

# Letter A

STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Edmund G. Brown Jr.  
Governor



Ken Alex  
Director

January 10, 2014

Maywan Krach  
Placer County  
3091 County Center Drive  
Auburn, CA 95603

Subject: Northstar Mountain Master Plan  
SCH#: 2012112020

Dear Maywan Krach:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 9, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Letter A Continued**  
 Document Details Report  
 State Clearinghouse Data Base

**SCH#** 2012112020  
**Project Title** Northstar Mountain Master Plan  
**Lead Agency** Placer County

**Type** EIR Draft EIR  
**Description** The Northstar Mountain Master Plan proposes on-mountain improvements, including upgrading of existing ski lifts, widening of existing ski trails, and new/replaced ski lifts and ski trails, as well as infrastructure to accommodate these features, including on-mountain skier service facilities and upgrades, snowmaking facilities, utilities, and maintenance/access roadways. In addition, the NMMP includes other recreation components such as camping and relocation of the cross country ski center facilities. The NMMP has been designed utilizing design guidelines and management measures established within the Northstar Habitat Management Plan.

**Lead Agency Contact**

**Name** Maywan Krach  
**Agency** Placer County  
**Phone** 530 745 3132 **Fax**  
**email**  
**Address** 3091 County Center Drive  
**City** Auburn **State** CA **Zip** 95603

**Project Location**

**County** Placer  
**City**  
**Region**  
**Lat / Long**  
**Cross Streets** Northstar Dr./Highlands View Rd  
**Parcel No.** 080-260-002, 008, 010, 013, 015, 016, 017; 091-100-022; 110-030-068, 069; 110-050-017, 039, 040,  
**Township** 16N **Range** 17E **Section** 6 **Base** MDB&M

**Proximity to:**

**Highways**  
**Airports** No  
**Railways** No  
**Waterways** Martis Creek, Truckee River  
**Schools** No  
**Land Use** Various

**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Public Services; Recreation/Parks; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Aesthetic/Visual; Growth Inducing; Population/Housing Balance

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 N; Air Resources Board; Regional Water Quality Control Bd., Region 6 (So Lake Tahoe); Native American Heritage Commission

**Date Received** 11/26/2013 **Start of Review** 11/26/2013 **End of Review** 01/09/2014

Letter A: Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning and Research

### **RESPONSE TO COMMENT A-1**

The comment states that the Draft EIR has been submitted to selected state agencies for review and that comments received from responding agencies are enclosed. The comment acknowledges that the County has complied with the State Clearinghouse requirements.

This comment is noted.



## Letter B



### Lahontan Regional Water Quality Control Board

January 13, 2014

Maywan Krach  
Community Development Resource Agency  
Environmental Coordination Services  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

#### **COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE NORTHSTAR MOUNTAIN MASTER PLAN (SCH# 2012112020), PLACER COUNTY**

The Lahontan Regional Water Quality Control Board (Water Board) staff received a copy of the Draft Environmental Impact Report (DEIR) for the above-referenced project on December 2, 2013. The Northstar Mountain Master Plan is intended to identify planned improvements of various types and propose mitigation measures for any potential environmental impacts. The project will be located approximately 6 miles southeast of the town of Truckee, in the Martis Creek sub-area of the Truckee River Hydrologic Area (Department of Water Resources No. 635.20). The Water Board has reviewed the DEIR and our comments follow.

#### **Specific Comments:**

#### **Section 6.0 Biological Resources**

1. Section 6.2 Regulatory Framework/6.2.1 Federal, Page 6-39. The DEIR incorrectly discusses the Clean Water Act Section 401 and waivers associated with Section 401.
2. Section 6.2 Regulatory Framework/6.2.1 Federal, Page 6-42, *Clean Water Act, Section 401 Water Quality Certification*, presents an outdated and erroneous discussion with respect to "commonly...issuing conditional waivers" for Waste Discharge Requirements (WDRs). Waivers of WDRs are typically not considered at this time.
3. Section 6.2 Regulatory Framework/6.2.1 Federal, Page 6-42 and 43. Discussion of wetland avoidance and mitigation is adequate; however, proposed skier bridges in the 100-year flood plain of Martis Creek may be prohibited. *The Water Quality Control Plan for the Lahontan Region (Basin Plan)* specifies the 100-year floodplain discharge prohibitions in Chapter 4 (Page 4.1-5), and Exemption Criteria for the Little Truckee River Hydrologic Unit and Truckee River Hydrologic Unit ([http://www.waterboards.ca.gov/lahontan/water\\_issues/programs/basin\\_plan/docs/ch4\\_implementationplans.pdf](http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/docs/ch4_implementationplans.pdf)).

B-1

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

2501 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)

## Letter B Continued

Placer County  
Northstar Mountain Master Plan

- 2 -

### Section 13.0 Hydrology and Water Quality

- |  |                   |
|--|-------------------|
| <p>4. Section 13.1.2 Drainage and Flooding, Page 13-10 and 13-20. The Water Board considers 100-year floodplain areas that may not be mapped for insurance purposes by FEMA. The Final Environmental Impact Report (FEIR) should discuss floodplains associated with Martis Creek and any associated tributaries, and channels with bed and banks.</p>   | <p><b>B-2</b></p> |
| <p>5. Section 13.1.5 Water Quality/Regional Surface Water Quality, Page 13-14 of the DEIR discusses the Monitoring and Reporting Program under Northstar's Waste Discharge Requirements (Board Order No. 6-93-89, WDID No. 6A319306003), but does not discuss monitoring and reporting as provided by the Truckee River Water Quality Monitoring Plan, executed by Placer County to determine cumulative impacts within the Martis Creek Watershed.</p>  | <p><b>B-3</b></p> |
| <p>6. Section 13.3 Regulatory Framework/13.2.1 Federal/Clean Water Act, Page 13-18. General Permit No. 5-00-175 is not applicable in Water Board Region 6. The valid permit number is R6T-2008-0023<br/><a href="http://www.waterboards.ca.gov/ahontan/board_decisions/adopted_orders/2008/docs/r6t_2008_0023_wdr_npdes.pdf">http://www.waterboards.ca.gov/ahontan/board_decisions/adopted_orders/2008/docs/r6t_2008_0023_wdr_npdes.pdf</a>, which is expected to be reissued/updated in 2014.</p>   |                   |
| <p>7. Section 13.2 Regulatory Framework, 13.2.2 State, Page 13-22 and 23. The DEIR discusses Basin Plan prohibitions to the 100-year floodplain, but does not address required conditions and mitigation measures that need to be met for Water Board approval. Conditions for a Basin Plan prohibition exemption is explained in Chapter 4 (Page 4.1-5), Exemption Criteria for the Little Truckee River Hydrologic Unit and Truckee River Hydrologic Unit<br/><a href="http://www.waterboards.ca.gov/ahontan/water_issues/programs/basin_plan/docs/ch4_implementationplans.pdf">http://www.waterboards.ca.gov/ahontan/water_issues/programs/basin_plan/docs/ch4_implementationplans.pdf</a>.</p> | <p><b>B-4</b></p> |
| <p>8. Section 13.2 Regulatory Framework, 13.2.3 Local, Page 13-23 and 34. This section discusses outdated Small Municipal Separate Storm Sewer System (MS4) requirements that are no longer applicable. The current MS4 permit is available for review at<br/><a href="http://www.swrcb.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml">http://www.swrcb.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml</a>.</p>   |                   |
| <p>9. Section 13.3 Impacts/13.3.3 Impacts and Mitigation Measures, page 13-33. Paragraph 2 notes Stormwater General Permit number WQO 99-08-DWQ, which is incorrect. The correct number is WQO 2009-0009-DWQ<br/><a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/constpermits/wqo_2009_0009_complete.pdf">http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/constpermits/wqo_2009_0009_complete.pdf</a>, as correctly indicated on page 13-7.</p>   | <p><b>B-5</b></p> |
| <p>10. Section 13.3 Impacts/13.3.3 Impacts and Mitigation Measures, page 13-38. Impact 13.4 regarding 100-year floodplain impacts: disturbance within the 100-year floodplain will require a Basin Plan prohibition exemption, provided that adequate and appropriate mitigation is proposed and implemented. The associated impacts within the 100-year floodplain are potentially significant, and the proposed skier bridges may not be authorized in the 100-year floodplain.</p>  | <p><b>B-6</b></p> |

## Letter B Continued

Placer County  
Northstar Mountain Master Plan

- 3 -

### **Section 14.0 Public Services**

11. Section 14.3.2 Regulatory Framework, Pages 14-25 cites Placer County standards in regard to septic systems. Statewide policy is not cited; however, this policy applies to on-site waste treatment systems and supersedes county standards. The Statewide policy can be found at [http://www.swrcb.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](http://www.swrcb.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf). Additionally, Resolution No. 2012-1132 that accompanies the Statewide policy can be found at [http://www.swrcb.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0032.pdf](http://www.swrcb.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0032.pdf). Basin Plan prohibitions may also apply. See Chapter 4, 4.1-7 of the Basin Plan: [http://www.waterboards.ca.gov/la\\_hontan/water\\_issues/programs/basin\\_plan/docs/ch4\\_implementationplans.pdf](http://www.waterboards.ca.gov/la_hontan/water_issues/programs/basin_plan/docs/ch4_implementationplans.pdf).

B-7

### **Section 18.0 Cumulative Impacts**

12. This section should be reviewed for consistency in numbering. We believe there is an error early on in sub-section numbering.

B-8

13. Section 18.2.3 Cumulative Biological Resources Impact/Cumulative Impacts and Mitigation Measures, Page 18-5. Paragraph 3 states in part, "Future development in the vicinity of the project study area would have an unknown and unquantifiable impact on special-status species...and potentially jurisdictional wetlands. As project-related activities may contribute incrementally to these effects, the impact is considered cumulatively considerable." Paragraph 4 refers to mitigation measures that "would offset the proposed project's contribution to cumulative biological resource impacts...and would reduce this impact to less than cumulatively considerable." Please be aware that the Water Board encourages the avoidance of impacts to jurisdictional wetlands, with minimization and mitigation following. Mitigation of jurisdictional wetlands or waters of the state will be required to be mitigated at 1.5:1, and opportunities or plans for mitigation should be fully identified and evaluated in the FEIR.

B-9

14. Section 18.1.10 Cumulative Hydrology and Water Quality Impact, Page 18-34 discusses the statewide NPDES program for stormwater but fails to include any discussion of applicable post-construction requirements in the current Order No. 2009-0009-DWQ ([http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/constpermits/wqo\\_2009\\_0009\\_complete.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/constpermits/wqo_2009_0009_complete.pdf)). Additionally, the discussion cites the Placer County Storm Water Management Plan, which is no longer a part of the statewide NPDES permit for Placer County, Order No. 2013-0001-DWQ ([http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)).

B-10

15. Section 18.1.10 Cumulative Hydrology and Water Quality Impact, Page 18-34. Paragraph 5 states in part, "Continued enforcement of state and local regulations related to stormwater management and water quality protection would minimize impacts.... Therefore, this impact is considered to be less than cumulatively considerable...." Construction or operational land use activities as proposed by this DEIR must include appropriate implementation measures to eliminate or minimize the degradation of water quality. Local, state, or federal regulations associated with DEIR-related project activities neither avoid nor reduce impacts. This responsibility

B-11

## Letter B Continued

Placer County  
Northstar Mountain Master Plan

- 4 -

lies with implementation of appropriate measures, which is the responsibility of the project proponent, and should be described fully in the FEIR.

**B-11  
Cont.**

### Northstar Habitat Management Plan

16. The Northstar Habitat Management Plan (Appendix 3.3) contains Attachment E which is a copy of the Amended Monitoring and Reporting Program (MRP) for the Highlands Development Phase I project, dated October 6, 2006. The MRP is specific for the Highlands Development Phase I project. The MRP and associated 401 Certification Order are not valid for future proposed work unassociated with Phase I of the Highlands Development. Any proposed work will need to be evaluated and assessed for the impacts to determine the appropriate methods and extent of monitoring for the impacts that are proposed.

**B-12**

### Executive Summary

17. The Impact Summary Table-Proposed Project (Table 2.2), located in the DEIR Executive Summary, must be updated in the FEIR to fully reflect current and appropriate requirements discussion/evaluation, as stated in our comments above.

**B-13**

If you have any questions regarding our comments, please contact Dale Payne at (530) 542-5464, or me at (530) 542-5430.



Alan Miller, P.E.  
Chief, North Basin Regulatory Unit

DYP/adw/T: Northstar Mountain Master Plan Draft EIR Comments.docx  
File Under: General / Placer County / Town of Truckee / Northstar Mountain Master Plan

Letter B: Alan Miller, Chief, North Basin Regulatory Unit, Lahontan Regional Water Quality Control Board

## RESPONSE TO COMMENT B-1

The commenter states that the Draft EIR incorrectly discusses Clean Water Act Section 401 on page 6-39 and that the proposed skier bridges may be prohibited under the discharge prohibitions in Chapter 4 of the Basin Plan (though exemptions to this prohibition are allowed). The commenter further states that the Draft EIR incorrectly discusses waste discharge requirements on page 6-42.

The DEIR correctly references the 100-year floodplain prohibition and exemption requirements on DEIR pages 13-22 and -23.

The following text has been revised in Draft EIR Section 6.0, page 6-39:

### Section 401

~~Under CWA Section 401 (33 USC Section 1341), federal agencies are not authorized to issue a permit and/or license for any activity that may result in discharges to WoUS, unless a state or tribe where the discharge originates either grants or waives CWA Section 401 certification. CWA Section 401 provides states or tribes with the ability to grant, grant with conditions, deny, or waive certification. Granting certification, with or without conditions, allows the federal permit/license to be issued and remain consistent with any conditions set forth in the CWA Section 401 Certification. Denial of the certification prohibits the issuance of the federal license or permit, and a waiver allows the permit/license to be issued without state or tribal comment. Decisions made by states or tribes are based on the proposed project's compliance with EPA water quality standards as well as with applicable effluent limitations guidelines, new source performance standards, toxic pollutant restrictions, and any other appropriate requirements of state or tribal law. In California, the State Water Resources Control Board is the primary regulatory authority for CWA Section 401 requirements (additional details below). Section 401 of the Clean Water Act requires an applicant for any federal permit (e.g., a 404(b)(1) permit from the USACE for "fill" of wetlands) that proposes an activity which may result in a discharge to waters of the United States obtain certification from the State Water Resources Control Board (SWRCB), acting through the Regional Water Quality Control Board (RWQCB), that the USACE permit action meets state water quality objectives.~~

Section 401 grants the State of California, through the Lahontan RWQCB, the right to ensure its interests are protected on any federally permitted activity occurring in or adjacent to waters of the state. Therefore, if a proposed project requires a 404 permit and has the potential to impact waters of the state, the RWQCB will regulate the project and associated activities through a Water Quality Certification determination. The US Army Corps of Engineers will not issue a 404 permit until the RWQCB has been notified and the applicant has obtained a certification.

The following text has been revised in Draft EIR Section 6.0, pages 6-42 and -43:

### Clean Water Act, Section 401 Water Quality Certification

CWA Section 401 (33 USC Section 1341) requires that any applicant for a federal license or permit, which may result in a pollutant discharge to WoUS, obtain a certification that the discharge will comply with EPA water quality standards. The state or tribal agency responsible for issuance of the Section 401 certification may also require compliance with additional effluent

limitations and water quality standards set forth in state/tribal laws. In California, the SWRCB is the primary regulatory authority for CWA Section 401 requirements.

The Lahontan Regional Water Quality Control Board is responsible for enforcing water quality criteria and protecting water resources in the project area. In addition, the RWQCB is responsible for controlling discharges to surface waters of the state ~~by issuing waste discharge requirements or commonly by issuing conditional waivers to waste discharge requirements~~. The RWQCB requires that a project proponent obtain a CWA Section 401 water quality certification for CWA Section 404 permits issued by the USACE. A request for water quality certification ~~(including waste discharge requirements)~~ by the RWQCB ~~and an application for a General Permit for Storm Water Discharges Associated with Construction Activities are prepared and is~~ submitted following completion of the CEQA environmental document and submittal of the wetland delineation to the USACE.

### **RESPONSE TO COMMENT B-2**

The commenter states that the drainage and flooding discussions in Section 13.0 of the Draft EIR should include language about Martis Creek-related floodplains and any Martis Creek tributaries. As stated on page 13-10 of the Draft EIR, all of the West Martis Creek watershed areas are “areas determined to be outside 500-year floodplain.” Furthermore, page 13-10 of the Draft EIR states that there are no designated 100-year flood hazard areas designated by FEMA within the proposed NMMP component sites. However, DEIR Appendix 13 (Northstar Master Plan Draft Preliminary Drainage Report) provides mapping of the 100-year floodplain in relation to the proposed skier bridges (see Northstar Master Plan Draft Preliminary Drainage Report Figures 1.9 through 1.14). The commenter is also referred to Master Response 1 regarding drainage.

### **RESPONSE TO COMMENT B-3**

The commenter states that the Draft EIR fails to discuss monitoring and reporting as provided by the Truckee River Water Quality Monitoring Plan. The commenter is referred to pages 18-34 and -35 of the Draft EIR for a cumulative impact discussion for hydrology and water quality. As stated in the Draft EIR, the project site is located in the Martis Valley watershed (which is part of the Truckee River Hydrologic Unit) and is partially in the Martis Valley groundwater basin. Implementation of the proposed project, in combination with other development activities in the Truckee River Hydrologic Unit and Martis Valley watershed, would contribute to a cumulative degradation of water quality from construction activities and changes in land use conditions that generate pollutants. This would add to other approved and planned development activities and the ongoing runoff processes in the cumulative setting area. It could result in cumulative water quality impacts to both surface water and groundwater supplies; however, as described on pages 18-34 and -35, implementation of project mitigation measures would reduce cumulative impacts to less than significant levels.

### **RESPONSE TO COMMENT B-4**

The commenter states that a nonapplicable General Permit number is contained in the Draft EIR on page 13-18, that the Regulatory Framework discussion fails to address the required conditions needed to be granted a Water Board exemption, and that an outdated Small Municipal Separate Storm Sewer System discussion is used.

The Draft EIR has been modified to address the comment, and the commenter is referred to FEIR Section 2.0, Revisions to the Draft EIR.

# Northstar Mountain Master Plan Final EIR

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The following text has been revised in Draft EIR Section 13.0, page 13-18:

Certain actions during construction may also need to conform to a General Permit (Water Quality Order No. ~~R6T-2008-0023 5-00-175~~) that requires that a permit be acquired for dewatering and other low threat discharges to surface waters, provided that they do not contain significant quantities of pollutants and either (1) are four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 million gallons per day (mgd).

