERMINATION – The Department of Public Works finds that the project will not result in new significant impacts, or substantially more severe impacts, and that all adopted mitigation measures can be carried out without alteration, and that no new mitigation measures are required. An Addendum to the Siller Ranch FEIR should be considered by the Board of Supervisors in deciding whether to approve the project.

H. DEPARTMENT OF PUBLIC WORKS Persons/Departments consulted: Placer County Community Development Resource Agency; Placer County Executive Office; Northstar Fire Department; Applicant

Signature Robert Costa Date July 29, 2015

Name: Robert Costa

Title: Deputy Director

**Before the Board of Supervisors
County of Placer, State of California**

**In the matter of: A RESOLUTION ADOPTING
FINDINGS AND STATEMENTS OF FACT
RELATED TO THE ABANDONMENT OF MILL
SITE ROAD AND CROSS CUT COURT – THE
RETREAT AT NORTHSTAR SUBDIVISION**

Resol. No: _____

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, the Board of Supervisors of the County of Placer, State of California heard and considered public testimony and other evidence regarding the proposed abandonment of Mill Site Road and Cross Cut Court in the Retreat at Northstar Subdivision at public hearings held on August 4, 2015 and November 3, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that the Board of Supervisors hereby adopts the following findings and statements of fact:

1. In December 2003, the County of Placer certified an EIR for the Martis Valley Community Plan (MVCP). The MVCP did not assign any private vehicle trips to the future connection between the then-proposed Siller Ranch Subdivision, now known as Martis Camp, and the then-proposed Retreat at Northstar Subdivision.

2. As part of the MVCP planning process, the County studied a potential public connection between the Retreat and Martis Camp for private vehicle traffic. At the conclusion of the public planning process, the County elected not to pursue a through connection alternative and chose a roadway network that included public transit and emergency access only between the Retreat and Martis Camp. In so doing, the County determined that SR 267 provided a superior route for private vehicle traffic travelling eastbound to reach Northstar, and for private vehicle traffic travelling westbound to reach Truckee.
3. In January 2005, the County certified a final EIR (hereinafter "Siller Ranch FEIR") and approved the Siller Ranch (now Martis Camp) project. The Siller Ranch FEIR included an analysis of the transportation-related impacts of the Siller Ranch project on the Martis Valley roadway network. The analysis included modeling to determine how the project would affect roads in the area, and estimates of how much traffic the project would generate, and of how those trips would be distributed on area roadways. The analysis assumed that one hundred percent (100%) of the project-related private vehicle trips traveling to or from Northstar would use State Route 267 via Schaffer Mill Road. No private vehicle trips within the Martis Valley roadway network were assigned to Mill Site Road or to Cross Cut Court.
4. In February 2005, the County certified a final EIR (hereinafter "Retreat FEIR" and approved the Retreat at Northstar project. Consistent with the Siller Ranch FEIR, the Retreat FEIR did not analyze or assign any trips from Siller Ranch to Mill Site Road. Other than those trips originating from the eighteen (18) lots within the Retreat Subdivision, no private vehicle trips within the Martis Valley roadway network were assigned to Mill Site Road or Cross Cut Court.
5. None of the foregoing environmental documents for the MVCP, Martis Camp, or Retreat projects assumed that any private vehicles would use the connection between Martis Camp and Northstar. Reservation of a public transit easement over Mill Site Road was made to ensure that Martis Camp residents had continued access to the public transit connection between the Retreat and Martis Camp.
6. On May 16, 2006, the County of Placer's acceptance of the offer of dedication of Mill Site Road and Cross Cut Court became effective.
7. In December 2007, the County prepared an Addendum to the Siller Ranch EIR to analyze the impacts of providing a ski lift connection from Martis Camp to Lookout Mountain at Northstar. The analysis assumed that one hundred percent (100%) of the project-related traffic traveling to or from Northstar would use State Route 267 via Schaffer Mill Road, including private Martis Camp shuttles. No private vehicle trips within the Martis Valley roadway network were assigned to Mill Site Road or Cross Cut Court.
8. Subsequent to the EIR certified for the Martis Valley Community Plan, the Siller Ranch FEIR, and the Retreat FEIR, the Martis Camp developer issued and continues to issue transponders to Martis Camp residents to allow gated access from the private roads within Martis Camp to Mill Site Road. No other member of the public is

able to use the connection between Martis Camp and Mill Site Road because Martis Camp is a gated community with private roads. Thus, for the public, except for Martis Camp residents, both Mill Site Road and Cross Cut Court do not provide access to or from Martis Camp.