The text on pages 13-22 and -23 of Draft EIR Section 13.0 has been revised as follows:

In addition, Chapter 4 of the Basin Plan prohibits the discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic and earthen materials to lands within the 100-year floodplain of the Truckee River or any tributary to the Truckee River. However, exemptions may be granted by the Lahontan RWQCB that fall within the following categories of new projects:

- 1) Projects solely intended to reduce or mitigate existing sources of erosion or water pollution, or to restore the functional value to previously disturbed floodplain areas.
- 2) Bridge abutments, approaches, or other essential transportation facilities identified in an approved general plan.
- 3) Projects necessary to protect public health or safety or to provide essential public services.
- 4) Projects necessary for public recreation.
- 5) Projects that will provide outdoor public recreation within portions of the 100-year floodplain that have been substantially altered by grading and/or filing activities which occurred prior to June 26, 1975.

Prior to granting any such exemption, the RWQCB shall require demonstration by the proposed discharger that all applicable best management practices and mitigation measures have been incorporated into the project to minimize any potential soil erosion and/or surface runoff problems.

The text on page 13-23 of Draft EIR Section 13.0 has been revised as follows:

## **Placer County Stormwater Management Plan**

~~Placer County has prepared the Placer County Stormwater Management Plan 2003-2008 (SWMP) in compliance with NPDES Phase II regulations. The Placer County SWMP is a comprehensive program designed to reduce pollution in stormwater runoff in the western portions of the county. The County was granted a permit under the state's General NPDES Phase II program and the final version of the SWMP was published in March 2004. The SWMP is required to be updated every five years. The SWMP will help the County to reduce pollutants in local waterways by reducing pollutants in stormwater runoff through the following control measures:~~

- ~~• Public education and outreach on stormwater impact~~
- ~~• Public involvement/participation~~
- ~~• Illicit discharge detection and elimination~~
- ~~• Construction site stormwater runoff control~~

- ~~Post construction stormwater management in new development and redevelopment~~
- ~~Pollution prevention/good housekeeping for municipal operations~~

~~In addition to these measures, the SWMP imposes discharge prohibitions, effluent limitation, receiving water limitations, new development design standards, and additional evaluation and reporting requirements. The SWMP also includes specific best management practices that support the program's main control measures.~~

Placer County is a designated municipal permittee under the US Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES), which regulates stormwater flows into natural water bodies. The NPDES regulations require permitted areas to implement specific activities and actions to eliminate or control stormwater pollution. Under the Phase I NPDES program, Placer County shares a permit with El Dorado County and the City of South Lake Tahoe for the Lake Tahoe watershed area. Under the Phase II NPDES program, Placer County is permitted in the western county area (including Foresthill and Colfax) and in the Truckee River Basin.

The goals of the stormwater quality program are to:

- Reduce pollutants in stormwater runoff;
- Eliminate non-stormwater discharges;
- Lessen the long-term impacts of stormwater discharges from development, business, and municipal activities;
- Educate the public about stormwater impacts; and
- Map NPDES Phase I and Phase II Permit Areas.

### **RESPONSE TO COMMENT B-5**

The commenter states that the Draft EIR references an incorrect Stormwater General Permit number.

The Draft EIR has been modified to address the comment, and the commenter is referred to FEIR Section 2.0, Revisions to the Draft EIR.

The following text has been revised in Draft EIR Section 13.0, page 13-33:

The State Water Resources Control Board is responsible for implementing the Clean Water Act and has issued a statewide General Permit (Water Quality Order ~~WQO 2009-0009-DWQ 99-08-DWQ~~) for construction activities in the state. The Construction General Permit (CGP) is implemented and enforced by the Regional Water Quality Control Boards. The CGP applies to construction activities that disturb one acre or more and requires the preparation and implementation of a stormwater pollution prevention plan (SWPPP) that identifies best management practices (BMPs) to minimize pollutants from discharging from the construction site to the maximum extent practicable.

### **RESPONSE TO COMMENT B-6**

The commenter states that the proposed skier bridges are prohibited within the 100-year floodplain.

DEIR Impact 13.4 on DEIR pages 13-37 and -38 acknowledges that skier bridge number 1 would result in 240 square feet of 100-year floodplain impacts and would be subject to the provisions of Chapter 4 of the Water Quality Control Plan for the Lahontan Region (Basin Plan) associated with prohibitions of discharge of earthen materials into the 100-year floodplain of the Truckee River Hydrologic Unit and/or state waters. It would also require the granting of an exemption by the RWQCB. This would be done prior to construction activities associated with this bridge. While submittal for an exemption to the RWQCB has not yet occurred, it appears that this bridge would fall into category 4 (projects necessary for public recreation) as it provides skier access to proposed NMMP components (Backside improvements and Z, W and V lifts) and the Northstar HMP and this EIR includes measures to address soil erosion as required in Chapter 4 of the Basin Plan.

The following bulleted item is added to mitigation measure 13-4 to clarify the RWQCB approvals associated with skier bridge number 1 on DEIR pages 2-41 and 13-39:

- All required approvals associated with construction-related stormwater permit requirements of the current federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program and other associated permit approvals from the Lahontan Regional Water Quality Control Board.

## **RESPONSE TO COMMENT B-7**

The commenter states that the Draft EIR cites Placer County standards in regard to septic systems yet does not cite California state standards.

The commenter's link to the State Water Resources Control Board information on current state policy on septic systems is not correct. The correct location is:

[http://www.waterboards.ca.gov/rwqcb3/water\\_issues/programs/septics/index.shtml](http://www.waterboards.ca.gov/rwqcb3/water_issues/programs/septics/index.shtml)

On June 19, 2012, the SWRCB adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy). Applicable statewide, the OWTS Policy designates regional boards as having the principal responsibility for overseeing its implementation and calls for incorporation of the OWTS Policy requirements into regional boards' basin plans within a year of the policy's effective date (May 12, 2013).

The RWQCB Basin Plan Chapter 4 (Implementation) and associated sections on wastewater treatment systems are in the process of being updated consistent with the OWTS Policy. Based on the current Basin Plan Figure 4.1-8A (Prohibition 7), the proposed septic systems would be permitted by the County given the size and age of the parcels on Northstar Mountain. Specifically, Figure 4.1-8A requires that the parcel on which the septic system is proposed needs to have been recorded prior to October 16, 1980, and be larger than 15,000 square feet. The sites of the proposed septic systems would meet these criteria.

Since release of the DEIR, the project applicant has modified the proposed infrastructure to provide the option of sewer service extension to the skier service facilities proposed at the C lift as an alternative to septic facilities (see edits in Section 2.0 of this Final EIR).

## **RESPONSE TO COMMENT B-8**

The commenter states that Section 18.0, Cumulative Impacts, may contain irregularities in header numbering.

This comment is noted. The irregularities in header numbering are minor and do not affect the adequacy of the analysis. However, this correction has been made in Section 2.0 of this Final EIR.

### **RESPONSE TO COMMENT B-9**

The commenter states that the Water Board encourages the avoidance of impacts to jurisdictional wetlands or waters of the state and the loss of such resources are required to be mitigated at a 1.5:1 ratio.

It is acknowledged that the RWQCB will require impacted wetlands to be mitigated at a 1.5:1 ratio. DEIR mitigation measure 6-10 requires that wetlands be mitigated at a no net loss level as determined through the permitting under the Clean Water Act and the Streambed Alteration Agreement.

### **RESPONSE TO COMMENT B-10**

The commenter states that the discussion of cumulative hydrology and water quality impacts fails to include any discussion of applicable post-construction requirements and that the discussion cites the Placer County Storm Water Management Plan, which is no longer a part of the statewide NPDES permit for Placer County.

As stated on page 18-34 of the Draft EIR, the proposed drainage improvements for the proposed project would include the use of both temporary and permanent best management practices (BMPs) on the site. These BMPs would remove sediment and pollutants from site runoff and minimize impacts to downstream waterways and the Martis Valley groundwater basin during both construction and post-construction activities. In addition, according to the Placer County Stormwater Quality Program website (<http://www.placer.ca.gov/departments/Works/StrmWtr.aspx>), Placer County is a designated municipal permittee under the US Environmental Protection Agency's National Pollutant Discharge Elimination System, which regulates stormwater flows into natural water bodies. The NPDES regulations require permitted areas to implement specific activities and actions to eliminate or control stormwater pollution. Under the Phase I NPDES program, Placer County shares a permit with El Dorado County and the City of South Lake Tahoe for the Lake Tahoe watershed area. Under the Phase II NPDES program, Placer County is permitted in the western county area (including Foresthill and Colfax) and in the Truckee River Basin.

### **RESPONSE TO COMMENT B-11**

The commenter states that the Draft EIR must fully describe mitigation measures proposed to reduce hydrology and water quality-related impacts.

The commenter is referred to pages 13-32 through -38 of the DEIR for a full discussion of mitigation as it relates to potential water quality impacts. A mitigation monitoring and reporting program will be adopted should the proposed NMMP be approved. Several water quality-related mitigation measures will be implemented during the Improvement Plan review and approval process for each project component.

### **RESPONSE TO COMMENT B-12**

The commenter references the Amended Monitoring and Reporting Program for the Highlands Development Phase I project and its associated 401 Certification Order and notes that it would not apply to the proposed project.

The commenter is correct. Project features under the proposed NMMP will be required to obtain separate 401 certifications.

## **RESPONSE TO COMMENT B-13**

The commenter states that any changes to the Draft EIR Section 13.0 must also be reflected in the executive summary of the Draft EIR.

Changes to mitigation measure 13-4 have been made in Section 2.0 of this Final EIR.

# Letter C

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

## NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., ROOM 100  
West SACRAMENTO, CA 95691  
(916) 373-3710  
Fax (916) 373-5471



*Clear*  
01/09/14  
E  
December 26, 2013

RECEIVED

JAN 02 2014

STATE CLEARING HOUSE

Maywan Krach  
Placer County  
3091 County Center Drive  
Auburn, CA 95603

RE: SCH# 2012112020: Northstar Mountain Master Plan, Placer County

Dear Mr. Krach:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans. Page 7-9 of the Master Plan states: *A sacred lands search and a list of Native American contacts were requested from the Native American Heritage Commission, and formal requests for Native American consultation (as required under Senate Bill 18) were made on April 29, 2013.* The results of that request were not included. Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above project.

C-1

A *Sacred Lands File* search was completed for the project December 26, 2013, with negative results. However, local governments should be aware that records maintained by the NAHC and California Historical Resources Information System (CHRIS) are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

C-2

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at my email address: [rw\\_nahc@pacbell.net](mailto:rw_nahc@pacbell.net).

Sincerely,

Rob Wood  
Associate Government Program Analyst

CC: State Clearinghouse

## Letter C Continued

Native American Tribal Government Consultation List  
Placer County  
December 3, 2013

Washoe Tribe of Nevada and California  
Darrel Kizer, Chairperson  
919 Highway 395 South Washoe  
Gardnerville , NV 89410  
ktrovato@washoetribe.us  
775-265-4191

Letter C: Rob Wood, Government Program Analyst, Native American Heritage Commission

### **RESPONSE TO COMMENT C-1**

The commenter states that the results of the Native American contacts list request were not included in the Draft EIR.

The County made requests for consultation and input on the proposed NMMP on April 13, 2013. No response or request to consult with the County has been received to date.

### **RESPONSE TO COMMENT C-2**

The commenter states that it is important to be aware that records maintained by the Native American Heritage Commission and California Historical Resources Information System are not exhaustive.

This comment is noted.



# Letter D

## N·C·S·D

Northstar Community Services District  
908 Northstar Drive, Northstar, CA 96161  
P: 530.562.0747 • F: 530.562.1505 • www.northstarsd.org

*Board of Directors*

DUANE EVANS  
JEANN GREEN  
NANCY IVES, PRESIDENT  
FRANK SEELIG  
DARRELL SMITH

*General Manager*

MICHAEL STAUDENMAYER

January 3, 2014

Placer County Environmental Coordination Services  
Community Development Resource Agency  
Attn: Maywan Krach  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

Re: Draft Environmental Impact Report for the Proposed Northstar Mountain Master Plan (PEIR 20070565)

Ms. Krach:

While the District will be submitting separately specific comments relative to the above project, the District is generally supportive of Northstar California and its parent company Vail Resorts and their collective efforts to responsibly manage the growth of the resort. The project description detailing the proposed resort improvements seems to be well balanced with the natural surroundings and guest expectations.

The project design is an appropriate extension of the existing amenities and will help the resort achieve its full potential as a world-class ski area within the regional environmental and economic contexts.

On behalf of the Northstar Community Services District Board of Directors,

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Staudenmayer", with a long horizontal flourish extending to the right.

Mike Staudenmayer  
General Manager

Cc: NCSD Board of Directors  
Bill Rock, COO Northstar California

**D-1**

Letter D: Mike Staudenmayer, General Manager, Northstar Community Services District

### **RESPONSE TO COMMENT D-1**

The commenter states that the Northstar Community Services District is generally supportive of the Draft EIR and the proposed project. The commenter further states that the Draft EIR Project Description is well balanced with natural surroundings and guest expectations, and that the project design is an appropriate extension of the existing amenities.

This comment is noted.



# Letter E

## N·C·S·D

Northstar Community Services District  
908 Northstar Drive, Northstar, CA 96161  
P: 530.562.0747 • F: 530.562.1505 • www.northstarcsd.org

*Board of Directors*  
JEANN GREEN  
NANCY P. IVES, PRESIDENT  
FRANK SEELIG  
DARRELL SMITH  
CATHY STEWART

*General Manager*  
MICHAEL STAUDENMAYER

January 8, 2014

Placer County Environmental Coordination Services  
Community Development Resource Agency  
Attn: Maywan Krach  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

Re: Northstar Community Services District Comments on the Northstar Mountain Master Plan DEIR  
(PEIR 20070565, State Clearinghouse# 2012112020)

The Northstar Community Services District (NCSD) provides sewer collection, drinking water treatment and distribution, fire protection and emergency services, snow removal, municipal solid waste, road surfacing, and trail maintenance and operation services to the community of Northstar. The District has reviewed the DEIR for the Northstar Mountain Master Plan project and has the following comments:

### **General**

1. Services to any facilities outside District boundaries will require annexation and may be subject to and contingent upon existing inter-agency agreements.
2. The services provided by the Northstar Community Services District are on a first-come first-serve basis only. NCSD cannot reserve or promise reservation of capacities, supplies or services until an application is processed and all applicable fees have been paid.
3. All design materials and construction shall meet or exceed Federal, State, County, Tahoe-Truckee Sanitation Agency and District Codes, Rules, Regulations and Ordinances.
4. All permitting fees, plan check review and inspection fees, related user fees and mitigation fees shall be paid prior to start of construction or earlier, as required according to construction phase.
5. NCSD shall not be responsible for payment for or funding of any portion of the proposed improvements and NCSD shall not be required to advance any funds. All construction, management, engineering, administrative, inspection and other related costs experienced by NCSD relative to the improvements shall be either prepaid or reimbursed to the NCSD in accordance with NCSD policies.

**E-1**

## Letter E Continued

**Fire**

6. Section 14 (Public Services) - Page 14-7: Policy 6.H.3 states:

*"The county shall require new development to develop or fund fire protection facilities, personnel, and operations and maintenance that, at a minimum, maintain the above service level standards."*

**E-2**

The proposed skier service sites and associated new structures are outside of the Northstar Community Service District (NCSD) boundaries but within the sphere of influence. In order for the District to provide fire services it would be required that the developer annex certain parcels into the NCSD.

**Trails**

7. Include trails pursuant to the Martis Valley Community Plan. Collaborate with NCSD and Placer County on specific alignments.
8. Improvements are to be coordinated with the Martis Valley Trail.

**E-3**

**Water**

9. Table 13-2 – Policies 6.A.10 and 6.6.1 - The MVGWMP references DRI's latest PRMS computer model of average recharge at 32,745 but notes that it ranges from 12,143 to 56,792 ac ft / yr. Recharge areas should be identified within the project limits and protected. Controlling potential contamination needs to be addressed for both groundwater and surface waters.
10. Septic facilities will not be allowed in the District Watershed.
11. Page 13-34 – Impact 13.2 – This section needs to address the potential impact to groundwater.
12. Page 13-40 – Impact 13.5 - The section needs to address the impact to recharge areas. See prior note regarding groundwater availability.
13. Page 14-16 – Impact 14.1.1 – Adequate availability must be determined prior to committing to the proposed future snowmaking demands. Availability is subject to seasonal variation.

**E-4**

**E-5**

**E-6**

**E-7**

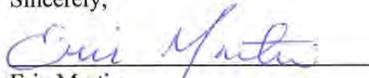
**E-8**

**Sewer**

14. Capacity modeling for new and relocated service connections will be required.

**E-9**

Sincerely,

  
Eric Martin  
District Engineer

  
Mark Shadowens  
Northstar Fire Chief

Letter E: Eric Martin, District Engineer, and Mark Shadowens, Fire Chief, Northstar Community Services District

### **RESPONSE TO COMMENT E-1**

The commenters state that services to facilities outside district boundaries will require annexation, services are provided on a first-come first-served basis, design materials must meet all laws, all permitting fees need to be paid prior to start of construction, and that the district is not responsible for payment or funding of any of the components of the proposed project.

This comment is noted.

### **RESPONSE TO COMMENT E-2**

The commenters state that the proposed skier service sites and associated new structures are outside of the district boundaries yet within the district's sphere of influence, and that annexation of these areas is required in order to receive fire protection services.

The DEIR identifies that the proposed NMMP would involve annexation to the Northstar Community Services District on DEIR page 3-71 (note that Section of 2 of this Final EIR clarifies that annexation would include the provision of water and sewer services).

### **RESPONSE TO COMMENT E-3**

The commenters request that new trails be designed in collaboration with the district.

The proposed NMMP does not include any proposed trail facilities as part of the project-level components. However, certain NMMP program-level improvements, such as the proposed campsites, may result in an increase in non-winter visitation and recreational use of the site. Such improvements may be conditioned, upon individual entitlement, to provide appropriate trail dedications to facilitate the trail system schematically shown on Figure 3 of the Martis Valley Community Plan prior to approval of improvement/grading plans for each phase. This would be done in coordination with the district.

### **RESPONSE TO COMMENT E-4**

The commenters state that recharge areas within the project site should be protected and that the Draft EIR should address both groundwater and surface water quality.

DEIR pages 13-10 through -13 provide an extensive description of groundwater conditions in Martis Valley as well as Northstar. Page 13-11 of the DEIR identifies groundwater recharge areas as associated with the major tributary streams in the basin. The commenters are referred to pages 13-32 through -38 of the Draft EIR for a full discussion of mitigation as it relates to potential water quality impacts. The commenters are also referred to Master Response 1 regarding groundwater resources.

### **RESPONSE TO COMMENT E-5**

The commenters state that septic facilities will not be allowed in the district.

The DEIR identifies the following skier service locations for potential septic service:

- Proposed warming hut and skier services at the Backside Express lift (outside of district boundaries)
- Skier services near the top of the C lift
- Improvements to the existing Summit Deck and Grille that would utilize the existing septic system
- Skier service site would include an approximately 8,000-square-foot building located near the top of Lookout Mountain (this facility may also extend sewer facilities from the existing Zephyr Lodge system)
- Backside campsite (outside of district boundaries)

Since release of the DEIR, the project applicant has modified the design of skier services near the top of the C lift to extend proposed sewer facilities to be located at the relocated cross-country ski center at the bottom of the C lift to address the district's concerns (see Section 2.0 of this Final EIR for edits to the Project Description). This infrastructure extension would occur within the area proposed to be disturbed by the C lift or proposed snowmaking lines and would not generate additional environmental impacts beyond what was addressed in the DEIR

### **RESPONSE TO COMMENT E-6**

The commenters state that Section 13.0 needs to address potential groundwater impacts.