9. The present use of Mill Site Road by Martis Camp residents is a convenience to a limited subset of the public, and is not necessary for general public travel. As described in the Siller Ranch FEIR and Addendum to the Siller Ranch FEIR, the County approved the Martis Camp project on the basis that one hundred percent (100%) of the project-related traffic traveling to or from Northstar would use State Route 267 via Schaffer Mill Road and access to Northstar via Mill Site Road from Martis Camp would not be available. Thus, upon abandonment of Mill Site Road and Cross Cut Court, the Martis Valley roadway network will function as it was analyzed and planned to function.

10. Because the present use of Mill Site Road by a limited subset of the public was not analyzed in the EIR certified for the Martis Valley Community Plan, the Siller Ranch FEIR, the Retreat FEIR, or the Addendum to the Siller Ranch EIR, various impacts associated with such use were not analyzed, including impacts on noise within the Retreat and impacts on pedestrian and bicycle use within the Retreat.

11. The Rural Minor road standard to which the County required Mill Site Road and Cross Cut Court to be constructed, which is generally allowed to serve less than fifty (50) units on a cul-de sac or less than seventy five (75) units on a through road, was chosen, in part, on the basis that Mill Site Road and Cross Cut Court would serve only the eighteen (18) lots within the Retreat Subdivision.

12. The County's decisions to allow nine (9) driveway encroachments on Mill Site Road and nine (9) driveway encroachments on Cross Cut Court, to allow Mill Site Road to be constructed to the maximum allowable slope in snow country, and to allow the Gateway ski trail, owned and operated by Northstar, to terminate on Mill Site Road were made in part, on the basis that Mill Site Road and Cross Cut Court would serve only the eighteen (18) lots within the Retreat Subdivision.

13. The eighteen (18) owners within the Retreat rely on Mill Site Road and/or Cross Cut Court to reach their properties. Accordingly, a private road easement for the benefit of these eighteen (18) owners is necessary as part of the proposed abandonment. Access to Mill Site Road and/or Cross Cut Court is not presently or prospectively necessary to other members of the public.

14. Reservations from the proposed abandonment should be made for public utilities, public transit service, emergency access, and a public trail crossing near the terminus of Mill Site Road.

15. Mill Site Road and Cross Cut Court are not useful as a nonmotorized transportation facility, as these are not through roadways, and a trails network, other than the aforementioned reserved public trail crossing, is not proposed at these locations.

16. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because the County has a substantial interest in ensuring that the existing road network matches that which was analyzed and represented to the public.

17. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because the County has a substantial interest in ensuring that its roads are used consistently with the road standards to which they were designed.

18. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because the County has a substantial interest in ensuring that the public is presented with accurate planning information such that all interested persons have an opportunity to provide input during the public hearing process.

19. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because the County would be relieved of the burden of road and drainage maintenance.

20. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because abandonment of the public road easements over Mill Site Road and Cross Cut Court is consistent with the County's General Plan.

21. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because abandonment is consistent with the Martis Valley Community Plan.

22. The Northstar Property Owners Association, which represents approximately one thousand five hundred (1,500) members, as well as the Northstar Community Services District ("NCSD"), which provides utilities and road maintenance services to the Northstar community, have submitted testimony supporting the abandonment of Mill Site Road and Cross Cut Court.

23. NCSD has entered into an agreement with the County to provide road maintenance and snow removal services within the Retreat Subdivision. The annual charges levied pursuant to Engineers Report on which the agreement is based were, and still are, based upon traffic from only the 18 lots within the Retreat subdivision. Continued use of Mill Site Road by Martis Camp will over time increase road degradation and service requirements beyond the current funding capabilities of the County/NCSD contract.

24. Over the past decade, the County, NCSD, and property owners have spent, based on information provided by NCSD, approximately Twelve Million Dollars (\$12,000,000) on the implementation of the Northstar Traffic Management System. The success of the Northstar Traffic Management System is predicated in part upon the provision of a single point of ingress/egress into Northstar and on traffic conditions on Northstar Drive. As designed, traffic on Northstar Drive is stopped infrequently, and generally only when traffic queues at the Big Springs Drive intersection with Northstar Drive. When traffic flow conditions on Northstar Drive are impeded, traffic congestion stretching to SR 267, and further, can result.

25. That based upon the documentary evidence and testimony presented at public meetings and public hearings, including the December 2003 certification of the Final Environmental Impact Report for the Martis Valley Community Plan that did not assign any private vehicle trips to Mill Site Road from the Siller Ranch (now Martis Camp) subdivision to the Retreat at Northstar, the January 2005 certification of the Final Environmental Impact Report for the Siller Ranch project that assumed 100% of project related vehicle trips traveling to the Northstar Resort would travel by way of State Route 267, the February 2005 certification of the Final Environmental Impact Report for the Retreat at Northstar project that did not analyze or assign any trips from Siller Ranch to Mill Site Road, and the August 4, 2015 and November 3, 2015 hearings on the proposed abandonment of Mill Site Road and Cross Cut Court, as well as the Retreat at Northstar conditions of approval that called for a Rural Minor road standard for Mill Site Road with nine (9) driveway encroachments, the Board of Supervisors hereby overrules the November 1, 2012 and December 12, 2011 letters from Michael Johnson, Community Development Resource Agency Director, to the extent that those letters found or implied that the use of the Martis Camp emergency and public transit vehicle access by private vehicles to and from the Martis Camp subdivision was consistent with the Conditions of Approval of that project. The Board further finds that the project condition providing for the emergency vehicle access between Mill Site Road in the Retreat at Northstar subdivision to Schaffer Mill Road in the Martis Camp subdivision prohibits any private vehicle use for ingress or egress of the Martis Camp subdivision.

26. Implementation of the Northstar Traffic Management System during the past decade has helped relieve congestion that previously affected Northstar, SR 267, and the region. However, the Northstar Traffic Management System was devised, in part, on the basis that all Martis Camp traffic would access Northstar via SR 267, not Mill Site Road and Big Springs Drive. As Martis Camp builds out, use of Mill Site Road by Martis Camp residents will produce additional, unintended traffic from Big Springs Drive at the Northstar Drive intersection. This additional and unintended traffic will cause traffic queues at the Big Springs Drive and Northstar Drive intersection to multiply and further disrupt traffic flow on Northstar Drive. Such disruptions will affect the design of the Northstar Traffic Management System and create additional traffic congestion in Northstar, on SR 267, and, in some cases, other roadways.

27. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because the County has a substantial interest in protecting the County's investments in, as well as the integrity and successful operation of, the Northstar Traffic Management System.

28. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because the use of SR 267 by Martis Camp to reach Northstar will help maintain traffic flow on Northstar Drive, thereby improving circulation within Northstar, on SR 267, and in some cases, other roadways.

29. The public interest is served by abandonment of Mill Site Road and Cross Cut Court because a public transit easement over Mill Site Road consistent with the existing public

transit easement over Schaffer Mill Road within Martis Camp will be reserved for use by members of the public, including Martis Camp.

30. Mill Site Road and Cross Cut Court are not needed by the public for the continuing existence or functioning of the Martis Valley roadway network, including, without limitation, for private vehicles access to or from the Martis Camp Subdivision.

31. An additional reservation from the proposed abandonment should be made for a conditional Irrevocable Offer of Dedication (IOD) which the County may accept upon a finding by the Board of Supervisors, based on substantial evidence, that, (i) the Retreat at Northstar Association is in material breach of its obligations under the Indemnity Agreement between the County of Placer and the Retreat at Northstar Association and fails to cure said material breach within thirty (30) days of receipt of written notice from the County, (ii) the Retreat at Northstar Association is maintaining Mill Site Road in a manner that materially interferes with the reservations for public transit service, emergency access and public utilities and fails to cure said material breach within thirty (30) days of receipt of written notice from the County, and/or (iii) the County has accepted a public road easement or similar mechanism over all or a majority of Schaffer Mill Road within Martis Camp, including the EVA portion of Schaffer Mill Road, to provide public access to the Martis Camp subdivision via Mill Site Road. The County may also accept the IOD if ordered by a court of competent jurisdiction or upon the written consent of the Retreat at Northstar Association or its successor in interest. Any acceptance would include the right to remove of any gates or other obstructions.

32. Based on the above findings and statements of fact, and other evidence in the record, the public road easements over Mill Site Road and Cross Cut Court are not necessary for present or prospective public use.

33. Abandonment of the public road easements over Mill Site Road and Cross Cut Court, as conditioned in the Resolution of Abandonment presented to the Board of Supervisors on November 3, 2015, is therefore in the public interest.