The commenters are referred to DEIR pages 13-32 through -35 for a discussion of potential groundwater quality impacts. The commenters are also referred to Master Response 1 regarding groundwater resources.

### **RESPONSE TO COMMENT E-7**

The commenters state that Section 13.0 needs to address potential groundwater availability impacts.

The commenters are referred to DEIR pages 13-34 through -35 and pages 14-16 through -17. The commenters are also referred to Master Response 1 regarding groundwater resources.

### **RESPONSE TO COMMENT E-8**

The commenters state that snowmaking activities are subject to seasonal variation and that adequate availability must be determined.

The commenters are referred to DEIR pages 14-16 through -17, which identify that there is adequate groundwater supply available to support the proposed NMMP (including snowmaking facilities), as well as buildout of Martis Valley, well within the annual average groundwater recharge of the basin. The commenters are also referred to Master Response 1 regarding snowmaking estimates.

### **RESPONSE TO COMMENT E-9**

The commenters state that capacity modeling for new and relocated service connections will be required.

This comment is noted. As identified in DEIR pages 14-23 and -24, there is adequate capacity to accommodate the proposed NMMP facilities.

**BOARD OF DIRECTORS**  
Robert W. Affeldt, DDS  
Jerry Gilmore  
Brian Kent Smart  
Ron Sweet  
Nelson Van Gundy



**THOMAS S. SELFRIDGE, P.E.**  
General Manager  
Chief Engineer

12304 Joerger Dr. • Truckee, California 96161-3312  
Telephone (530) 587-3804 • Fax (530) 587-1340

December 31, 2013

Placer County Community Development Resource Agency  
Environmental Coordination Services  
3091 County Center Dr., Suite 190  
Auburn, CA 95603

RE: COMMENTS ON THE NORTHSTAR MOUNTAIN MASTER PLAN DRAFT EIR.

The Truckee Sanitary District (TSD) has reviewed the Northstar Mountain Master Plan Draft EIR and has the following comments:

- **Page 3-71**  
Extension of sewer service to the Skier Service Sites identified in the Draft EIR that are outside of the NCSD boundary will require written approval by the TSD Board of Directors and annexation to the NCSD, but not annexation to TSD. **F-1**
- **Page 14-17**  
The NCSD and TSD have a “contractual” agreement whereby TSD conveys this sewage to the T-TSA regional sewage treatment plant. Written approval by the TSD Board of Directors is required to extend sewer service to the Skier Service Sites identified in the Draft EIR that are outside of the NCSD boundary. **F-2**
- **Page 14-21**  
The correct TSD Code is Ordinance 1-2008, not 1-2002. **F-3**

If you have any questions, please contact our office.

Sincerely,

Blake Tresan, P.E.  
Assistant General Manager / District Engineer

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### Letter F: Blake Tresan, District Engineer, Truckee Sanitary District

#### **RESPONSE TO COMMENT F-1**

The commenter states that the extension of sewer service to the skier service sites that are outside of the Northstar Community Services District (NCSD) will require written approval by the Truckee Sanitary District (TSD) as well as annexation to the NCSD.

The DEIR identifies that the proposed NMMP would involve annexation to the Northstar Community Services District on page 3-71.

#### **RESPONSE TO COMMENT F-2**

The commenter states that the extension of sewer service to the skier service sites as identified in the Draft EIR will require written approval by the TSD.

This comment is noted.

#### **RESPONSE TO COMMENT F-3**

The commenter notes a typo in the Draft EIR. The Draft EIR has been modified to address the comment, and the commenter is referred to FEIR Section 2.0, Revisions to the Draft EIR.

The following text has been revised in Draft EIR Section 14.0, page 14-21:

#### **Truckee Sanitary District Code**

Standards for construction of sanitary sewer facilities are found in the TSD Code, ~~Ordinance 1-2002~~ Ordinance 1-2008. The TSD Code outlines TSD policy, provisions and regulations, fees and charges, installation, inspection, and maintenance of sanitary sewer facilities. Typically, the TSD requires large developments to design, fund, and install the sanitary sewer system necessary to service the proposed development in accordance with the TSD Code. If the installed sanitary sewer system meets TSD specifications, the developer may choose to dedicate the facilities to the TSD, whereupon the TSD takes over the responsibility for operation and maintenance of the system.

# Letter G



110 Maple Street, Auburn, CA 95603 • (530) 745-2330 • Fax (530) 745-2373 • [www.placer.ca.gov/apcd](http://www.placer.ca.gov/apcd)

Thomas J. Christofk, Air Pollution Control Officer

January 13, 2014

Maywan Krach  
Environmental Coordination Services  
Placer County Community Development Resource Agency  
3091 County Center Drive, Suite 190  
Auburn, CA 95603  
SENT VIA E-MAIL: [cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)

**SUBJECT: Northstar Mountain Master Plan, Draft Environmental Impact Report**

Dear Mrs. Krach:

Thank you for submitting the Northstar Mountain Master Plan (Project) and associated Draft Environmental Impact Report (DEIR) to the Placer County Air Pollution Control District (District) for review and comment. The applicant requests an amendment to the Martis Valley Community Plan, a Rezone, and a Zoning Text Amendment to allow for the relocation, upgrade, and expansion of existing ski facilities as well as other recreation components such as camping and relocation of cross-country ski facilities. The District provides the following comments on the DEIR for consideration.

**Chapter 2 Project Description**

1. Section 3.12 of the DEIR lists the required permits and agency approvals necessary to carry out the Project. This section should include the *Placer County Air Pollution Control District*, as the District is a Responsible Agency under CEQA and has permitting authority<sup>1</sup> for the proposed open fire burning and equipment associated with the ski lift operation. Furthermore, the District is identified as one of the agencies required to determine mitigation compliance<sup>2</sup> and should therefore be included in Section 3.12.2.

**Chapter 10 Air Quality**

2. The Project Description indicates that "smoothing" of disturbed areas where tree removal would occur will include chipping and open pile burning where mastication of material of steep slopes would not be feasible. Chipping and open pile burning would make significant contributions for particulate matter (PM), volatile organic compound (VOC), nitrogen oxides (NOx), and carbon monoxide (CO) emissions. The District recommends that the DEIR identify and include these potential emission contributions within analyses.
3. As indicated in the Project Description, Project-Level Components include a campsite that would offer summer and winter camping where outdoor firepits would be used. The DEIR states: "... *utilization of firepits at the campgrounds would also generate emissions, but these emissions would not [be] a regular part of the project's operation and thus would be minimal.*" Wood smoke is a significant source of particulate matter (PM) and carbon monoxide concentrations. The District recommends the DEIR include discussion of the use of the firepits for potential impacts determination.

<sup>1</sup> Placer County Air Pollution Control District, District Rule 501: General Permit Requirements

<sup>2</sup> DEIR, Mitigation Measure 16-1 compliance requirements page 16-21

G-1

G-2

G-3

## Letter G Continued

Placer County Air Pollution Control District  
January 13, 2014  
Page 2 of 3

4. The Project Description indicates there are several building/facility improvements including addition of 6,000 square foot expansion of the Summit Deck and Grille, a new 5,000 square foot Backside Warming Hut, and two new 8,000 square-foot skier service sites to provide additional food service, restroom facilities, and on-mountain seating areas. The District recommends the DEIR indicate the heating source types to be used for these additional customer service areas and identify if any emission increases generated from these sources such as space heating and hot-water heaters.

G-4

### Chapter 16 Climate Change

5. The DEIR identifies at builtout the Project would generate a maximum water demand of 213.62 acre-feet annually (approximately 69 million gallons)<sup>3</sup>. In addition, space heating and hot-water heaters could also generate GHG emissions, as discussed in Comment #4. The District recommends the DEIR identify these additional sources and associated GHG emissions within Table 16-6.
6. Mitigation Measure 16-1 indicates that calculation of emissions and required offsets associated with the project components will utilize emission estimates provided in DEIR Tables 16-4 and 16-5<sup>4</sup>. However, Table 16-4 and 16-5 are only associated with the related construction emissions and emissions released from removed trees; they do not include the operational emissions at the builtout as shown in Table 16-6. The District recommends the DEIR modify this requirement appropriately.
7. Mitigation Measure 16-1 requires the submittal of a compliance report prior to approval of Improvement/Grading Plans to demonstrate that each phase would mitigate its incremental increase of GHG emissions. Because Table 16-6 presents only the total GHG emission at the builtout of Project and does not identify detailed emission estimation for each proposed phase, it would not be adequate by using Table 16-6 to determine the required emission reductions needed for each phase. The District recommends the following additional information be required in the proposed compliance report prepared for each phase. These requirements would ensure the proposed mitigation would be sufficient enough to reduce the total new GHG emissions associated with the Project below 1,150 MT/CO<sub>2</sub>e annually.

G-5

G-6

G-7

The following additional requirements are recommended for each of the submitted compliance reports:

1. Calculation of the total annual emissions which is the sum of emissions from the proposed phase and any applicable remaining emissions from the previous phase after compliance determination;
2. List of selected mitigation measures for the proposed phase;
3. Emission reduction calculation from selected mitigation measures (if the purchase of offset credits being selected, total required credits should be calculated based on the portion of lifetime for each phase);
4. Document or certification if required by the selected mitigation measure;
5. Compliance determination to verify that remaining emissions for the proposed phase do not exceed 1,150 MT/CO<sub>2</sub>e annually; and
6. Monitoring plan to ensure the accomplishment of selected mitigation measures.

G-8

<sup>3</sup> DEIR page 14-16

<sup>4</sup> DEIR page 16-22

*Northstar Mountain Master Plan, Draft Environmental Impact Report*

## Letter G Continued

Placer County Air Pollution Control District  
January 13, 2014  
Page 3 of 3

8. Mitigation Measure 16-1 proposes an option for mitigation to plant trees in areas such as reclaimed land or sites previously impacted by wildfires for restoration or reforestation. If this mitigation measure is selected, the District recommends that the project applicant should use an applicable offset protocol from a well-recognized carbon credit registry (e.g., American Carbon Registry (ACR) or Climate Action Reserve (CAR)) or state agency (e.g., California Air Resources Board (CARB) or California Air Pollution Control Officer Association (CAPCOA)) to quantify the associated credits of carbon sequestration. The project applicant should provide an analysis to Placer County and PCAPCD regarding the selected protocol for review and approval. The monitoring, maintenance, and reporting plan required by Mitigation Measure 16-1 should use a standardized approach required by the approved offset protocol to ensure that emission reductions are real, permanent, quantifiable, verifiable, enforceable, and additional to the proposed project.
9. Mitigation Measure 16-1 also proposes an option of mitigation for purchasing of carbon offset credits from applicable carbon credit registries to mitigate the Project's related GHG emissions. The District recommends that this option be considered only when all other on-site mitigation would not be feasible or sufficient to reduce the Project's related GHG emissions. In addition, the District recommends adding the CAPCOA GHG Reduction Exchange Program<sup>5</sup> as one of options for credit purchases and considering the purchase of the California-based credits.

G-9

G-10

Thank you for allowing the District this opportunity to review the project proposal. Please do not hesitate to contact me at 530.745.2333 or [agreen@placer.ca.gov](mailto:agreen@placer.ca.gov) if you have any questions.

Sincerely,



Angel Green  
Associate Planner  
Planning & Monitoring Section

ec: Yu-Shuo Chang, Planning & Monitoring Section Supervisor

---

<sup>5</sup> CAPCOA GHG Reduction Exchange Program. <http://www.ghgrx.org/>  
*Northstar Mountain Master Plan, Draft Environmental Impact Report*

### Letter G: Angel Green, Associate Planner, Placer County Air Pollution Control District

#### **RESPONSE TO COMMENT G-1**

The commenter requests that the Placer County Air Pollution Control District be included on the list of Other Agencies Using the EIR and Consultation Requirements. The Draft EIR has been modified to address the comment, and the commenter is referred to FEIR Section 2.0, Revisions to the Draft EIR.

The following text has been revised in Draft EIR Section 3.0, page 3-71.

- Section 404 Permit – The US Army Corps of Engineers (USACE) regulates the placement of fill or dredged material that affects waters of the United States, which include streams and wetlands. The USACE regulates these activities under authority granted through Section 404 of the Clean Water Act. Impacts to wetlands on the project site would require the project to obtain a Section 404 permit from the USACE.
- Section 401 Water Quality Certification – In association with the Section 404 permit issued by the USACE, the project must apply for and obtain a state Water Quality Certification from the Lahontan Regional Water Quality Control Board in compliance with Section 401 of the Clean Water Act.
  - NPDES General Construction Permit and SWPPP – Lahontan RWQCB
  - Prohibition Exemption related to floodplain impacts associated with skier bridges – Lahontan RWQCB
- Streambed Alteration Agreement – Issued by the California Department of Fish and Wildlife.
- Various permits from California Department of Forestry and Fire Protection – Permits for the Timber Harvest Plans and Timberland Conversions.
- Annexation for sewer service into the Truckee Sanitary District and the Northstar Community Service District – Requires approval by the Placer County Local Agency Formation Commission (LAFCo).
- State of California Division of Occupational Safety and Health, Ride and Tramway Unit – Operating permits for ski lifts.
- District Rule 501: General Permit Requirements – Placer County Air Pollution Control District.

#### **RESPONSE TO COMMENT G-2**

The commenter recommends that the Draft EIR identify and include potential emissions from open pile burning during construction.

As identified on DEIR page 3-53, the construction activities associated with the proposed NMMP project- and program-level components would primarily involve the chipping of trees and vegetation with the use of this material on the site for water quality control or otherwise hauled off the site. Open pile burning would be limited to areas where the slopes exceed 35 percent. Based on review of the locations and slopes of the proposed project- and program-level components of the NMMP, the applicant has identified approximately 10 acres spread across the project components that could require open burning (Hall 2014). Based on mountain-wide vegetation and forest conditions, approximately 1,976 cubic yards of vegetative

debris may need to be burned annually over the course of the construction. Emissions factors for PM<sub>10</sub>, PM<sub>2.5</sub>, and CO were derived from the EPA's AP42 document (1995), Table 13.1.3, and account for "Prescribed Burns" involving "Logging Slash Debris" of "Dozer-Piled Conifers." The "Smoldering" flame configuration was used. Emissions factors for greenhouse gases were derived from Table 13.1.5 of the same document and account for "Prescribed Burns in Boreal and Coniferous Forest Types." These emissions are noted below and would not result in new or a substantial increase in the severity of construction air quality impacts identified in DEIR Impact 10.2 or greenhouse gases identified in DEIR Impact 16.1:

- 2.59 pounds per day of PM<sub>2.5</sub>
- 3.02 pounds per day of PM<sub>10</sub>
- 50.21 pounds per day of CO
- 5 metric tons of carbon dioxide equivalents

### **RESPONSE TO COMMENT G-3**

The commenter recommends that the Draft EIR identify emissions from the proposed outdoor fire pits.

As identified on DEIR page 3-33, the two proposed campsites would each have only one fire pit and would not be expected to be a significant source of air pollutant emissions. In order to quantify the potential extent of the fire pit emissions, it was assumed that a total 6,156 pounds of wood is burned annually in both fire pits. Emissions factors for PM<sub>10</sub>, PM<sub>2.5</sub>, and CO were derived from the EPA's AP42 document (1995), Table 13.1.3, and account for "Prescribed Burns" involving "Logging Slash Debris" of "Dozer-Piled Conifers." The "Smoldering" flame configuration was used. Emissions factors for greenhouse gases were derived from Table 13.1.5 of the same document and account for "Prescribed Burns in Boreal and Coniferous Forest Types." These emissions are noted below and would not result in new or a substantial increase in the severity of operational air quality impacts identified in DEIR Impact 10.3 or greenhouse gases identified in DEIR Impact 16.1:

- 0.73 pounds per day of PM<sub>2.5</sub>
- 0.80 pounds per day of PM<sub>10</sub>
- 10.77 pounds per day of CO
- 0.3 metric tons of carbon dioxide equivalents

### **RESPONSE TO COMMENT G-4**

The commenter recommends that the heating source types associated with the Summit Deck and Grille expansion, Backside Warming Hut, and two skier service sites be identified.

For the purposes of the air quality analysis and modeling in the DEIR, these features were assumed to be heated with energy in the form of electricity. No modification of the air quality analysis is required.

### **RESPONSE TO COMMENT G-5**

The commenter requests that all sources of greenhouse gas (GHG) emissions are accounted for.

The commenter is referred to Table 16-6 of the DEIR. This table contains all known emission sources associated with the project. GHG emissions generated by the pumping of water are accounted for as an energy source. No modification of the GHG emission analysis is required.

### **RESPONSE TO COMMENT G-6**

The commenter notes a typo in the Draft EIR. The Draft EIR has been modified to address the comment, and the commenter is referred to FEIR Section 2.0, Revisions to the Draft EIR.

The following text has been revised in mitigation measure 16-1 in DEIR Section 16.0, page 16-22:

Emissions and required offsets associated with specific NMMP project components will utilize emission estimates provided in Draft EIR Tables 16-4, ~~and~~ 16-5, ~~and~~ 16-6. The project applicant will provide documentation of compliance for review and approval by Placer County and the PCAPCD as a condition of final approval.

### **RESPONSE TO COMMENT G-7**

The commenter states that Table 16-6 of the Draft EIR presents GHG emissions at project buildout and does not identify GHG emissions for each phase. The commenter requests that additional information be required for mitigation measure 16-1 associated with project phasing.

The commenter's statements are noted regarding the need to address compliance with each phase. Recommended edits are made under Response to Comment G-8 below.

### **RESPONSE TO COMMENT G-8**

The commenter provides a list of recommended mitigation measures.

These recommendations have been incorporated into mitigation measure 16-1 as shown below.

The following text has been revised in mitigation measure 16-1 in DEIR Section 16.0, page 16-22:

Emissions and required offsets associated with specific NMMP project components will utilize emission estimates provided in Draft EIR Tables 16-4, ~~and~~ 16-5, ~~and~~ 16-6. The project applicant will provide documentation of compliance for review and approval by Placer County and the PCAPCD as a condition of final approval.

The compliance report required under this mitigation measure will include the following components:

1. Calculation of the total annual emissions which is the sum of the emissions from the proposed phase/project component and any applicable remaining emissions from the previous phase/project component after compliance determination;
2. List of selected mitigation measures for the proposed phase/project component which have been or will be implemented before this proposed phase/project component is constructed;
3. Emission reduction calculation from selected mitigation measures (if the purchase of offset credits is selected, the total required credits will be calculated based on the portion of the lifetime for each phase/project component);

4. Documentation or certification if required by the selected mitigation measure;
5. Compliance determination to verify that remaining emissions for the proposed phase/project component do not exceed 1,150 MT/CO<sub>2</sub>e annually; and
6. Monitoring plan to ensure the accomplishment of the selected mitigation measures.

## **RESPONSE TO COMMENT G-9**

The commenter recommends the use of an applicable offset protocol from a well-recognized carbon credit registry.

The commenter is referred to mitigation measure 16-1 on DEIR page 16-22, which states that should the project applicant not demonstrate GHG emissions below the significance threshold, the project applicant shall purchase carbon offset credits that are (1) from the Climate Action Reserve (CAR) registry or other similar entity, and (2) quantified through an approved protocol by either the State of California or other similar entity and verified by a qualified verification body accredited by either the Climate Action Reserve or the State of California, or other similar entity as determined acceptable.

## **RESPONSE TO COMMENT G-10**

The commenter recommends that the mitigation option of purchasing carbon offset credits only be considered when all other on-site mitigation are not feasible and recommends adding the CAPCOA GHG Reduction Exchange Program as one of the options for credit purchases.

Reference to this program been incorporated into mitigation measure 16-1 as shown below.

The following text has been revised in mitigation measure 16-1 in DEIR Section 16.0, page 16-22:

- b. Should the project applicant not demonstrate GHG emissions below 1,150 metric tons annually, as required, through item (a) above, prior to approval of the Improvement/Grading Plans for each phase of development, the project applicant shall purchase carbon offset credits that are (1) from the Climate Action Reserve (CAR) registry, CAPCOA GHG Reduction Exchange Program, or other similar entity as determined acceptable by the Placer County Air Pollution Control District (PCAPCD) and Placer County, and (2) quantified through an approved protocol by either the State of California or other similar entity and verified by a qualified verification body accredited by either the Climate Action Reserve or the State of California, or other similar entity as determined acceptable.

These carbon credits would be used to offset both construction and operational GHG emissions of the project. Prior to purchase, the project applicant shall provide an analysis to Placer County and the PCAPCD for review and approval. This analysis shall include the project's estimated emissions, calculation methodology, and proposed offset purchase. The applicant shall submit either the purchase certification from CAR registry or verification certification issued by a qualified verification body for all carbon offset credits purchased. In either case, the certification received for payment of credit shall indicate that the emissions are "retired."

# Letter H

## TAHOE-TRUCKEE SANITATION AGENCY



A Public Agency  
13720 Butterfield Drive  
TRUCKEE, CALIFORNIA 96161  
(530) 587-2525 • FAX (530) 587-5840

Directors  
O.R. Butterfield  
Dale Cox  
Erik Henrikson  
S. Lane Lewis  
Jon Northrop  
General Manager  
Marcia A. Beals

**VIA U.S. MAIL AND E-MAIL**

13 January 2014

Ms. Maywan Krach  
Placer County Community Development Resource Agency  
Environmental Coordination Services  
3091 County Center Drive, Suite 190  
Auburn, CA 95603  
[cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)

RE: Draft Environmental Impact Report for the Northstar Mountain Master Plan Project  
T-TSA Comments

Dear Ms. Krach:

The Tahoe-Truckee Sanitation Agency (T-TSA) has received the Draft Environmental Impact Report (DEIR) and associated technical appendices for the Northstar Mountain Master Plan (NMMP) Project (Project). T-TSA staff has reviewed these documents and offers the following comments.

1. On page 14-22, the DEIR states that *“adequate wastewater conveyance and treatment capacity exists to accommodate the proposed NMMP project- and program-level components.”* A similar statement is made on page 14-24 with respect to expected Project wastewater flows: *“These flows are also within the capacity of the T-TSA Water Reclamation Plant (3.2 mgd of current capacity under maximum 7-day average flow during the summer months).”* Further, the text on page 18-36 states that *“the Tahoe-Truckee Sanitation Agency has adequate wastewater treatment capacity to accommodate the anticipated NMMP wastewater flows.”* Please be advised that, although there currently appears to be capacity to serve the Project, T-TSA makes no assurances that capacity will be available in the future to serve either project- or program-level improvements. All capacity allocations are made on a first-come, first-serve basis for all projects within T-TSA’s service area (T-TSA does not issue “Will-Serve” letters).
2. A statement is made on page 18-36 that *“the cumulative setting area for wastewater services is the NCSD service area.”* We believe the cumulative setting area for wastewater services is broader than this since T-TSA’s facilities serve a much larger region.

H-1

H-2

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## Letter H Continued

3. T-TSA has not yet received facility layouts with updated fixture counts and other T-TSA billing factor counts for both project- and program-specific levels. These additional materials will enable T-TSA to further evaluate the Project.

H-3

T-TSA would like to thank the County for an opportunity to provide these comments. If you have any questions, please do not hesitate to call me at (530) 587-2525.

Sincerely,



Jason A. Parker  
Engineering Department Manager

JAP:jp

cc: Marcia Beals, General Manager  
Mike Staudenmayer, Northstar Community Services District  
Tom Selfridge, Truckee Sanitary District

Letter H: Jason A. Parker, Engineering Department Manager, Tahoe-Truckee Sanitation Agency

### **RESPONSE TO COMMENT H-1**

The commenter states that although there currently appears to be capacity to serve the project, the Tahoe-Truckee Sanitation Agency makes no assurances that capacity will be available in the future.

This comment is noted. As noted by the commenter, adequate capacity does exist currently at the T-TSA Water Reclamation Plant, and the proposed project's (up to 5,772 gallons per day average [assuming that the skier services proposed at the top of the C lift were to connect to the system as requested by Northstar Community Services District]) wastewater demands are well within the existing plant capacity of 3.2 million gallons per day (see DEIR pages 14-23 and -24).

### **RESPONSE TO COMMENT H-2**

The commenter states that it is his belief that the cumulative setting area for wastewater service is broader than the Northstar Community Services District.

The proposed project obtains its wastewater service from the Northstar Community Services District, and its cumulative wastewater demands and capacity are key to the project. However, the DEIR's cumulative impact analysis considers regional growth and development (see DEIR page 18-1 and Table 18-1).

### **RESPONSE TO COMMENT H-3**

The commenter states that the Tahoe-Truckee Sanitation Agency has not yet received facility layouts.

This comment is noted. Detailed plans for NMMP features have not been developed yet, but will be available once improvement plans and building plans are completed.

## Letter 1

**W. THOMAS AMEN**  
**1056 HACIENDA DRIVE**  
WALNUT CREEK, CALIFORNIA 94598

January 11, 2014

Maywan Krach  
Environmental Coordination Services – Community Development Resource Center  
Attn: Maywan Krach, Community Development Technician  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

SENT BY EMAIL: CDRAECS@PLACER.CA.GOV

**Re: Comments on Draft Environmental Impact Report for Northstar Mountain Master Plan (DEIR 20070565, State Clearinghouse# 2012112020).**

**Dear Ms. Krach:**

I am the owner of 3056 Silver Strike in the Aspen Grove at Northstar and am a member of the Aspen Grove Condominium Association's board of directors. I have owned my home in the Aspen Grove for over twenty years and, of course, have paid property taxes to Placer County since acquiring ownership.

Thank you for the opportunity to comment on the Draft Environment Impact Report for the proposed Northstar Mountain Master Plan. My comments on the DEIR are made as a homeowner who has been and continues to be damaged as a result of activity by uphill owners and developers. As you are aware, this matter has been the subject of extensive litigation in the Superior Court for Placer County which resulted in an injunction prohibiting any further water intrusion on Association property and mandating removal of the offending retention basin.

I have reviewed the comments of our Association's counsel, Greg Gatto in his correspondence to you dated January 8, 2014. These comments make a compelling case in favor of suspending any further processing of proponent's application or any conditional or other approval of any further development under the Northstar Mountain Master Plan unless and until the County has evaluated potential code violations on the project site and fully considered its legal and moral obligations to the owners of Aspen Grove. After all, the matter under review is "environmental impact". The proposed project appears to me to be replete with potential for further destructive environmental impact. If you have not seen our beautiful and now dead aspens, the damage to our infrastructure, and the swamp-like conditions that now exist, I suggest that you take a look and that the County do the right thing which is: **LISTEN TO THE COURT, PROTECT YOUR CITIZENS, MAKE THEM STOP THE DAMAGE AND DO NOT LET THEM MAKE IT EVEN WORSE!**

Very truly yours,

W. Thomas Amen  
WTA:atw

1-1

Letter 1: W. Thomas Amen, Resident

### **RESPONSE TO COMMENT 1-1**

The commenter states his property has been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenter expresses concern that the proposed project will cause additional drainage issues to Northstar properties.

The commenter is referred to Master Response 1.

## Letter 2

**Maywan Krach**

**From:** Don Andrews <donandrews508@gmail.com>  
**Sent:** Wednesday, January 08, 2014 10:12 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** DEIR regarding the Northstar Mountain Master Plan

My name is Donald Andrews, I own and reside at 305 Skidder Trail in the Northstar complex and additionally own two Aspen Grove condos. I am concerned about several details of the DEIR which I consider inadequate. My concerns are pretty much in line with the concerns of Mr. Gregg Gatto and Mr. Dick Bjur, which you will be hearing from. In particular:

1. Northstar has been dragging their feet in every way possible regarding getting closure of the faulty retention pond issue. Code violations are involved. These violations should be corrected and the retention pond issue brought to final agreement before Northstar is allowed to go forward toward plan approval.

2. The EIR must address ALL Northstar plans as a unit in order to properly evaluate the impact and be sure mitigations will be effective. The Forest Flyer and perhaps other planned features I don't know about are NOT included.

3. The assertion that the new features at Northstar will not impact traffic is absurd. They would not go to the trouble unless those features increased visitation. Lets get real and face up to and plan for the increase in traffic. Do you think for a minute that Northstar would agree to actually limit the number of people driving into the complex in any week to the same number of people they had in that week in 2013?

4. We are personally impacted by noise. It is worse than at any time in the past 20 years. For your consideration! The parking lot by the gas station is now full of idling diesel buses each winter morning starting about 7:15AM. It is not really loud but it is a low frequency that carries a long way and makes our house vibrate! How much noise will the gondola generate? What can be done about it?

5. We are impacted by light. Our yard used to be a great place for star gazing. Now the light from the Castle Peak lot lights up the sky. The lights were supposed to be down-facing and of a type that would not cause "light pollution". This is not working!! We need a recourse to get this kind of thing to not happen in the first place because Northstar (Vail) has no inclination to get it corrected. Ever.

6. We are impacted by water! I refer to the retention pond issue. This needs to be fixed (see 1) but future problems of a similar nature need to be prevented. Waiving monitoring of runoff and ground water levels is going to lead to more property damage and lawsuits. Property owners should not have their property trashed simply because an uphill business wants to avoid expenses. That uphill company needs to be controlled into being a "good neighbor", and monitored, by the county or there will be many more incidences like the retention pond.

Northstar (Vail) has shown very little interest in environmental issues beyond what is required to obtain permits. We must cover all the issues with the EIR and require mitigation steps and extensive monitoring by the county to preserve our resources and way of life in this beautiful area.

Thanks for your attention,  
Donald (Don) Andrews  
305 Skidder Trail  
Truckee, CA 96161  
650-575-7859

### Letter 2: Don Andrews, Resident

#### **RESPONSE TO COMMENT 2-1**

The commenter states that the proposed project should not be allowed until the County Code violations associated with the property have been resolved.

The commenter is referred to Master Response 1.

#### **RESPONSE TO COMMENT 2-2**

The commenter states that the environmental effects of the proposed project and other Northstar projects, such as the Forest Flyer project, need to be analyzed together as one project.

The commenter is referred to Master Response 4.

#### **RESPONSE TO COMMENT 2-3**

The commenter states that the project will result in an increase in traffic impacts.

The commenter is referred to Master Response 2.

#### **RESPONSE TO COMMENT 2-4**

The commenter speculates as to how much noise the proposed gondola will generate.

The commenter is referred to page 11-26 of the Draft EIR, which states that the proposed Castle Peak Parking Lot Transport Gondola would terminate at the Village at Northstar and that the nearest residential land uses to the Castle Peak Parking Lot Transport Gondola are approximately 400 feet from the proposed gondola station. Assuming that the backup power generators would be located within the gondola station located at Northstar Village, predicted operational noise levels at the nearest residences and associated impacts would be similar to those identified for project-level components, and because noise from these engines would typically only occur during routine daytime maintenance activities, predicted average-daily interior noise levels would not be projected to exceed the County's noise standard of 45 decibels.

#### **RESPONSE TO COMMENT 2-5**

The commenter states that their property is impacted by light trespass.

As stated on page 8-24 of the Draft EIR, the proposed project does not propose any new major sources of nighttime lighting or glare (e.g., lighting for night skiing). However, skier service sites, relocated cross-country ski center facilities, lift terminals, campsites, and the Castle Peak Parking Area Gondola may include lighting fixtures that could result in new sources of nighttime lighting. However, the implementation of mitigation measures 8-5a and 8-5b would ensure this impact would be mitigated to a less than significant level by requiring shielding of light sources and the use of nonreflective building materials.

#### **RESPONSE TO COMMENT 2-6**

The commenter states that the Aspen Grove community is being impacted from water involving the placement of a retention pond associated with a past improvement.

The commenter is referred to Master Response 1.

## Letter 3

**WILLIAM J. BANKA**  
**CA. REGISTERED PROFESSIONAL FORESTER #1999**  
**79746 PANORAMIC ROAD**  
**PORTOLA, CA 96122**  
**(530) 258-1692**

January 9, 2014

**TO: Maywan Krach**  
**Community Development Technician**  
**Environmental Coordination Services**  
**Placer County Community Development Resource Agency**  
**3091 County Center Drive, Suite 190**  
**Auburn, CA 95603**  
**(530) 745-3132**

**RE: Northstar Mountain Master Plan - Draft Environmental Impact Report**  
**State Clearing House # 2012112020**

The following comments are submitted in response to the **Northstar Mountain Master Plan DEIR (PEIR 20070565, SCH # 2012112020)** project. These comments directly relate to aspects of the proposed project that are Issues of Concern, and which need to be addressed as part of CEQA review process. These Issues of Concern are as follows;

### **1. Ski Lift Facilities and Ski Runs are Not "Compatible Uses" on Timberland Production Zone (TPZ ) timberland;**

The Northstar Mountain Master Plan DEIR includes proposals to construct new ski lifts, ski trails, snow-making, and other ski facilities on Timberland Production Zone (TPZ) lands.

The California legislature completely revised the system of taxation for timber and timberlands in California in 1976, and created TPZ zoning. Timberland Production Zone (TPZ) is timberland that is devoted to, and used for, growing and harvesting timber, and compatible uses. As defined by **California Code Chapter 6.7. Timberland. Article 1. General Provisions, section 51104, subdivision (h)**, a "Compatible Use" is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

"Compatible Uses" include; (1) Management for watershed, (2) Management for fish and wildlife habitat or hunting and fishing, (3) A use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas, (4) The erection, construction, alteration, or maintenance of gas, electronic, water, or communication transmission facilities, (5) Grazing, and (6) A residence or other structure necessary for the management of land zoned for timber production.

The County Board of Supervisors were mandated in 1976 to adopt a list and detailed description of compatible uses additional to those legislated by section 51104. The board of supervisors continues to make determinations regarding compatible uses within Timberland Production zones (TPZ).

Current Placer County Zoning Code, **Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ)** does not allow the construction of ski lift facilities and ski runs in TPZ timberland. Therefore, the applicant's proposal to construct ski lift facilities and ski runs in TPZ timberland is in direct conflict with the existing zoning of Timberland Production Zone (TPZ) in Placer County.

The construction of ski lift facilities and ski runs would involve the conversion of productive timberland to non-timberland uses. The DEIR does not include an analysis which shows that ski facilities should now be considered a "compatible use" in Timberland Production Zone (TPZ) zoning.

3-1

## Letter 3 Continued

Fig. 2

What was the original intent of the Board of Supervisors decision to not allow ski lift facilities and ski runs in Timberland Production (TPZ) timberlands? What would justify reversal of the Placer County Board of Supervisor's original decision to not allow ski lift facilities and ski runs as a "Compatible Use" in TPZ.

In eastern Placer County, the difference in assessed property value rates of **\$ 52/acre for Timberland Production (TPZ)** vs. assessed property value rates of **\$ 1,950/acre for Forestry(FOR)**, provides a clue of the Board of Supervisor's intent as to what they considered is a "compatible use" on Timberland (TPZ) land. Timberland Production (TPZ) land is valued for property taxes on the basis of its use for growing and harvesting timber. Forestry (FOR) land is valued for property tax on the basis of its' separate set of uses, which allow "ski lift facilities" and "ski runs", along with some other uses.

The DEIR does not include any evidence or documentation which would support that ski lift facilities and ski runs would now be a "compatible use" in **Timberland Production (TPZ)** zoned timberlands.

3-1  
Cont.

### 2. Location and Acreage of Ski Lift Facilities and Ski Runs in Timberland Production Zone (TPZ) are not Adequately Identified in the DEIR;

The DEIR does not include a Map showing TPZ Assessor Parcel boundaries, with identifying APN numbers, and which also clearly shows all specific locations of ski trail, ski lift, snow-making, and other ski facilities proposed in Timberland Production (TPZ) zoned timberlands. Figures 3-4 and 3-6 of the DEIR do not adequately show specific proposed ski development in TPZ. The DEIR does not include the acreage of tree clearing associated with the development of ski lift facilities and ski runs in TPZ zoning. By not including this information, i.e., acreages, maps, and zoning, the DEIR does an inadequate job of providing the information necessary to allow proper review and the impacts of the DEIR.

3-2

### 3. Zoning Text Amendment proposal provides No Adequate Analysis showing that Ski Lift Facilities and Ski Runs are "Compatible Uses" in Timberland Production (TPZ) Zoning;

In the **DEIR Chapter 3.0 Project Description, Section 3.9.**, pgs. 3-45 to 3-46, a Placer County **Zoning Text Amendment** is proposed to allow the; *"...development and implementation of ski facilities and ski runs on Timberland Production Zone (TPZ) lands within existing ski resort boundaries (approximately defined by land ownership, trail maps, and ski area boundaries as of March 15, 2012) in Placer County."*

Also, on **DEIR 18.2.1. Cumulative Land Use Impact, pg. 18-3** it states: *"The project proposes the development of ski facilities in areas that are designated Timberland Production Zone (TPZ). In order to achieve consistency with this designation, the project proposes a Zoning Text Amendment to allow these facilities in areas currently designated TPZ and located within the boundaries of land owned and/or operated by existing ski resorts as of March 15, 2012, exclusive of land within the Lake Tahoe Basin boundary."*

The proposed Zoning Text Amendment would change **Section 17.16.010(D) Timberland Production (TPZ)** of the Placer County Code to allow the following as a Minor Use Permit under "Recreation, Education, and Public Assembly Uses": *Ski lift facilities and ski runs, outside of the Lake Tahoe Basin, within land boundaries owned and/or operated by existing ski resorts as of March 15, 2012.*

3-3

As defined by **California Code Chapter 6.7, Timberland, Article 1. General Provisions, section 51104, subdivision (h)**, a "Compatible Use" is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber. Current Placer County Zoning Code, **Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ)** does not consider the construction of "ski lift facilities" and "ski runs" in TPZ timberland as an allowable / "compatible use".