**Before the Board of Supervisors
County of Placer, State of California**

**In the matter of: A RESOLUTION ABANDONING,
SUBJECT TO CONDITIONS, THE PUBLIC ROAD
AND OTHER EASEMENT RIGHTS TO MILL SITE
ROAD AND CROSS CUT COURT - THE
RETREAT AT NORTHSTAR SUBDIVISION**

Resol. No: _____

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, public road easements shown as Mill Site Road and Cross Cut Court were dedicated to and accepted by Placer County on the map of The Retreat at Northstar subdivision, filed for record in Book BB of Maps at Page 8, Official Records of Placer County; and

WHEREAS, Drainage Easements, Snow Storage Easements and Slope Easements were also dedicated to and accepted by Placer County on the map of The Retreat at Northstar subdivision, filed for record in Book BB of Maps at Page 8, Official Records of Placer County; and

WHEREAS, the Board of Supervisors of the County of Placer, State of California, has determined that the public road easements, as described in the attached Exhibit "A" and shown on the attached Exhibit "B" are no longer necessary for present or prospective public use; and

WHEREAS, the Board of Supervisors of the County of Placer, State of California has further determined that the Drainage Easements, Snow Storage Easements and Slope Easements dedicated to and accepted by Placer County on the map of The Retreat at Northstar subdivision, filed in Book BB of Maps at Page 8, are no longer necessary for present or prospective public use; and

WHEREAS, vacation of these easements is permissible pursuant to Chapter 4 of Part 3, Division 9 of the California Streets and Highways Code, commencing with Section 8330; and

WHEREAS, the Retreat at Northstar Association, a California nonprofit corporation ("Assignee"), has acknowledged and has agreed that, upon recordation of this Resolution, Placer County wishes to assign to Assignee all of the County's right, title and interest in the Drainage Easements, Snow Storage Easements and Slope Easements dedicated to and accepted by Placer County on The Retreat at Northstar subdivision map, and Assignee has agreed to accept and assume all of the right, title and interest of the County thereunder to such easements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that from and after the date this Resolution is recorded, and subject to the conditions and limitations stated herein, the public road easements of Mill Site Road and Cross Cut Court, as described and shown on the attached Exhibit "A" and "B", shall be vacated and abandoned, and shall thereafter not constitute easements for a public road; and the Drainage Easements, Snow Storage Easements and Slope Easements dedicated to and accepted by Placer County on the map of The Retreat at Northstar subdivision, filed in Book BB of Maps at Page 8 shall be vacated and abandoned, and shall thereafter not constitute easements for public purposes; and

BE IT ALSO RESOLVED that the abandonment will not be recorded until all the conditions of abandonment (attached as Exhibit "E" hereto) have been fulfilled to the written satisfaction of the Placer County Director of Public Works and Placer County Counsel.

BE IT ALSO RESOLVED that, upon recordation of this Resolution, Placer County hereby assigns to the Retreat at Northstar Association, a California nonprofit corporation ("Assignee") all of the County's right, title and interest in the Drainage Easements, Snow Storage Easements and Slope Easements dedicated to and accepted by Placer County on The Retreat at Northstar subdivision map; and

PLACER COUNTY HEREBY RESERVES from the abandonment of the public's interest in Mill Site Road and Cross Cut Court, as described and shown on the attached Exhibits "A" and "B", an Irrevocable Offer of Dedication, as conditioned herein, for public road easements back to Placer County, on behalf of the public, over, under and across Mill Site Road and Cross Cut Court. The County may accept the Irrevocable Offer of Dedication upon a finding by the Board of Supervisors, based on substantial evidence, that, (i) the Retreat at Northstar Association is in material breach of its obligations under

the Indemnity Agreement between the County of Placer and the Retreat at Northstar Association and fails to cure said material breach within thirty (30) days of receipt of written notice from the County, (ii) the Retreat at Northstar Association is maintaining Mill Site Road in a manner that materially interferes with the reservations for public transit service, emergency access and public utilities and fails to cure said material breach within thirty (30) days of receipt of written notice from the County, and/or (iii) the County has accepted a public road easement or similar mechanism over all or a majority of Schaffer Mill Road within Martis Camp, including the EVA portion of Schaffer Mill Road, to provide public access to the Martis Camp subdivision via Mill Site Road. The County may also accept the IOD if ordered by a court of competent jurisdiction or upon the written consent of the Retreat at Northstar Association or its successor in interest.

PLACER COUNTY ALSO RESERVES from the abandonment of the public's interest in the Drainage Easements, Snow Storage Easements and Slope Easements shown on The Retreat at Northstar subdivision map, an Irrevocable Offer of Dedication back to Placer County, on behalf of the public, for said Drainage Easements, Snow Storage Easements and Slope Easements shown on said map of The Retreat at Northstar subdivision. Placer County holds the right to accept this Irrevocable Offer of Dedication at such time and for any reason as it deems necessary to maintain all or part of the facilities located within said easements.

PLACER COUNTY ALSO RESERVES from each abandonment herein the right, upon acceptance of any Irrevocable Offer of Dedication identified herein, to remove any and all gates, barriers, obstructions and/or other improvements that may interfere with the public and/ or County's use of the facilities and/or property interests subject to such acceptance.

PLACER COUNTY ALSO RESERVES from the abandonment of Mill Site Road and Cross Cut Court, over the entire length and width of these roads, the following easements:

Public Transit Service Easement for public transit service provided by Placer County through Tahoe Area Regional Transit or through a contract provider, or by the County itself.

Public Utility Easement on, over, under and across Mill Site Road and Cross Cut Court for any and all utility service facilities including but not limited to poles, wires and conduits for electrical, telephone, television, gas, storm, sanitary and water services, and all appurtenances thereto together with the right to trim and remove trees and vegetation.

Emergency Access Easement through and over Mill Site Road for use by public, County, State agencies or their agents in response to law enforcement, fire, medical or emergencies caused by natural disaster.

Private Road Easement for the benefit of those lots within The Retreat at Northstar utilizing these roads for legal access.

Multi-Purpose Trail Easement over and across the portion of Mill Site Road described on the attached Exhibit "C" and as shown on the attached Exhibit "D" for pedestrians, non-motorized cycle and equestrian ingress and egress together with the right of trail construction and maintenance and all appurtenances pertaining thereto.

The Multi-purpose Trail Easement over the westernmost portion of Mill Site Road is to remain and is not a part of this abandonment.

BE IT FURTHER RESOLVED by the Board of Supervisors of Placer County that the easement rights being vacated herein are not useful as a nonmotorized transportation facility.

- Exhibit A – Public Road Vacation Legal Description
- Exhibit B – Public Road Vacation Vicinity Map and Depiction
- Exhibit C – Public Multi-Purpose Trail Reservation Legal Description
- Exhibit D – Public Multi-Purpose Trail Reservation Vicinity Map and Depiction
- Exhibit E – Conditions of Recordation

EXHIBIT A
Legal Description

All of Cross Cut Court and Mill Site Road, as shown on that map entitled "TRACT NO. 930, THE RETREAT AT NORTHSTAR", filed in Book BB of Maps at Page 8, Placer County Records, Placer County, California, situated in Section 31, Township 17 North, Range 17 East, M.D.M., said Mill Site Road terminating easterly on the westerly right of way of Big Springs Drive, and terminating westerly on the North-South centerline of said Section 31.

SURVEYOR'S STATEMENT

I hereby state that I am a Licensed Land Surveyor of the State of California and that this description was prepared under my supervision.

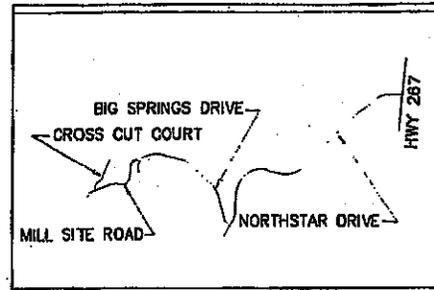
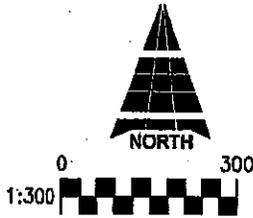
Michael R. Dequine