Thus, in the DEIR the applicant has deliberately proposed, *"the development of ski facilities in areas that are designated Timberland Production Zone (TPZ)."*, which is in direct conflict with Placer County Zoning Code **Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ)**. The applicant then, subsequently, proposes a Zoning Text Amendment to try to fix the inconsistency they have just themselves created by proposing, *"the development of ski facilities in areas that are designated Timberland Production Zone (TPZ)."*

## Letter 3 Continued

Pg. 3.

The proposed construction of ski lift facilities and ski runs in Timberland Production (TPZ) timberlands will require the conversion of productive timberland to non-timberland uses.

The DEIR does not include a sufficient analysis that could support a conclusion that ski lift facilities and ski runs would now be a "compatible use" in **Timberland Production (TPZ)** zoned timberlands.

What was the original intent of the Placer County Board of Supervisors decision to not allow ski lift facilities and ski runs in Timberland Production (TPZ) timberlands? Ski lift facilities and ski runs have never been an allowed use in **Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ)**. What would justify a reversal of the Placer County Board of Supervisor's original decision to not allow ski lift facilities and ski runs as a "Compatible Use" in TPZ?

The DEIR does not adequately show that a Zoning Text Amendment which allows the non-compatible uses of ski lift facilities and ski runs in TPZ should be approved by Placer County.

The DEIR does not include a sufficient analysis to support a conclusion that the proposed **Zoning Text Amendment** to allow ski lift facilities and ski runs in Timberland Production (TPZ) should be approved by Placer County.

3-3  
Cont.

### 4. Non-Compatible Use in TPZ; Intensive Ski Facilities Development in Timberland Production Zone (TPZ);

The proposed "C Lift", and associated trails, in T16N, R17E, N ½ Section 8, are in APN's 110-050-054 and 110-050-055, which are currently zoned TPZ. In **Chapter 3.0, Section 3.4.1 Description of Project -Level Components**, pg. 3-25, it is stated: *"The C lift and associated trails would provide a new pod of skiing on the eastern slopes at Northstar...."*, emphasis added.

The term "Pod" has previously been associated with large ski facilities development at Northstar. For example: "Northstar-At-Tahoe S-Ski Pod" (PCPB T200060496) included 73 acres of ski runs and ski lifts, and "Northstar-At-Tahoe-North Lookout Mountain Ski Pod" (CUP-2396) included 44 acres of ski runs and ski lifts. (The North Lookout Mountain Ski Pod is visible from many vantage points in Martis Valley.) Both of the projects were on land zoned Forestry (FOR), not on TPZ timberlands.

In the DEIR, the **C Lift Area Site Plan, sheet C1**, shows that development of just the C Lift, and associated ski trails, would involve ski facilities construction on approx. 30 acres of TPZ timberland.

The DEIR does not provide an adequate analysis to show that the type of intensive ski facilities development historically associated with Forestry (FOR) zoning, would now be appropriate in Timberland Production Zone (TPZ) zoning. The DEIR does not discuss what conditions have changed that would suddenly justify ski facilities development on TPZ timberland for the first time ever in Placer County. The DEIR does not adequately address how ski development on TPZ timberland as proposed in the DEIR could be a "Compatible Use" as defined by **California Code Chapter 6.7. Timberland. Article 1. General Provisions, section 51104, subdivision (h)**, as a use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

3-4

### 5. Non-Compatible Use in TPZ; Construction of Commercial Buildings and Parking Lots in Timberland Production Zone (TPZ);

In DEIR **Section 3.4.1 Description of Program-Level Components**, pg. 3-33, there is discussion that the project includes: *"...relocation of the existing cross-country ski center, (presently) located east of the Vista Express chairlift bottom terminal, to the area south of Sawmill Lake. The relocated cross-country center/skier service center would include an approximately 7,500-square-foot lodge offering limited food service with seating, restroom facilities, and a 20-space parking lot....In addition to the lodge, approximately 2 to 3 miles of 20 foot-wide cross-country ski trails would be constructed in the area adjacent to Sawmill Lake...."*. The proposed lodge and parking lot are in APN 110-050-054, currently zoned TPZ.

3-5

## Letter 3 Continued

Pg. 4.

Current Placer County Zoning Code, **Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ)** does not allow the construction of commercial ski lodge buildings, or parking lots, in TPZ timberland. The DEIR does not adequately analyze, or justify, the expressed plans to build a 7,500 sq.ft. lodge, and a 20-space parking lot, are "Compatible Uses" in TPZ.

3-5  
Cont.

The proposal in the DEIR to construct a commercial building (7,500 sq.ft.lodge), and a 20-space parking lot, on APN 110-050-054, also indicates that there are plans to change the zoning of this parcel from TPZ, to FOR, or other zoning, to actually allow the construction of commercial structures on this APN. However, the necessary re-zoning needed to a construct a building (7,500 sq.ft.lodge) and parking lot on this TPZ zoned parcel are not adequately addressed in the DEIR.

### 6. Non-Compatible Use in TPZ; Conversion of Large Contiguous Areas of Timberland, and Fragmentation of Forest Stands in Timberland Production Zone (TPZ);

DEIR **Section 3.3.2 General Project Objectives**, pg 3-5, item 10), states that one project objective is to; *"Implement trail widths and widening of existing trails...to better accommodate modern shaped ski/snowboard technology."*, and shows that there is a trend toward wider ski trails.

A close look at **Figure 3-7 Northstar Mountain Management Plan** map shows that many proposed project level ski trails are much wider than the existing ski trails at Northstar. For example, the new ski trail to be constructed along the C Lift line is almost 300 ft. wide along it's 3,600 ft. long alignment. Just this one ski trail would be about 24 acres in size, of which about 20 acres are in TPZ timberland parcels (APN's 110-050-054 and 110-050-055). The DEIR does not provide any supporting evidence that would show that "ski lift facilities" and "ski run" construction, which converts such large tracts of timberland (eg. 20 contiguous acres) to non-timberland uses, would now be a "compatible use" in TPZ zones.

3-6

As previously mentioned above, Current Placer County Zoning Code, **Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ)** does not allow the construction of "ski lift facilities" and "ski runs" in TPZ timberland. The DEIR does not adequately analyze, or justify, that the expressed General Project Objective to *"Implement trail widths and widening of existing trails...to better accommodate modern shaped ski/snowboard technology"*, is a "Compatible Use" in TPZ Timberland.

### 7. Zoning Text Amendment & Inconsistency with Placer County General Plan;

DEIR **Chapter 4. Section 4.2.3 Placer County General Plan, Table 4-1**, includes **Policy 1.F.6.**, which (emphasis added) states; *"The County shall support the continued use of Timber Production zoning and its related tax benefits as a means of encouraging ongoing private forest resource production efforts and management plans. The County shall also consider approval of reasonable compatible uses of such lands as long as they meet the intent of maintaining such areas for the long-term production of timber."*

The DEIR analysis in Table 4-1, right-hand column, states that the NMMP project would not rezone any portion of the project site from TPZ, but proposes a Zoning Text Amendment. Timberland zoned as Timberland Production (TPZ) within the boundaries of Northstar's ownership enjoys the related tax benefits of such zoning. Currently, Timberland Production (TPZ) timberland in eastern Placer County is assessed at about **\$52 / acre**. For comparison Forestry (FOR) timberland, which allows ski facilities and ski runs, is assessed at about **\$1,950 / acre**

3-7

The Zoning Text Amendment proposed in the DEIR would have zoning remain as Timberland Production (TPZ), with a continued TPZ tax assessment rate of about \$52 / acre. The 1976 Timber Yield Tax Law does not allow TPZ timberland to re-assessed.

## Letter 3 Continued

Pg. 5.

The two following tables can be used to compare differences between Timberland Production (TPZ) assessments vs. Forestry (FOR) assessments. The source is Placer Co. Assessor website Dec. 2013.

**Table 1. APN's at Northstar zoned as Timberland Production (TPZ)**

APN	Current Zoning	Acres	Legal Description	Total \$ Assessed Value	\$ / Acre Assessed Value
110-081-014	TPZ	47.3	T17N, R17E, Sec. 32	\$ 2,885	\$ 60.99 / ac.
110-081-015	TPZ	178.5	"	\$ 10,888	\$ 60.99 / ac.
110-081-016	TPZ	9.0	"	\$ 549	\$ 61.00 / ac.
110-050-051	TPZ	233.4	T17N, R17E, Sec. 33	\$ 12,792	\$ 55.04 / ac.
110-050-074	TPZ	68.4	"	\$ 5,344	\$ 78.12 / ac.
110-050-054	TPZ	232.1	T16N, R17E, Sec. 8	\$ 10,212	\$ 44.06 / ac.
110-050-055	TPZ	4.4	"	\$ 193	\$ 43.86 / ac.
080-260-001	TPZ	637.2	T16N, R16E, Sec. 3	\$ 33,452	\$ 52.50 / ac.
080-260-015	TPZ	362.9	T16N, R16E, Sec. 11	\$ 15,967	\$ 44.00 / ac.
080-260-017	TPZ	309.3	T16N, R16E, Sec. 1	\$ 13,609	\$ 44.00 / ac.
091-110-027	TPZ	423.8	T16N, R16E, Sec. 13	\$ 23,305	\$ 54.99 / ac.

**Total Acres TPZ 2,506.3 acres      Avg. \$/Acre Placer Co. Tax Assessment Rate \$ 51.57 / ac.**

**Table 2. APN's at Northstar zoned as Forestry (FOR)**

APN	Current Zoning	Acres	Legal Description	Total \$ Assessed Value (Land Only)	\$ / Acre Assessed Value
110-050-017	FOR	38.3	T16N, R17E, Sec. 7	\$ 20,670	\$ 2,215.70 / ac.
110-050-040	FOR	115.7	T16N, R17E, Sec. 6	\$ 251,325	\$ 2,172.21 / ac.
110-050-041	FOR	43.3	T16N, R17E, Sec. 6	\$ 93,565	\$ 2,160.85 / ac.
110-050-073	FOR	556.6	T16N, R17E, Sec. 7 & 8	\$ 769,971	\$ 1,431.85 / ac.
110-050-075	FOR*	429.6	T16N, R17E, Sec. 5 & 6	\$ 3,418,770	\$ 7,958.04 / ac.
080-260-008	FOR	14.2	T16N, R16E, Sec. 1	\$ 27,198	\$ 1,915.35 / ac.
080-260-010	FOR	286.9	T16N, R16E, Sec. 11	\$ 620,156	\$ 2,161.58 / ac.
080-260-013	FOR	616.9	T16N, R16E, Sec. 12	\$ 1,305,595	\$ 2,116.38 / ac.
080-260-016	FOR	331.5	T16N, R16E, Sec. 1	\$ 729,061	\$ 2,199.28 / ac.

**Total Acres TPZ 2,433.0 acres      Avg. \$/Acre Placer Co. Tax Assessment Rate \$ 1,950.92 / ac.**

\* Note: APN 110-050-075 mixed Zoning FOR, RES, RM, TPZ, and was not used in weighted avg. \$/Ac. Assessed Value calc.  
 - Also Note: Table 1, and Table 2, do not include APN's 080-260-002 (640.3 acres) or 110-050-069 (407.4 acres) where TPZ contracts may have expired in 2013.

**Policy I.F.6.**, mentioned above, also includes (emphasis added), "... The County shall also consider approval of reasonable compatible uses of such lands as long as they meet the intent of maintaining such areas for the long-term production of timber."

The difference in assessed rates of **\$52/acre for Timberland Production (TPZ)** vs. assessed rates of about **\$1,950/acre for Forestry (FOR)**, might provide the answer to what the Board of Supervisor's intent is with respect to what is a "compatible use" on (TPZ) timberland. Timberland Production (TPZ) land is valued for property taxes on the basis of its use for growing and harvesting timber. Forestry (FOR) land is valued for property tax on the basis of its' separate set of uses, which allow "ski lift facilities" and "ski runs", along with some other uses.

The analysis in the DEIR in Table 4-1, which suggests that the proposed Zoning Text Amendment allowing "ski lift facilities" and "ski runs" on Timberland Production (TPZ) would make the Zoning Text Amendment "consistent" with the Placer County policies, has not been substantiated in the DEIR.

Conversely, the large differences in property value assessments between TPZ and FOR, along with consideration of what types of uses are allowed within each separate zoning, show that it is not intended that "ski lift facilities" and "ski runs" be allowed within TPZ zoning. The DEIR does not show that "ski lift facilities" and "ski runs" are reasonable compatible uses in Timberland Production (TPZ) zoned timberlands.

**3-7  
Cont.**

Pg. 6.

## Letter 3 Continued

### 8. Other Available Alternatives to the proposed Zoning Text Amendment, and Potential Impacts on Placer County Tax Revenue;

In eastern Placer County, assessed rates for **Timberland Production (TPZ)** are approximately **\$52/acre**, and assessed rates for **Forestry (FOR)** are approximately **\$1,950/acre**. Timberland Production (TPZ) land is valued for property taxes on the basis of its use for growing and harvesting timber. Forestry (FOR) land is valued for property tax on the basis of its' separate set of uses, which allow "ski lift facilities" and "ski runs", along with some other uses.

The proposed Zoning Text Amendment would allow the construction of "ski lift facilities" and "ski runs" on Timberland Production (TPZ) timberlands. But, because the land would still be zoned as TPZ it could not be re-assessed to a higher rate, even though it now included ski development. Re-assessment of TPZ timberland is not allowed, pursuant to the 1976 Timber Yield Tax Law.

The DEIR does not address the two (2) existing alternatives already available to allow ski lifts, ski trails, and related facilities to be built in timberlands currently zoned TPZ. These include;

**1. Notice of Rezoning. California Code, Article 2. Timberland Production Zones, Section 51120.** Parcels zoned as timberland production (TPZ) shall be zoned as such for an initial term of 10 years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial term of 10 years, unless a notice of rezoning is given as provided in **California Code, Article 2. Timberland Production Zones, Section 51120.**

A Timberland Production (TPZ) owner can request to rezone a parcel from its current TPZ zone upon written notice to the Board of Supervisors. Following a public hearing, the parcel can be rezoned by a majority vote of the full board. The zoning would change in 10 years. The re-zoned parcel will be re-assessed to the value of the new use.

**2. Immediate Rezone. California Code, Title 14, Natural Resources, Division 1.5, Department of Forestry, 1109 Immediate Rezoning, 1109.1 City or County Tentative Approval.**

The county Board of Supervisors can, in conjunction with Calif. Dept. of Forestry approval of a Conversion Permit, upon a four-fifths vote of the full body, approve an Immediate Rezoning of TPZ timberland. Other requirements would include; 1) Public Notification by Notice sent to landowners within one mile (1.61 km) of the exterior boundary of the land upon which immediate rezoning is proposed; 2) Public Hearings by the appropriate local government agency; 3) Findings that rezoning is in the public interest; 4) Re-assessed to the value of the new use, and 5) pay a recoupment fee **California Code, Chapter 6.7 Timberland, Section 51142. Removal from Zone.**

Immediate Rezone could be a more focused method, concentrating on only those parcels where ski facilities are designed, instead of the current proposed Zoning Text Amendment proposed in the DEIR, which could potentially allow future ski facilities development in the future on large areas (2,506 acres) of TPZ timberland within the boundaries of property owned by Northstar.

Immediate Rezone would change the zoning from Timberland Production (TPZ) with assessed property values of about \$52/acre, to presumably Forestry (FOR) with assessed property values of about \$1,950/acre. Placer County could start to receive increased tax revenue, at a rate that more appropriately reflects what would actually be happening on-the-ground, i.e., ski facilities construction. Additionally, **Section 51142. Removal from Zone**, would allow Placer County to receive a "tax recoupment fee", which would be "a multiple of the difference between the amount of the tax levied against the property when zoned as timberland production and the amount equal to the assessed valuation of the rezoned property". The multiple would correspond to the number of years the land was zoned TPZ, up to a maximum of 10 years.

The DEIR does not adequately address what the economic impacts of approval of the Zoning Text Amendment would be to Placer County, particularly with respect to possible lost tax revenue. By allowing ski facilities to be built on TPZ timberland, which cannot be re-assessed pursuant to California Timber Yield Tax Law 1976, Placer County is potentially forfeiting the chance to receive increased tax revenue from developed ski land.

3-8

Fig. 7.

## Letter 3 Continued

### 9. Zoning Text Amendment does Not resolve TPZ Zoning Conflict with Placer County Zoning.

In DEIR Section 4.3.3. Impacts and Mitigation Measures, Impact 4.1: Conflict with General Plan/Community Plan, Zoning, or Plan Policies, pg. 4-11, it is acknowledged that the proposed expansion of ski trails and other facilities into areas that are zoned Timberland Production (TPZ) is in conflict with Placer County zoning code, specifically Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ).

The DEIR further acknowledges that such a proposal would require a Zoning Text Amendment in order to accommodate ski facilities in areas of TPZ. Subsequently in the DEIR a Zoning Text Amendment is proposed to allow ski lifts, ski trails, and related facilities in TPZ zoning at Northstar.

However the DEIR has never established that ski lifts, ski trails, and other facilities are "compatible uses" in Timberland Production (TPZ). As defined by California Code Chapter 6.7. Timberland, Article 1. General Provisions, section 51104, subdivision (h), a "Compatible Use" is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

The DEIR does not include an adequate analysis which can show that ski lifts, ski trails, and other facilities are "compatible uses" in Timberland Production (TPZ). Despite the fact that ski lift and ski trail construction would convert productive timberland to non-timberland uses, no evidence is presented that would show that such conversion would not inhibit the growing of timber.

The DEIR provides no basis to support the proposal of, let alone approval of, a Zoning Text Amendment in the first place. Yet, at the same time, the DEIR takes the liberty to assume that the Zoning Text Amendment will be approved. The DEIR states (emphasis added) that, "Following the Zoning Text Amendment, both project-level and program-level components would be allowed in TPZ and would be consistent with zoning requirements.", thus making the peculiar and equivocal argument that there will be no significant conflicts with existing Placer County zoning, because of the assumption that a presently un-approved Zoning Text Amendment might be approved.

Therefore, the DEIR has not mitigated the proposed project's conflict with Placer County Zoning Code Section 17.16.010(D) Allowable Uses - Timberland Production (TPZ).

Also, it could be argued that the NMMP DEIR is deficient in that the DEIR had not included an analysis of a Project Alternative which, pursuant to CEQA, considers the potential impacts of the project without the Zoning Text Amendment included.

3-9

### 10. Proposed Zoning Text Amendment (Zoning Ordinance Change) would cause a Substantial Alteration of Present Land Use;

Placer County approval of the proposed Zoning Text Amendment proposed in the DEIR, would permit "ski lift facilities" and "ski runs" in TPZ, for the first time ever, in Placer County. The Zoning Text Amendment, as proposed in the DEIR, would now allow ski lift facilities and ski runs on all Timberland Production (TPZ) timberlands owned by Northstar.