Michael R. Dequine, LS 5614
License Expires 9/30/2016

Dated: 3-27-2015



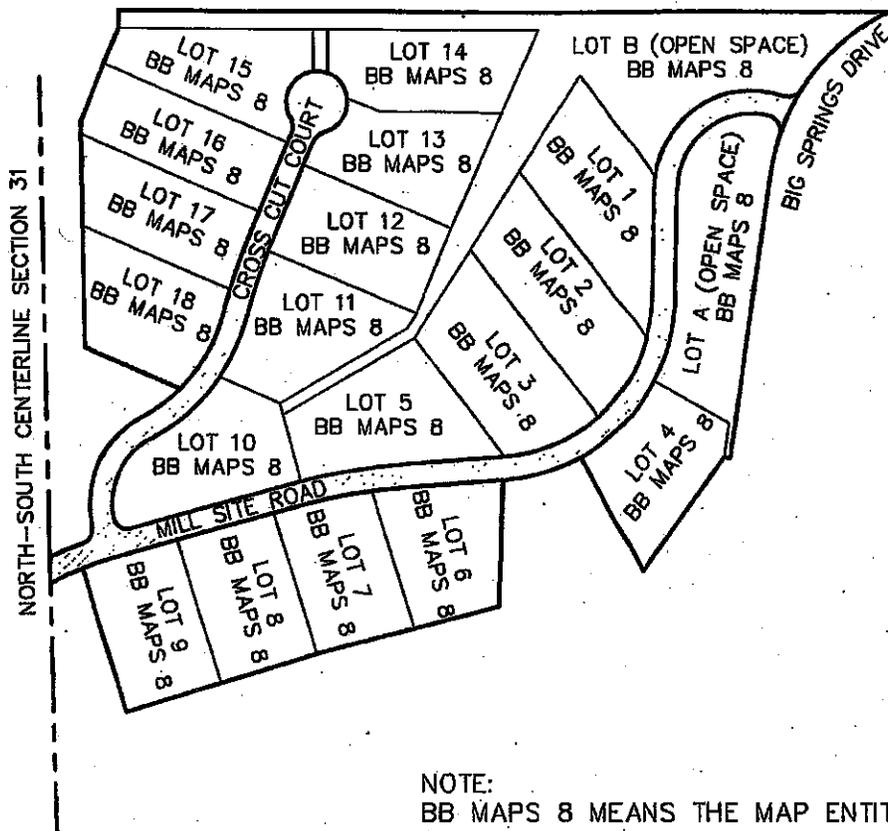
EXHIBIT B



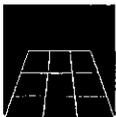
VICINITY MAP
NOT TO SCALE



PUBLIC ROAD BEING VACATED



NOTE:
BB MAPS 8 MEANS THE MAP ENTITLED
"TRACT NO. 930, THE RETREAT AT
NORTHSTAR", FILED IN BOOK BB OF MAPS,
PAGE 8, RECORDS OF PLACER COUNTY,
CALIFORNIA.



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PUBLIC ROAD VACATION
THE RETREAT AT NORTHSTAR
PORTION OF THE NE 1/4 OF SEC. 31, T. 17 N. R. 17 E., M.D.M.
PLACER COUNTY, CALIFORNIA

Chk'd by: MD

Dwg By: GL

Scale: 1"=300'

Job# 13-1359

Date: 3/24/2015

Sheet 1 of 1

EXHIBIT C
Legal Description

A portion of Mill Site Road, as said Road is shown on sheet 6 of that map entitled "TRACT NO. 930, THE RETREAT AT NORTHSTAR", filed in Book BB of Maps at Page 8, Placer County Records, Placer County, California, more particularly described as follows;

Beginning at the westernmost corner of Lot 9 of said map, being a point on the southern right of way line of Mill Site Road;

Thence along said southern right of way line, being a curve to the left, concave to the south, having a radius of 580.00 feet, a central angle of 3°50'17", and a chord bearing South 66°12'56" West, 38.85 feet, from a radial line bearing North 21°51'56" West, a distance of 38.85 feet to a point on the Multi Purpose Trail Easement as shown on said map;

Thence leaving said southern right of way line, North 25°06'03" West, 40.00 feet along said Multi Purpose Trail Easement to a point on the northern right of way line of Mill Site Road;

Thence along said northern right of way line, being a curve to the right, concave to the south, having a radius of 620.00 feet, a central angle of 5°16'34", and a chord bearing North 66°58'24" East, 57.07 feet, from a radial line bearing North 25°39'53" West, a distance of 57.09 feet;

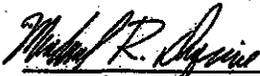
Thence leaving said northern right of way line South 00°00'49" West, 42.88 feet to the **Point of Beginning**.

Containing 1,919 square feet, more or less.

The Basis of Bearings for this legal description is that map entitled "TRACT NO. 930, THE RETREAT AT NORTHSTAR", filed in Book BB of Maps at Page 8, Placer County Records.

END OF DESCRIPTION

I hereby state that I am a Licensed Land Surveyor of the State of California and that this description was prepared under my supervision.

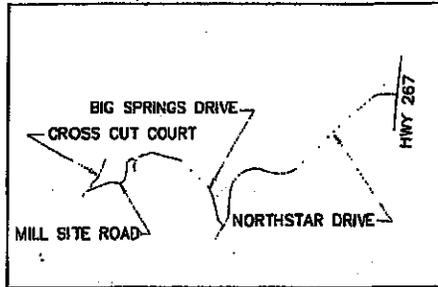
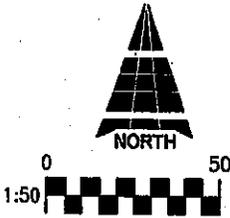