According to Placer County Zoning records, as of January 2014, there are currently at least approximately 2,506 acres of TPZ timberland within the boundaries of land owned by Northstar.

[Note: Prior to 2013 there were 3,554 acres of TPZ at Northstar. During 2013, according to Placer County Zoning information, the TPZ contracts for APN 080-260-002 (640.3 acres) and APN 110-050-069 (407.4 acres) were to expire. However also note, as of January 6, 2014 the Placer County Assessor's Office shows these two parcels are still zoned TPZ, so Northstar TPZ acreage may still be 3,554 acres.]

Northstar's 2,506 acres of Timberland Production (TPZ) zoned lands comprises an area 3.9 square miles in size. This is an area larger than Homewood Ski Area, and also larger than Sugar Bowl Ski Area, nearly as large as Alpine Meadows Ski area, and also nearly as large Squaw Valley Ski Area.

3-10

Pg. 8.

## Letter 3 Continued

Placer County approval of the Zoning Text Amendment could result in a substantial alteration of the present land use in the area. If the proposed Zoning Text Amendment were to be approved by Placer County, there is nothing that would prevent the landowner from submitting additional proposals for more ski lift facilities and ski run construction in these areas, still technically zoned TPZ, in the future.

The DEIR does not adequately address what the potential impacts of a change in land use of this magnitude could result from approval of the Zoning Text Amendment.

3-10  
Cont.

### 11. The DEIR does Not provide an Adequate Analysis of Social and Economic Impacts of the proposed Zoning Text Amendment

In DEIR Chapter 3, Section 3.9 Zoning Text Amendment, bottom of pg. 3-46, it is stated (emphasis added) that, *“As proposed, the amendment would only apply to existing ski resorts and within existing resort boundaries as of March 15, 2012, and outside of the Lake Tahoe Basin. The proposed language effectively limits its applicability to the existing boundaries within Northstar because Northstar is the only existing ski resort in Placer County that has TPZ lands within its current boundaries (Figure 3-13). This would occur as part of the NMMP project-level components.”* The statement seems to want to suggest that Ski development in TPZ timberland at Northstar will not set a precedent of similar development elsewhere in Placer County.

**Figure 3-13 – Placer County Ski Resorts and TPZ Lands** included in the DEIR shows the locations of all other ski areas in Placer County, including: Squaw Valley, Alpine Meadows, Homewood, Sugar Bowl, and Royal Gorge, and also clearly shows that Northstar is the only existing ski resort in Placer County that has TPZ lands within its current boundary. And also note, all ski development at Northstar since 1976 to date has also been on non-TPZ, just like all the other ski resorts in Placer County.

The DEIR includes **Figure 3-13** which seemingly tries to suggest that ski development in TPZ at Northstar will not set a precedent elsewhere. However, conversely **Figure 3-13** actually is a very good representation of the historic pattern of ski development on Non-TPZ timberland in Placer County. The historic development of ski facilities on Non – TPZ land in Placer County has been an “industry standard” since 1976.

3-11

Because the focus of the proposed Zoning Text Amendment is so narrow (see last paragraph pg. 3-46 DEIR), there are certain benefits that only one Placer County ski resort, i.e. Northstar, could receive from approval of the Zoning Text Amendment. For example, Northstar could receive an immediate entitlement to potentially pursue the construction of ski facilities on over 2,506 acres of TPZ timberland within the boundaries of Northstar property, which has been historically unavailable for ski development.

In eastern Placer County, assessed rates for **Timberland Production (TPZ)** are approximately **\$52/acre**, and assessed rates for **Forestry(FOR)** are approximately **\$1,950/acre**. A cursory review of Placer County Assessor records shows that, in general, Forestry (FOR) zoning on all Ski Resorts in eastern Placer County, including Alpine Meadows, Squaw Valley, Homewood, Sugar Bowl, Royal Gorge, and including Northstar’s currently developed ski terrain, are assessed at about **\$1,950/ac**. Timberland Production (TPZ) land is valued for property taxes on the basis of its use for growing and harvesting timber. Forestry (FOR) land is valued for property tax on the basis of its separate set of uses, which allow “ski lift facilities” and “ski runs”, along with some other uses.

What would the effect be if one Ski Resort was able to continue to operate, develop, and market new ski terrain, on property assessed at about **\$52/acre**, while all other Ski Resorts have to operate on property assessed at about **\$1,950/acre**? The DEIR does not include an adequate analysis of the distribution of potential economic and social impacts to the other ski areas within Placer County, and also the other business located near other ski areas.

## Letter 3 Continued

### 12. Potential Impacts to California Spotted Owl (CASPO);

California Spotted Owl (CASPO) is known to occur at Northstar. The **Habitat Management Plan (HMP), DEIR Appendix, pg 3-27** includes a brief summary of CASPO occurrences. The HMP includes CASPO as a focal species of Northstar's HMP wildlife management plans.

**DEIR Chapter 3, Section 3.4.1. Description of Project Level Components**, pg. 3-27, describes the "W-Lift and Tree-Skiing", and "Z-Lift and Tree-Skiing", components of the NMMP. **DEIR Trail Site Clearing Plan, Sheet C6** shows the alignments of W-Lift and Z-lift are located on ridge lines, which approximately define the boundary of the sub-drainage where CASPO has been repeatedly observed.

The initial CASPO sighting at Northstar in June 2003, on the north slope of Sawtooth Ridge, near the N ¼ Corner, Section 11, T16N, R16E, MDM, is documented in Timber Harvest Plan #2-99-260-PLA. A July 25, 2003 letter sent to Calif. Dept. of Forestry, and Dave Richter, Wildlife Biologist, CDFG, includes protection measures for CASPO habitat agreed to between the Forester (RPF) and Richter of CDFG, and a Map showing the "deferred" area not to be harvested as part of that THP #2-99-260-PLA. A copy of the letter and Map are attached herein, and are labeled as "Enclosure A". The map in "Enclosure A" can be cross-referenced with **NMMP Trail Site Clearing Plan, Sheet C6** showing the location of W-Lift and Z-Lift. The 2003 "deferred" CASPO habitat area agreed to by CDFG lies on the north slope of Sawtooth Ridge, between W-Lift and Z-Lift, extending from the ridge top in Section 11, down to Schaffer Creek in Section 2, T16N, R16E, MDM.

**DEIR HMP Appendix, Exhibit 3-8 Spotted Owl Habitat Suitability and Recent Occurrences**, pg. 3-31, shows that 2007 CASPO detections occurred in Spotted Owl Habitat Suitability CLASS 1- Low to Moderate breeding value. The 2003 CASPO observances were in the same general area as the 2007 occurrences. **DEIR Chapter 2, Section 2.5 Environmental Impacts and Proposed and Recommended Mitigation, Table 2-2, Mitigation Measure 6-2a; California Spotted Owl**, pg. 2-11, states Suitability Habitats CLASS 3- High breeding, and CLASS 2 - Moderate breeding will be surveyed, but only portions of CLASS 1- Low breeding habitat will be surveyed for CASPO. Therefore, **Mitigation Measure 6-2a. for California Spotted Owl**, does not necessarily require that the areas where CASPO were observed in 2003 and 2007 ever actually be surveyed. The DEIR should include enforceable mitigation to require that protocol surveys be conducted in the area where CASPO were observed in 2003 and 2007, with that survey area corresponding to the "deferred" harvest area agreed to with CDFG in July 2003 (see attached July 25, 2003 letter to Calif. Dept. of Forestry).

3-12

Judging by the terrain in the area, it is reasonable to conclude that the "tree skiing" associated with W-Lift and Z-Lift would include the area where CASPO was observed in 2003 and 2007. Because the DEIR specifically lists "tree skiing" to be a component of the W-Lift and Z-Lift, the DEIR should include a Map of the specific locations where tree skiing can be expected to occur tributary to the W-Lift and Z-Lift. Also, because in the HMP discussion about Tree Skiing, HMP pg. 4-10, states that Thinning and Selection silvicultural prescriptions will be used for tree skiing, the DEIR should show where any Thinning or Selection tree cutting will occur.

With the DEIR proposal to construct two (2) ski lifts directly adjacent to an area known to support a breeding pair of California Spotted Owls, and the proposal for tree skiing, which likely involves Thinning and Selection timber harvest prescriptions, it is highly probable that the present characteristics of the forest stand that is supporting breeding California Spotted Owls will be significantly altered, possibly impacting the suitability of the area to support Spotted Owls in the future.

The Northstar HMP discussion of **Target Habitats. Late-Seral Forest**, pg. 3-17 recognizes the value of Late-Seral forest, and acknowledges CASPO requires old growth characteristics for certain life-cycle stages.

In addition to managing Late-Seral forest stands for focal species like CASPO, the DEIR should also include an enforceable provision requiring that, the only known location at Northstar where CASPO has been known to successfully breed, should be managed primarily for CASPO, with other uses being only secondary, whether-or-not the CASPO stand has Late-Seral characteristics. It is noted that the DEIR does include in **Chapter 2, Section 2.4.3. Alternative 3**, pg 2-4, which would eliminate W-Lift and Z-Lift from the project.

## Letter 3 Continued

Pg. 10

### 13. Impacts to Migratory Birds / Migratory Bird Treaty Act 1918 (MBTA)

The DEIR does not provide adequate mitigation measures to protect migratory birds protected by the Migratory Bird Act Treaty 1918 (MBTA), a federal law. **Mitigation Measure 6-7: Mitigate for Impacts to Migratory Birds and Raptors, DEIR Chapter 2, Table 2-2, does not include specific survey requirements for migratory birds.**

While the DEIR Mitigation Measure 6-7 describes specific survey requirements for "other nesting raptors", it does not describe specific survey requirements for migratory birds. The DEIR should include specific pre-construction surveys for Migratory Birds covered under the MBTA, i.e., a qualified biologist should conduct focused pre-construction surveys for migratory birds. The mitigation measure could include language similar to that required in the Northstar Highlands Conditional Use Permit (PSUB20040890) constructed at Northstar recently. That CUP included language similar to, "For migratory birds, the survey area shall be limited to the areas where vegetation removal could lead to direct destruction of active nests. If an active migratory bird nest is located during the pre-construction survey, the County shall be notified. Measures to reduce impacts, to the extent feasible, shall be developed and implemented by a qualified biologist." Specific pre-construction survey requirements, and mitigation measures, for migratory birds should be developed by a qualified biologist.

3-13

### 14. Impacts of Ski Trail Construction on the Riparian Area, Adjacent Uplands, and Wildlife Movement Corridors at Headwaters of Schaffer Creek;

In **Northstar Habitat Mangement Plan (HMP) DEIR Appendix 3.3, Riparian and Aquatic Habitats**, pg. 3-28, it says there are approximately **127 acres** of riparian habitat within the planning area (Northstar ownership), which represent **1.6%** of the planning area. So it is reasonable to say that riparian habitat is scarce at Northstar.

Also on HMP pg. 3-28, there is a discussion about riparian and adjacent terrestrial uplands which says, "*Riparian ecosystems are transitional between an aquatic source (eg., stream, ponded water, subsurface water) and terrestrial uplands...*". (Keddy 2000, Brinson et al. 2002 cited in Jones & Stokes 2005, USDA Forest Service, RHJV 2004). *In the Sierra Nevada, important forms of riparian habitat include linear riparian corridors along stream and deciduous shrub components of wet meadows.*", and, "*Riparian habitats are among the most productive and species-rich areas in the Sierra Nevada bioregion, and support a high proportion of neotropical migrant landbird species*".

Also, on HMP pg. 5-32, it says, "*Adjacent uplands shade riparian areas and streams, and are a source of coarse woody debris.*" and, "*Overall, the species richness of riparian and stream corridors increases with their width, continuity, and presence of surface water or saturated soils in the stream channel and adjacent floodplain.*", and, "*Width and continuity also affect the use of riparian and adjacent uplands as movement corridors*".

Despite this kind of information included in the HMP, the project proposes to construct ski trails directly adjacent to, and possibly within, riparian corridors and wet meadows, in SW ¼, Section 12, T16N, R16E, MDM, which is on the "Backside" of Northstar. Ski trail construction, which generally involves the removal of all trees from an area, is proposed around a wet meadow/riparian area, and along a stream corridor. The wet meadow/riparian area is also identified as Willow flycatcher habitat (*Empidonax traillii*) in **HMP Exhibit 3-10 Modeled Willow Flycatcher Breeding Habitat**, pg 3-37.

3-14

Attached herein as part of these public comments is an air photo of the area in question, labeled; "Enclosure B" - Riparian Impacts. The "Enclosure B" air photo can be cross-referenced with **HMP Exhibit 3-10 Modeled Willow Flycatcher Breeding Habitat**, pg 3-37, which shows where the Willow flycatcher habitat is, and also cross-referenced with **NMMP Trail Clearing Site Plan, Sheet C6** in the DEIR which shows where ski trails are proposed. The proposed ski trail construction will negatively affect all the important functions of riparian and adjacent areas, mentioned above. The decision to construct ski trails in this area disregards the discussion in the Northstar Habitat Management Plan as to how important, and scarce, this type of area is at Northstar. The DEIR does not explain the necessity to construct a ski trail in this habitat. Where in the DEIR is it described how impacts to wildlife species, wildlife habitat, and hydrology, will be avoided in this area? There is no restoration project, or enhancement project, that can be accomplished at Northstar to replace this type of habitat. However, if there is a proposed project which attempts to enhance habitat as a result of negative impacts from the NMMP project, the DEIR should explain what such a project would be, and what resources will be enhanced.

Pg. 11.

## Letter 3 Continued

The DEIR references in several places that tree removal related to ski facilities construction will be harvested in compliance with the rules of an approved Timber Harvest Plan. Standard Rule 936.5(e) of the California Forest Practice Rules, pertaining to watercourse protection measures, says; *"To protect water temperature, filter strip properties, upslope stability, and fish and wildlife values, at least 50% of the overstory canopy covering the ground shall be left in a well distributed multi-storied stand configuration composed of a diversity of species similar to that found before the start of operations. The residual overstory canopy shall be composed of at least 25% of the existing overstory canopy."*

The DEIR does not adequately address how the construction of Ski Trails adjacent to these riparian areas will be consistent with the requirements of California Forest Practice Rules, Standard Rule 936.5(e).

3-14  
Cont.

### 15. Northstar Habitat Management Plan (HMP);

The DEIR references the **Northstar Habitat Management Plan (HMP)** in many places, and on numerous occasions. Within the HMP it is stated that the HMP can be updated and modified every few years, which means it can be changed by the landowner (Northstar) in any way, and at any time. The DEIR does not adequately describe the specific legal and administrative relationships between the Northstar Mountain Master Plan NMMP DEIR and the Northstar Habitat Management Plan (HMP).

The DEIR does not adequately say whether the HMP has ever received public input, or gone through a CEQA review process, or been approved by Placer County as mitigation for projects subject to CEQA review. The DEIR does not adequately address if the HMP contains any enforceable mitigation measures that apply to the project proposed in the NMMP DEIR.

3-15

### 16. DEIR proposal to allow Ski Lift Facilities and Ski Runs with a Minor Use Permit (MUP).

The Zoning Text Amendment proposed by the applicant in the **DEIR Section 3.9, pg. 3-46** would change **Section 17.16.010(D) Timberland Production (TPZ)** of Placer County Code to allow the following as a Minor Use Permit (MUP) under "Recreation, Education, and Public Assembly Uses": *Ski lift facilities and ski runs, outside of the Lake Tahoe Basin, within land boundaries owned and/or operated by existing ski resorts as of March 15, 2012.*

Current Placer County Code **Section 17.15.010(B) Forestry (FOR)** allows "ski lift facilities" and "ski runs" to be constructed with a Conditional Use Permit (CUP). Placer County Code **Section 17.58.130 Conditional Use Permits (CUP)** requires the Planning Commission to consider information presented about the project in the CUP application.

The proposed Zoning Text Amendment would change Placer County Code **Section 17.16.010(D) Timberland Production (TPZ)** to allow "ski lift facilities" and "ski runs" to be constructed with only a Minor Use Permit (MUP). Placer County Code **Section 17.58.120 Minor Use Permits (MUP)** allows the Zoning Administrator to consider information presented about the project in the CUP application.

The DEIR does not adequately address this issue, or clearly explain if future "ski lift facilities" and "ski runs" proposed in Forestry (FOR) zoning would be allowed with only a Minor Use Permit (MUP). The DEIR should explain the reasoning behind this proposal.

3-16

### 17. Notice of Availability of a Draft EIR for Public Review, and Notice of Completion & Environmental Document Transmittal;

**DEIR Chapter 2. Executive Summary. Table 2-1 Summary of Project Components**, pg. 2-1, lists a Zoning Text Amendment to allow for the development of ski lift facilities and ski runs in the Timberland Production Zone (TPZ) as a project component.

3-17

Pg. 12.

## Letter 3 Continued

In **DEIR Chapter 3 Project Description, Section 3.9**, pgs. 3-45 to 3-46, a Placer County Zoning Text Amendment is proposed to allow the: “... *development and implementation of ski facilities and ski runs on Timberland Production Zone (TPZ) lands within existing ski resort boundaries (approximately defined by land ownership, trail maps, and ski area boundaries as of March 15, 2012) in Placer County.*”

The **Notice of Availability of a Draft EIR for Public Review** document does not specifically list the Zoning Text Amendment component as part of the project in the Project Description. Pursuant to Placer County Code **17.60.090 Chapter or Plan Amendments and Rezoning**s, and **17.60.140 Public Hearings**, Zoning Text Amendments would be subject to public notification requirements, and would be afforded a public hearing. It appears that not including the Zoning Text Amendment in the Project Description on the Notice could be a deficiency in the Public Notification process.

Also, the **Notice of Completion & Environmental Document Transmittal** does not include a complete list of all APN's zoned Timberland Production (TPZ) within the existing boundaries of Northstar ownership. Because the proposed Zoning Text Amendment would involve all APNs zoned TPZ at Northstar, this could be a deficiency in the Public Notification process.

Also, **DEIR Chapter 3, Section 3.2.1. Site Characteristics**, fails to include a complete list of all Timberland Production (TPZ) zoned APNs within the boundaries of Northstar's ownership.

Because the proposed Zoning Text Amendment proposes a significant change in land use; i.e.; the construction of ski facilities in TPZ, and involves such a large area (i.e.; all TPZ land within the boundaries of Northstar), the Public Notification process does not adequately present the actual scope of the project as represented in the DEIR.

Or, will a separate CEQA Environmental Analysis be performed for the Zoning Text Amendment, and will there be a separate Public Notification and Public Hearing for the Zoning Text Amendment? If so, please put me on the Public Notification list.

Thank you for the opportunity to comment. I look forward to seeing responses to all Issues of Concern regarding the NMMP DEIR. Please feel free to call if you have any questions or need more information.

Sincerely,

William J. Banka,  
Forester

Enclosures (2)

**3-17  
Cont.**

## Letter 3: William J. Banka, Resident

### **RESPONSE TO COMMENT 3-1**

The commenter states that the Draft EIR does not contain any evidence to support the notion that ski lift facilities and ski runs are compatible uses in a Timberland Production Zone.