Michael R. Dequine, LS 5614
License Expires 9/30/2016

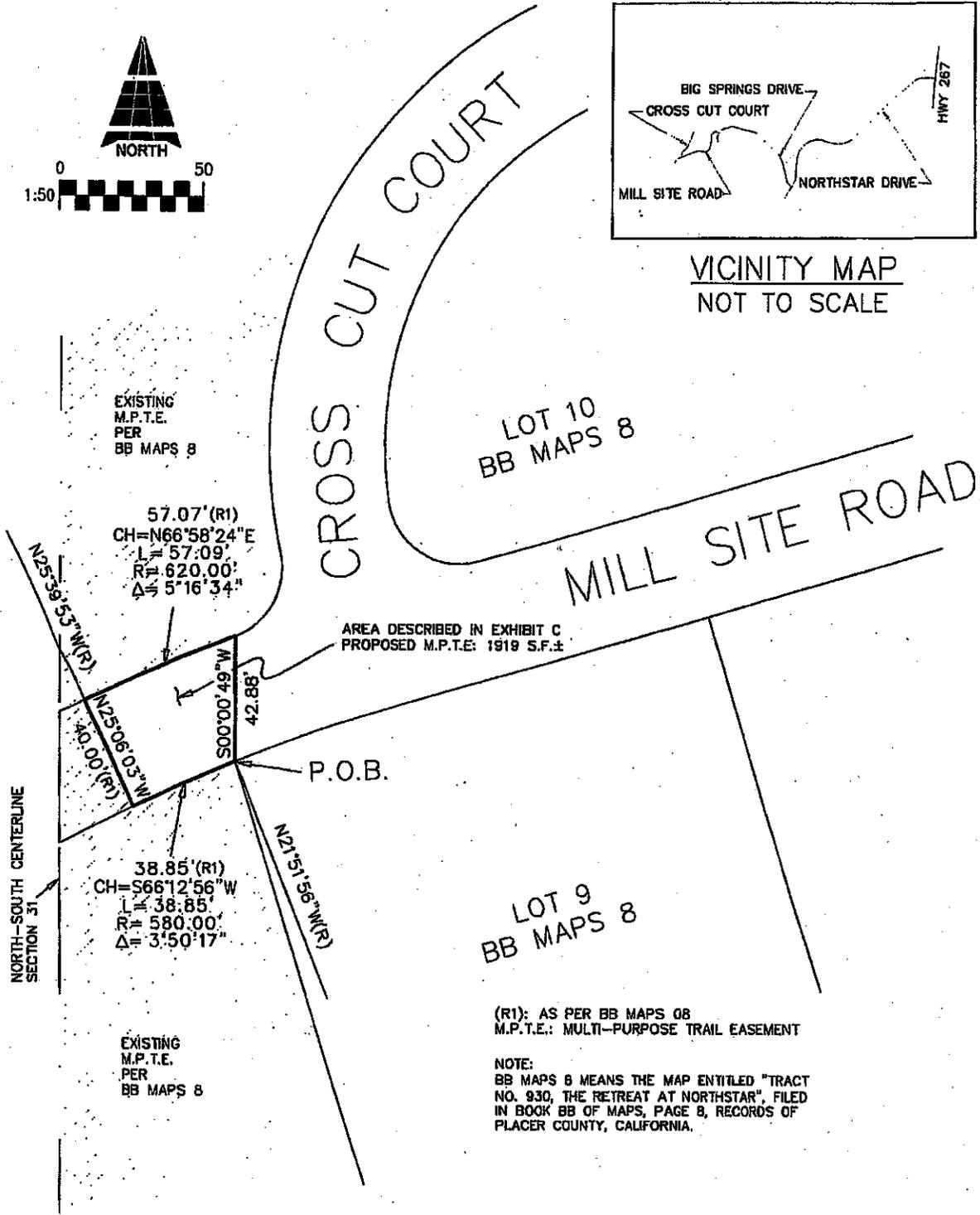
Dated: 3-27-2015



EXHIBIT D



VICINITY MAP
NOT TO SCALE

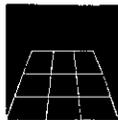


AREA DESCRIBED IN EXHIBIT C
PROPOSED M.P.T.E.: 1519 S.F.±

P.O.B.

(R1): AS PER BB MAPS 08
M.P.T.E.: MULTI-PURPOSE TRAIL EASEMENT

NOTE:
BB MAPS 8 MEANS THE MAP ENTITLED "TRACT NO. 930, THE RETREAT AT NORTHSTAR", FILED IN BOOK 88 OF MAPS, PAGE 8, RECORDS OF PLACER COUNTY, CALIFORNIA.



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PUBLIC MULTI-PURPOSE TRAIL EASEMENT RESERVATION
THE RETREAT AT NORTHSTAR
PORTION OF THE NE 1/4 OF SEC. 31, T. 17 N. R. 17 E., M.D.M.
PLACER COUNTY, CALIFORNIA

Chk'd by: MD	Dwg By: GL	Scale: 1"=50'	Job# 13-1359	Date: 3/24/2015	Sheet 1 of 1
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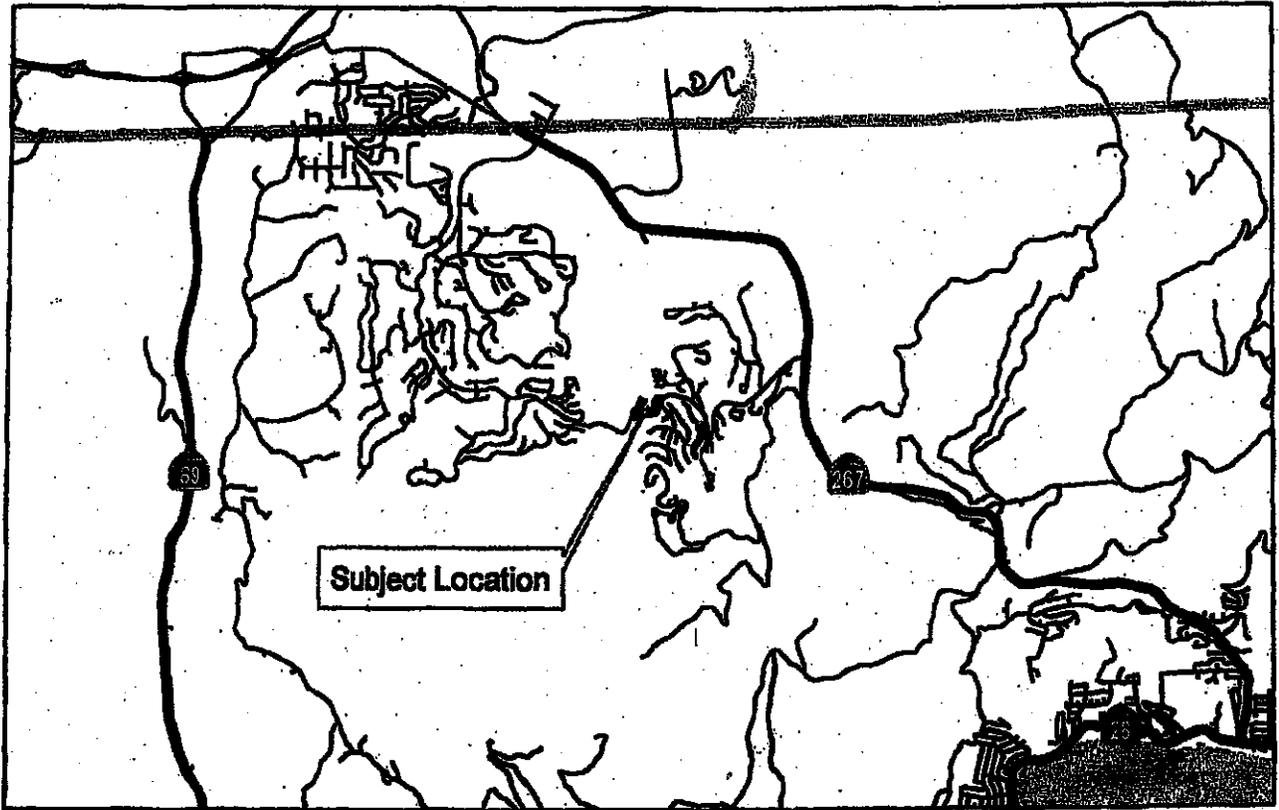
EXHIBIT "E"

CONDITIONS OF APPROVAL

TO BE SATISFIED PRIOR TO RECORDATION OF RESOLUTION OF ABANDONMENT

- 1. Board of Supervisors consideration and approval of an addendum to the Siller Ranch FEIR addressing environmental impacts resulting from this abandonment.**
- 2. Execution of an Indemnity Agreement and any other associated documents required by the Indemnity Agreement between the applicant or its designee(s) and the County of Placer to the satisfaction of County Counsel.**
- 3. The grant of a conditional Irrevocable Offer of Dedication (IOD) from The Retreat Owners Association to Placer County for Mill Site Road, or the reservation of an IOD from the abandonment. Said IOD shall be conditioned as described in the Resolution of Abandonment.**
- 4. Reservation of Public Utility, public transit, emergency access and public trail easements to the satisfaction of DPW.**
- 5. Reservation of a private road easement for the benefit of the Retreat at Northstar property owners.**
- 6. Installation of proposed gate at the Retreat/Martis Camp boundary shall be to DPW satisfaction and include provisions for access to authorized easement users to DPW satisfaction.**
- 7. The abandonment, if approved, shall be recorded at the direction of the Placer County Executive Officer in consultation with County Counsel, with a minimum of ninety (90) days after final action before being recorded.**

Location Map



Vicinity Map