As noted in Master Response 5, the DEIR discloses the physical environmental effects of the development's recreational facilities throughout the Northstar Mountain, including TPZ lands (see DEIR Sections 4.0 through 18.0). The DEIR specifically acknowledges improvements that would occur within the TPZ designated lands and evaluates the consistency of NMMP project- and program-level components on TPZ and associated loss of timber resources (see DEIR pages 4-11 through -13). The TPZ lands within Northstar located in Northstar Habitat Management Plan (HMP) Management Zones D and E that are planned to be managed to retain, improve, and enlarge these forested areas would improve this TPZ area from existing conditions (DEIR Appendix 3.3, Tables 4-6 and 4-7). The HMP identifies that the forests in Zone C (which includes a TPZ zoned area adjacent to State Route 267) are to be managed for the protection of human safety and forest health and to maintain and enhance natural resources to the extent practicable (without compromising human safety or forest health). Management practices conform to all applicable California Forest Practice Rules and to the specific terms and conditions of Timber Harvest Plans for timber operations in this zone. These Timber Harvest Plans contain numerous measures to sustain forest productivity and to avoid and/or minimize adverse effects on habitats, including measures that address harvesting practices and erosion control, watercourse protection, and wildlife protection. Ski resort operation would not conflict with timber harvesting operations that may occur at Northstar, since timber harvesting would occur outside of the winter season. The California Department of Forestry and Fire Protection (Cal Fire) has reviewed the proposed Zoning Text Amendment and associated analysis in the DEIR, and Cal Fire has no objection to the proposed Zoning Text Amendment to allow ski lift/run development as a conditional compatible use for TPZ lands in Northstar. Cal Fire's position on this matter is primarily based on the Draft EIR's clear and appropriate articulation of the requirements for Timber Conversion and Timber Harvest permitting through Cal Fire as a component of any ski lift/run development on timberland (Huff 2014).

The commenter's concerns regarding assessed property values between TPZ and Forestry (FOR) are noted. Economic issues are not considered significant effects on the environment (CEQA Guidelines Section 15131).

### **RESPONSE TO COMMENT 3-2**

The commenter states that the Draft EIR does an inadequate job of providing the information necessary to allow a proper review. Needed information includes acreages, maps, and zoning.

DEIR Figure 3-6 shows existing TPZ zoning, while DEIR Figure 3-12 shows proposed NMMP features that would be located within the TPZ. A concise map of TPZ areas and proposed NMMP components are shown in **Figure 1-2** in Master Response 3. DEIR page 4-12 specifically identifies that the following NMMP features would be located within TPZ areas, while tree removal for the project is identified in DEIR Table 3-5. Thus, the DEIR provides a complete description of improvements within the TPZ areas for purposes of evaluating environmental impacts of the project.

### Project-Level Components

- Portions of the C lift and associated trail improvements
- Portions of the W lift and associated trail improvements
- Z lift and associated trail improvements

### Program-Level Components

- Portions of the Q lift and associated trail improvements

### **RESPONSE TO COMMENT 3-3**

The commenter states that the proposed project conflicts with County zoning and that the Draft EIR does not contain any evidence to support the notion that ski lift facilities and ski runs are compatible uses in a Timberland Production Zone.

The commenter is referred to Response to Comment 3-1 and Master Response 5. The commenter provides no analysis to show that ski facilities would conflict with timber production activities within the TPZ areas.

### **RESPONSE TO COMMENT 3-4**

The commenter states that the Draft EIR does not adequately address how ski development on TPZ timberland could be a compatible use as defined by California Code Chapter 6.7.

The commenter is referred to Response to Comment 3-1 and Master Response 5. The commenter provides no analysis to show that ski facilities would conflict with timber production activities within the TPZ areas or would inhibit the growing of timber.

### **RESPONSE TO COMMENT 3-5**

The commenter states that the necessary rezoning needed to construct buildings and a parking lot on TPZ lands is not addressed in the Draft EIR.

The DEIR discloses the physical environmental effects of the development's recreational facilities throughout the Northstar Mountain, including TPZ lands (see DEIR Sections 4.0 through 18.0), with the proposed cross-country ski center/skier services center specifically addressed under DEIR Impacts 4-2, 6.2, 7.1, 8.3, 10.2, 10.3, 14.3.1, 14.4.1, 14.4.1, 14.6.1, and 16.1. The commenter provides no information or analysis regarding what the DEIR failed to address in regard to environmental impacts associated with the proposed cross-country ski center/skier services center.

The commenter's reference to rezoning of the proposed relocated cross-country ski center/skier services center does not acknowledge that this rezoning consists of relocating the FOR designation square to this site rather than a new zoning. The proposed Community Plan Amendment would relocate/exchange an existing Tourist/Commercial land use designation (approx. 0.7 acres) located at the Backside campsite area to the proposed cross-country center/skier services/campsite area at the bottom of the proposed C lift. The existing Forest land use designation (approx. 1.3 acres) would in turn be relocated/exchanged to the Backside campsite area. In addition to exchanging the land use designations, each of the small land use squares would be adjusted southward and uphill from their present locations. The proposed Rezone would align the Forestry (FOR) zone district with the relocated MVCP land use designations. This land use

exchange and slight zoning designation relocation is proposed to better align future NMMP program-level uses (i.e., Backsite campsite area and the cross-country center/skier services/campsite area) with the land use and resource management zones identified in the Northstar Habitat Management Plan. The proposed Zoning Text Amendment would allow for the orderly development and implementation of ski lift facilities and ski runs on Timberland Production Zone (TPZ) lands outside the Lake Tahoe basin, within land boundaries owned and/or operated by existing ski resorts.

### **RESPONSE TO COMMENT 3-6**

The commenter states that the Draft EIR fails to provide evidence to support the notion that trails and expansion of trails are compatible uses in a Timberland Production Zone.

The commenter is referred to Response to Comment 3-1 and Master Response 5. The commenter provides no analysis to show that ski facilities would conflict with timber production activities within the TPZ areas or would inhibit the growing of timber.

### **RESPONSE TO COMMENT 3-7**

The commenter states that the Draft EIR fails to show that ski lift facilities and ski runs in TPZ lands are consistent with General Plan Policy 1.F.6 based on assessed tax rates for TPZ lands as compared to Forestry (FOR) and states that the discussion under DEIR Table 4-1 suggests the proposed Zoning Text Amendment would make it consistent with Placer County policies.

The consistency analysis in DEIR Table 4-1 states that the NMMP would not rezone any portion of the project site from TPZ but proposes a Zoning Text Amendment to allow ski lifts, trails, and related facilities on lands zoned TPZ within the boundaries of an existing ski resort. Further, the proposed improvements are considered to be compatible with forestland and timber production and would not interfere significantly with timber production operations. In addition, the provision of ski improvements and facilities within commercially viable timberlands is specifically supported in Martis Valley Community Plan Policy 9.E.11:

***Policy 9.E.11:** The County shall encourage the continued use of commercially viable timberlands for timber production and other multiple use functions which can include ski-related uses within the Plan area. Conversion of such lands to other uses is discouraged.*

Thus, the consistency analysis in the DEIR is adequate for the required evaluation under CEQA Guidelines Section 15125(d).

The commenter is referred to Response to Comment 3-1 and Master Response 5 regarding compatibility concerns. The commenter's concerns regarding assessed property values between TPZ and Forestry (FOR) are noted. Economic issues are not considered significant effects on the environment (CEQA Guidelines Section 15131).

### **RESPONSE TO COMMENT 3-8**

The commenter states that the DEIR fails to address the two existing alternatives available to allow ski lifts and related facilities, which include a notice to rezone and an immediate rezone. The commenter further states that the DEIR fails to address the economic impacts of the proposed Zoning Text Amendment.

As noted on DEIR page 17-1, the CEQA Guidelines require that the alternatives focus on those alternatives that are capable of avoiding or substantially lessening any significant effects of the project, even if they impede the attainment of the project objectives to some degree or would be more costly (CEQA Guidelines Section 15126.6[b]). The DEIR identifies no significant environmental impacts associated with the proposed Zoning Text Amendment and its compatibility with timber production that require the consideration of the commenter's proposed alternatives. It should be noted that DEIR Alternatives 2 and 3 include modifications to the project design that would reduce the extent of ski improvements and facilities with the TPZ areas. An alternative that would rezone TPZ areas to Forestry would provide opportunities for more intensive recreational development of Northstar than limited ski facility improvements that would be allowed under the proposed Zoning Text Amendment resulting in greater environmental impacts than the proposed NMMP.

Economic issues are not considered significant effects on the environment (CEQA Guidelines Section 15131).

### **RESPONSE TO COMMENT 3-9**

The commenter states that the DEIR fails to adequately consider impacts associated with zoning conflicts and compatibility with TPZ zoning, and an alternative to the proposed project which involves no Zoning Text Amendment should be considered.

The commenter is referred to Master Response 5, Response to Comment 3-1, and Response to Comments 3-9. DEIR Alternative 1 would not implement the proposed Zoning Text Amendment.

### **RESPONSE TO COMMENT 3-10**

The commenter states that the Draft EIR fails to address the potential impacts of allowing ski facilities on all TPZ lands under Northstar ownership.

The approval of the NMMP and the associated Conditional Use Permit would limit new ski facility and recreation facilities to those identified in the NMMP (and the associated Northstar Habitat Management Plan) and evaluated in this EIR. The proposed Zoning Text Amendment would not entitle any future development of any additional ski improvements or recreation facilities within TPZ areas. Any additional future proposed ski improvements within the TPZ areas outside of the NMMP would require approval of the modification of the NMMP and Conditional Use Permit and/or environmental review under CEQA. It would be speculative to foresee additional future ski improvements beyond the NMMP as a result of the Zoning Text Amendment.

The commenter is referred to Master Response 5 and Response to Comment 3-1 regarding impacts of the land use change identified by the commenter.

### **RESPONSE TO COMMENT 3-11**

The commenter asks for a definition of the effects if one ski resort is able to continue to operate on property assessed as TPZ, while all other ski resorts have to operate on property assessed at tax rates for Forestry lands and further states that the DEIR fails to include an adequate analysis of the economic and social impacts to other ski areas in Placer County.

The commenter's concerns regarding assessed property values between TPZ and Forestry regarding other ski resorts in Placer County are noted. Economic issues are not considered significant effects on the environment (CEQA Guidelines Section 15131). The commenter has provided no analysis or information

that the difference in assessed property taxes associated with a portion of the NMMP would result in such an economic impact that would result in a physical impact on the environment to the other ski resorts.

### **RESPONSE TO COMMENT 3-12**

The commenter provides information regarding observed locations of California spotted owl near the proposed W and Z lifts, requests modifications to survey requirements of mitigation measure 6-2a, as well as mapping of specific tree removal and where tree skiing would occur at the W and Z lifts, and recommends that this area be managed for California spotted owl rather than for ski activity and eliminate the W and Z lifts.

The DEIR identifies that California spotted owls have been in the vicinity of the proposed W and Z lifts (see DEIR pages 6-32 and -55 and Figure 6-5). Impact 6-2 specifically notes that potential significant impacts to California spotted owl would occur on areas of “low” and “high” habitat value where improvements to the W and Z lifts are proposed, and mitigation measure 6-2a would require pre-project surveys, as habitat value and species occurrence has already been determined in this area (see DEIR pages 6-56 and -57). Thus, no changes to this mitigation measure are required.

As shown in DEIR Figure 3-7, tree removal and ski trail development would be limited for the W and Z lifts and limited trail clearing (see orange colored areas of Figure 3-7). There may be some tree removal associated with fuels modification/wildlife enhancement silvicultural prescriptions implemented in areas not shown for trail or lift clearing, but this would be conducted consistent with the Northstar HMP. However, the project would design trails and structures to avoid and/or minimize bisecting or fragmenting areas identified as high-value or occupied habitat for late-seral forest focal species and would manage forests to facilitate the maintenance and development of late-seral stands throughout the core area designated for late-seral forest (see DEIR page 3-59). In addition, mitigation measures 6-2a and 6-2b include nest protections and seasonal use restrictions for the area associated with the W and Z lifts, and the Northstar HMP includes resource management targets and practices for Resource Management Zone E to improve the quality and acreage of forest areas that would include increasing the acreage of late-seral stands (which provide high quality value breeding and foraging habitat for the California spotted owl). Specific late-seral habitat mitigation is included in mitigation measure 6-9. The DEIR concluded that implementation of mitigation measures 6-2a and 6-2b in conjunction with the Northstar HMP would mitigate potential impacts to California spotted owl to less than significant and would not require elimination of these project features to avoid this impact (see DEIR page 6-60).

### **RESPONSE TO COMMENT 3-13**

The commenter states that the Draft EIR fails to adequately mitigate potential impacts to migratory birds and further states that specific pre-construction survey requirements and mitigation measures should be developed by a qualified biologist.

Mitigation measure 6-7 on page 6-70 of the DEIR is more restrictive than what has been suggested by the commenter, as it requires preconstruction surveys within 500 feet of the construction activity and requires up to a 0.25-mile buffer for any active nest identified between March 1 and August 31, while the commenter’s suggested language does not include specific distances from construction activities for surveys or buffers for active nests. No changes to mitigation measure 6-7 are recommended.

### **RESPONSE TO COMMENT 3-14**

The commenter asks for clarification as to where in the Draft EIR potential impacts to wildlife species (willow flycatcher), habitat, notably riparian habitat, and hydrology are addressed and how the project would be consistent with California Forest Practice Rules, Standard Rule 936.5(e).

Potential impacts to riparian habitat are addressed under Impact 6.9 on DEIR pages 6-71 and -72. As stated on page 6-72, implementation of mitigation measure 6-9 would ensure potential impacts to riparian and aquatic habitat and to late-seral and conifer forest habitat would be reduced to a less than significant level through mitigating the loss at a 1:1 ratio as well as protection of mitigation enhancement areas through conservation easements or similar mechanisms. In addition, mitigation measures 6-2a and 6-2b, 6-3a and 6-3b, 6-4, 6-5a and 6-5b, 6-6, 6-7, and 6-8 all include specific measures to protect special-status wildlife species associated with construction activities (e.g., use of buffers) as well as operational protection measures (e.g., access and season use restrictions in Northstar HMP Management Zones D and E), while mitigation measures 12-3a through 12-3f, 13-1a through 13-1c, and 13-2 include erosion control and water quality control requirements. These mitigation measures in addition to the requirements of future timber harvest plans would address these impacts as well as comply with California Forest Practice Rules, Standard Rule 936.5(e).

### **RESPONSE TO COMMENT 3-15**

The commenter states that the Draft EIR does not adequately address whether the Northstar Habitat Management Plan (HMP) contains enforceable mitigation measures to apply to the proposed project, and whether it has been through a CEQA review process or has received public input

The Northstar HMP is a component of the proposed project (see DEIR pages 3-40 through -45, 3-56 through -57, and Appendix 3.3) and has been used to design and refine the proposed NMMP. The Northstar HMP was provided in the DEIR (Appendix 3.3) and has been available for public review and comment with the DEIR. While no specific entitlement is requested for “approval” of the Northstar HMP, its provisions have been incorporated into the NMMP and will be subject to the approval of a Conditional Use Permit by the County. In addition, several of its measures have been incorporated into DEIR mitigation measures (e.g., DEIR mitigation measures 6-2a and 6-2b, 6-3a and 6-3b, 6-4, 6-6, and 6-7) that the project would be required to comply with.

### **RESPONSE TO COMMENT 3-16**

The commenter states that the DEIR does not address “issues” associated with the proposed Zoning Text Amendment associated with TPZ or if ski facilities would be allowed with only a Minor Use Permit on lands zoned Forestry.

The commenter’s “issues” are not clearly stated. As identified on page 3-46 of the DEIR, the proposed Zoning Text Amendment is limited to TPZ zoning requirements and does not propose any changes to the Forestry zoning requirements. Ski facilities and improvements are subject to a Conditional Use Permit under Section 17.12.010 of the Placer County Zoning Code. Under the proposed Zoning Text Amendment, ski lifts and ski runs would be allowed in TPZ with approval of a Conditional Use Permit, as reflected in Master Response 5 and in Section 2.0 of this FEIR (Revisions to the Draft EIR).

### **RESPONSE TO COMMENT 3-17**

The commenter states that the Notice of Availability does not list the Zoning Text Amendment as part of the proposed project and further states that neither the Notice of Completion nor the DEIR includes a list

of all assessor parcel numbers zoned as TPZ lands. The commenter questions whether this EIR adequately addresses the proposed Zoning Text Amendment or if additional environmental review will be required.

CEQA Guidelines Section 15087(c) specifies the content requirements of Notices of Availability and requires that a “brief description of the project” be included in the notice; it does not require the provision of assessor parcel numbers. CEQA Guidelines Section 15085 also does not require the provision of assessor parcel numbers for Notices of Completion. The Notice of Availability adequately describes the location and geographic extent of the proposed project and is not required by CEQA to list every action proposed by a project. The Notice of Availability and Notice of Completion are for disclosure purposes under CEQA and are not intended to function as public hearing notices for future actions associated with the Zoning Text Amendment.

The DEIR Project Description (Section 3.0) includes a detailed description of the proposed NMMP, including the proposed Zoning Text Amendment, as required under CEQA Guidelines Section 15124. This includes mapping of the entire Northstar ski resort that is associated with this project (see Figures 3-4 and 3-7). The assessor parcel numbers listed on DEIR page 3-2 consist of those parcels that would have proposed improvements under the NMMP.

This DEIR provides a complete analysis of the physical environmental impacts of the proposed Zoning Text Amendment and its direct impact on the Northstar ski resort. The proposed Zoning Text Amendment would not entitle the future development of any additional ski improvements or recreation facilities in TPZ areas within Northstar or areas potentially added to other existing ski resorts (Royal Gorge, Sugar Bowl, Squaw Valley, and Alpine Meadows). Any additional future proposed ski improvements within TPZ land areas in the county would require the approval of a Conditional Use Permit and environmental review under CEQA. It would be speculative to foresee additional future ski improvements beyond the NMMP as a result of the Zoning Text Amendment that could be evaluated for physical environmental impacts.

# Letter 4

## Maywan Krach

**From:** Richard A Bjur <bjur@unr.edu>  
**Sent:** Monday, January 13, 2014 4:30 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar Mountain Master Plan Draft EIR

Maywan Krach  
 Placer County Community Development Resource Agency  
 Environmental Coordination Services  
 3091 County Center Drive  
 Suite 190  
 Auburn, CA 95603

Dear Maywan Krach,

My wife and I have owned our home in Northstar since 1988. I wish to make the following comments and express the following concerns regarding the proposed Northstar Mountain Master Plan (NMMP) DEIR:

1) The Northstar Village owners and developers are currently in violation of the existing Conditions of Approval and applicable County Codes and regulations. The Placer County Code expressly prohibits the processing or approval of any permits or other land use entitlement when there is a pending Code violation related to the Project site (Placer County Code sections 15.48.160 and 17.58.040.C). The Aspen Grove Condominium Association has informed the County of the ongoing violations and all processing of the NMMP should be suspended pending the County's final determination regarding these violations.

4-1

2) The Forest Flyer project and the NMMP are being reviewed under separate environmental documents. The Forest Flyer project is clearly within the scope of the NMMP description and objectives and they should be analyzed in a single environmental document so that the impacts of the projects as a whole are adequately analyzed.

4-2

3) The zoning text amendment to the TPZ constitutes illegal spot zoning since the change is designed solely for the economic benefit of the owner of the property receiving special treatment. The DEIR for the NMMP expressly admits that this amendment will only apply to Northstar's property.

4-3

4) The DEIR for the NMMP fails to analyze the visual and noise impact of the Castle Peak Parking Lot Transport Gondola. The current Vice President & Chief Operating Officer of Northstar has also complained publicly about the cost of the "Turn" in the Gondola's proposed path and it is a concern that the actual path may not be finalized before this individual project receives final County approval.

4-4

5) The traffic impact within the Northstar community that will result from implementing the NMMP is inadequately studied and analyzed. Analysis of air impacts suffer from the same deficiencies. It makes little sense that Northstar would make the necessary expenditures required to implement the NMMP if no new guests are expected to utilize these facilities.

4-5

6) The DEIR for the NMMP admits that additional electrical power for lifts and snow making activities will be required. This additional power will need to be supplied by CalPeco's proposed expansion. Such expansion has yet to receive approval.

4-6

7) The DEIR fails to set an appropriate baseline for an analysis and a mitigation plan for the increased water flowing onto and under lower adjacent properties that will result from implementing the NMMP.

8) The DEIR for the NMMP does not address ground water levels prior to and after each expansion project, or give an estimate of elevated levels that may result from project implementation. Mitigation measure 13-B does require a post-approval storm water drainage study, but this is deferred analysis and mitigation and does not provide the County an opportunity to review the potential impacts prior to project approval. In addition, Post approval monitoring is to be done by

4-7

## Letter 4 Continued

Northstar. It would seem to be preferable to have the County conduct the monitoring at Northstar's expense and provide the data to potentially affected down-hill property owners (NPOA, Northstar Village, Ski Trails Condominium Association and Aspen Grove Condominium Association).

4-7  
cont

9) The County has the right to waive all monitoring requirements if the litigation involving the Aspen Grove Condominium Association is resolved through relocation of the retention basin, settlement, or final adjudication. This escape clause would potentially force future litigation instead of identifying potential problems and rectifying them prior to implementation of the NMMP. To date, Northstar (Vail) has shown no interest in seeking solutions or addressing identified problems that are currently being inflicted on its down-hill neighboring property owners. Why would the County or anyone else expect anything different in the future if Northstar (Vail) is not willing to address existing problems before proposing extensive new snow making capacity on uphill slopes.

4-8

10) All mitigation requirements in the final EIR for the NMMP should be required permit conditions to insure that monitoring, implementation, completion, etc. is actually accomplished. Assuming implementation is not a guarantee that these requirements will actually be implemented.

4-9

Sincerely,  
Richard Bjur, and  
Cleve Bjur  
3029 Silver Strike  
6800 Northstar Drive  
Truckee, CA 95734

### Letter 4: Richard A. Bjur, Resident

#### **RESPONSE TO COMMENT 4-1**

The commenter states that the County Code prohibits the County from approving the proposed project due to current code violations related to the project site.

The commenter is referred to Master Response 1 regarding drainage concerns and perceived code violations.

#### **RESPONSE TO COMMENT 4-2**

The commenter states that the environmental effects of the proposed project and the Forest Flyer project need to be analyzed as one project, as they are both within the scope of the Northstar Mountain Master Plan.

The commenter is referred to Master Response 4 regarding concerns of project segmentation.

#### **RESPONSE TO COMMENT 4-3**

The commenter states that the proposed Zoning Text Amendment is illegal since it provides the project applicant with special treatment.

The commenter is referred to Master Response 5 regarding concerns on the proposed Zoning Text Amendment.

#### **RESPONSE TO COMMENT 4-4**

The commenter states that the Draft EIR fails to analyze visual and noise impacts associated with the Castle Peak Parking Lot Transport Gondola.

Mitigation measure 8-3 on page 8-24 of the DEIR states that the Castle Peak Parking Lot Transport Gondola will be designed consistent with the Northstar-at-Tahoe Design Guidelines provided in Section IV (Community Design) of the Martis Valley Community Plan. This consists of site design requirements on roadways and parking as well as building materials. Building plans and improvement plans for the project are to identify compliance with this measure. In terms of potential noise impacts, the commenter is referred to page 11-26 of the DEIR, which states that the proposed Castle Peak Parking Lot Transport Gondola would terminate at the Village at Northstar and that the nearest residential land uses to the Castle Peak Parking Lot Transport Gondola are approximately 400 feet from the proposed gondola station. Assuming that the backup power generators would be located within the gondola station located at Northstar Village, predicted operational noise levels at the nearest residences and associated impacts would be similar to those identified for project-level components, and because noise from these engines would typically only occur during routine daytime maintenance activities, predicted average-daily interior noise levels would not be projected to exceed the County's noise standard of 45 decibels.

#### **RESPONSE TO COMMENT 4-5**

The commenter states that the Draft EIR traffic analysis and air quality analysis are inadequate.

The commenter is referred to Master Response 2 regarding the Draft EIR traffic analysis and associated concerns with the air quality analysis. The commenter provides no evidence to support the assertion that the traffic and air quality analyses are inadequate.

### **RESPONSE TO COMMENT 4-6**

The commenter states that the energy needed to accommodate the proposed project would require a proposed expansion by CalPeco.

As stated on page 14-34 of the DEIR, Liberty Utilities CalPeco has indicated that infrastructure exists for overhead and underground electric distribution to support the project. As stated on DEIR page 16-24, Liberty Utilities CalPeco delivered 6,433,570,000 kilowatt-hours (kWh) over the course of one year. Full implementation of both project- and program-level components would result in an increase in electricity consumption of 7,062,191 kWh per year, or 0.1 percent of the total kWh delivered by CalPeco over the course of one year. The proposed NMMP project- and program-level components are not dependent on the California Pacific Electric Company 625 and 650 Electrical Line Upgrade Project. The commenter provides no evidence that counters these conclusions in the DEIR.

### **RESPONSE TO COMMENT 4-7**

The commenter states that the Draft EIR fails to address water drainage impacts appropriately in terms of baseline data and mitigation.

The commenter is referred to Master Response 1 regarding drainage concerns and the adequacy of mitigation measure 13-3a.

### **RESPONSE TO COMMENT 4-8**

The commenter asks why the County would expect the applicant to seek solutions to existing drainage issues associated with the project site.

The commenter's statements are noted. The commenter is referred to Master Response 1 regarding drainage concerns.

### **RESPONSE TO COMMENT 4-9**

The commenter states that the EIR for the proposed project needs to guarantee implementation of all mitigation requirements.

This comment is noted. All mitigation measures in the DEIR will be adopted as part of the proposed project (if approved) and will be legally binding.

## Letter 5

**Maywan Krach**

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**From:** barrybosshard@aol.com  
**Sent:** Monday, January 13, 2014 4:52 PM  
**To:** Placer County Environmental Coordination Services  
**Cc:** barrybosshard@aol.com; LLBKOSHKKA@AOL.COM  
**Subject:** Opposition to expanded development in Northstar

1/13/2014

Maywan Krach,

I am writing this letter to express my opposition to proposed expansion of facilities at Northstar. I have been a homeowner in Northstar since 1978 and have seen many changes over the years. Since the take over of Northstar by the current owners many changes have been made that I believe are detrimental to our property. They claim to operate based on best practices, but have continued to damage properties downhill from there operation.

During there last expansion phase they increased the amount of water runoff down the mountain which was supposed to be collected below the mountain near the golf coarse. Instead they built a retention pond just uphill from Aspen Grove. This has and continues to cause water damage to our properties and the ecosystem. We have tried to have them address the problem since the installation to alleviate the situation and they did not.

We have been forced by their continued operation to seek a solution in court for not only the past damages caused but also correct and move the retention pond which is inadequate to handle the existing runoff but would be made even worse with the proposed expansion. These problems have been well documented and adjudicated in court. The ruling was in favor of the downhill homeowners and they were ordered to cease and desist the collection of runoff at the current location. Instead of improving the problem they have appealed the decision to delay compliance, and to continue to operate the retention basin knowing that it continues to degrade the downhill ecosystem. The financial burden on the injured parties continues to increase as the developer does nothing but delay through legal maneuvers putting a financial strain on the innocent homeowners. The problems have been reported to proper agencies along with documentation to ask for their help in stopping the damage.

5-1

It seems absurd to me that they should be allowed not only to continue to damage the environment without any attempt to abate it, but now want further approval to increase the volume of runoff with new development. It seems to me that if approval of more development by county agencies without first considering correcting the existing system and expansion to move the runoff from the downhill properties could lead to legal and financial consequences for the county and enforcement agencies.

I would hope that this proposal will be rejected until such time as the developer has repaired the damages already caused and make improvements before any further consideration is given to any new development plans.

Regards,

Barry and Laura Bosshard

## Letter 5 Continued

3109 Aspen Grove

This e-mail was made with 100% recycled electrons.  
No trees were destroyed and no animals were harmed.

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### Letter 5: Barry & Laura Basshard, Residents

#### **RESPONSE TO COMMENT 5-1**

The commenters state that their property has been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenters express concern that the proposed project will cause additional drainage issues and request that the proposed project be denied.

The commenters are referred to Master Response 1.

## Letter 6



Maywan Krach  
Placer County Community Development Resource Agency,  
Environmental Coordination Services  
3091 County Center Drive  
Suite 190, Auburn, CA 95603

Delivered by email [cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)

Please let my comments serve as support of the draft Environmental Impact Report for the Northstar Mountain Master Plan that Placer County is currently reviewing. I am a property owner and these improvements are forward-thinking, sensible and will enhance the skier experience tremendously.

Just as excited as we are to see this early season snow at Northstar, we are excited that the Northstar Mountain Master Plan is nearing approval. Its design has been in the works some 15 years – and its evolution, with direction from County planning staff to both Sierra Watch and Mountain Area Preservation – is to be commended.

6-1

The current proposal reflects a proper evolution of the Northstar Vision: Northstar is one of the most family-friendly resorts in North America. Properties here are and will be passed down through many generations. Our grandchildren, who will be spearheading environmental stewardship in far greater ways than we can imagine, will recognize and appreciate all of the collaborative work that went into the Habitat Management Plan that is so appropriately guiding the new terrain that they – and we – will enjoy. In fact, the entire North Shore community will benefit from Northstar's enhanced on-mountain offerings.

The increased variety of ski terrain for all abilities is much needed at Northstar, and with no residential or commercial density being proposed, I believe the traffic analysis is right on in determining no additional parking need be proposed in the current master plan. The previously approved residential units in our community has contemplated and mitigated for its own traffic and parking impacts.

6-2

The only two other areas of concern that I've read or heard are visual impacts and air quality during construction. Again, I think the master plan addresses these two issues well – seeing new ski trails while zipping along Highway 89 is, in fact, not an issue in my mind; and like any significant construction project, air quality will be impacted – but it is temporary and the master plan acknowledges this. The Northstar Mountain operators are some of the best in the industry; I have no doubt they will carry out the master plan construction with the highest regard for the environment and our community that we collectively call home.

6-3

Thank you for your consideration of my support.

Don Carr  
Carr Long Real Estate

Carr Long Real Estate : 8001 Northstar Drive, Suite 8102 : Truckee, CA 96161  
Office: (530)562-1100 : [www.carrlong.com](http://www.carrlong.com)

Letter 6: Don Carr, Carr Long Real Estate

**RESPONSE TO COMMENT 6-1**

The commenter expresses support for the Draft EIR and the proposed project.

This comment is noted.

**RESPONSE TO COMMENT 6-2**

The commenter states that the traffic analysis prepared for the proposed project is accurate.

This comment is noted.

**RESPONSE TO COMMENT 6-3**

The commenter states that the Draft EIR addresses the potential impacts associated with aesthetic resources and air quality adequately.

This comment is noted.

## Letter 7

January 2, 2014

KENNEDY WILSON

Maywan Krach  
Placer County Community Development Resource Agency  
Environmental Coordination Services  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

*Delivered by email [cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)*

Dear Ms Krach

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Northstar Mountain Master Plan. As longtime Northstar Resort enthusiasts and as the owner of the Ritz-Carlton, Lake Tahoe, Kennedy Wilson could not be more supportive of their proposed improvements and the manner in which they are bringing smart planning to the environment we all share and love.

It is my understanding that Sierra Watch and Mountain Area Preservation played a considerable role in working with Northstar to create the Habitat Management Plan and I want to commend them for that; how Placer County is using that document to support Northstar's mountain master plan should serve as a role model.

Over the past several years, Northstar has completed numerous on-mountain improvement projects including the Big Easy Beginner Area project, ski trail construction and widening, and snowmaking improvements which are located uphill and adjacent to the Ritz. We feel that Northstar has implemented appropriate best management practices to ensure sustainable ski area development. Project considerations include erosion control, dust control, revegetation, and drainage improvements to roadways and ski trails. Northstar's construction methodologies are designed with the goal of minimizing environmental impacts and disturbance to the land and avoiding alterations to drainage patterns. By minimizing the construction footprint and fully revegetating all disturbed areas, ski improvement projects have been designed to mitigate overland flows through drainage infrastructure and revegetation specifications that encourage onsite infiltration and treatment of project runoff.

Again, thank you for the opportunity to express my support for Northstar's proposed mountain master plan.

Sincerely,



Stuart Cramer  
President – Kennedy Wilson Residential Investments Group

9701 Wilshire Boulevard Suite 700 Beverly Hills, CA 90212 tel: 310-887-6400 fax: 310-887-3410 [www.kennedywilson.com](http://www.kennedywilson.com)

7-1

Letter 7: Stuart Cramer, President, Kennedy Wilson Residential Investments Group

**RESPONSE TO COMMENT 7-1**

The commenter expresses support for the Draft EIR and the proposed project while also commending Sierra Watch and Mountain Area Preservation for their role in the Habitat Management Plan.

This comment is noted.

## Letter 8

**Maywan Krach**

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**From:** LAWRENCE DANTO MD <ladanto@me.com>  
**Sent:** Wednesday, December 04, 2013 10:30 PM  
**To:** Placer County Environmental Coordination Services  
**Cc:** Bill Rock; Northstar Property Owners Association; Henry Denero; Judy Howes; jbrigance@npoa.info; Jack Moore; Don Watters; Brian West; Al Roth; Georgie Casella; Paul Daly; Bill Forni; Norm Green; Marilyn Forni; Jean Green; Linda Danto; Nancy Ives; Larry Stewart; Veronica Kaufman; Ben Kaufman MD; Dick Treiman; Milt Heifetz; Mike Plishner; Dee Cravens; Lynn Daly; Richard Park; Bill Buechner; Mike Davis; Freyda Davis; Frank Seelig; Gary Dugger; Darrell Smith  
**Subject:** The Northstar Mountain Master Plan

To: Placer County Community Development Resource Agency (CDRA)

Re: Northstar Mountain Master Plan (NMMP) project

My wife and I have had a home in Northstar since 1978 and been official residents since 2002. I practiced General Surgery in Truckee from 2002 - 2007; and was a NPOA Director from 2007 - Sept, 2013..

For over a decade, Booth Creek and now, for the past several years, Vail has been working with local residents on the NMMP. The plan is directed at developing the Northstar California Resort for the enjoyment of both Winter and Summer enthusiasts while being a good steward of a healthy mountain environment. Northstar management has consistently demonstrated that a healthy mountain is essential for optimal and safe resort activities; and has been innovative in combining these two concepts in support of our North Tahoe community. In doing so, the Northstar California management has been strongly sensitive to input from even minority numbers of our local residents. Northstar has consistently shown that being a good steward of it's land is vital to being a good neighbor, and strong contributor to our economy. Over the past decade, while Northstar California has expanded and resort usage has increased, the health of our mountain has actually improved to a considerable extent. The NMMP project is the ongoing proof that this trend will continue.

8-1

We could not be more enthusiastic in hoping Placer County approves the Northstar Mountain Master Plan in its entirety.

Sincerely,

Linda and Lawrence Danto  
1067 Martis Landing, Northstar California

*Lawrence A. Danto MD FACS  
530-906-1160*

Letter 8: Linda and Lawrence Danto, Residents

**RESPONSE TO COMMENT 8-1**

The commenters express support for the Draft EIR and the proposed project and further state that Northstar has consistently shown itself to be a good neighbor.

This comment is noted.

## Letter 9

GARY DAVIS GROUP DESIGN AND ENGINEERING

# 1198.101

January 6, 2014

**Placer County Community Development Resource Agency**

Attn: Maywan Krach  
3091 County Center, Suite 190  
Auburn, CA 95603

**RE: COMMENTS ON NORTHSTAR MOUNTAIN MASTER PLAN EIR,  
NORTHSTAR SKI AREA, PLACER COUNTY, CALIFORNIA**

Dear Maywan:

I am addressing the above project EIR that will be before the Placer County Planning Commission on January 9, 2014. I would like my letter to be included in the package for the Planning Commission in consideration of certification of the EIR and approval of the project.

I have been involved with Northstar as a civil engineer for well over 20 years. For the record I am not currently under contract with Northstar for any of the improvements identified in the Master Plan. Northstar under several ownerships has been an excellent steward of the environment. We have done more than a handful of civil projects for the resort and I can personally attest to the fact that they show a primary focus on doing the right thing.

As President of the Tahoe City Downtown Association and a member of the North Lake Tahoe Resort Association Infrastructure Committee I fully support the business goals of this Master Plan that enhance our entire resort triangle.

As all of you are aware our area is a winter resort mecca that has outstanding opportunities for locals, visitors from far and wide. It competes with resorts all over the west coast, Utah and Colorado. We are an economic engine for Placer County and our local economy, in the winter and somewhat in the summer, depends on successful ski resorts. What Northstar is proposing is very consistent with our economic goals and our stewardship of the land.

The Northstar property is a harvested forest operated for decades by Fiberboard. This is not Desolation Wilderness. The planning for the area that has gone on since the 60's and 70's has always recognized the recreational and residential components of this tract of land to optimize the reuse of the harvested forest. This plan is a long term plan that will do just that.

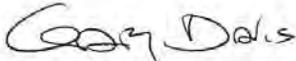
9-1

## Letter 9 Continued

As evidenced by the support of the local environmental groups this is a well thought out project and is extremely sensitive to the environment and the local input. The plan has been massaged through the course of many many public meetings and their listening to the community.

Any visible signs of ski runs is a valuable asset to recognizing our resort heritage. I fully support the project as presented.

Very truly yours,



Gary Davis P.E.  
President – Gary Davis Group

**9-1  
Cont.**

Letter 9: Gary Davis, President, Gary Davis Group

**RESPONSE TO COMMENT 9-1**

The commenter expresses support for the Draft EIR and the proposed project and further states that Northstar, under several ownerships, has been an excellent steward of the environment. The commenter further states that the proposed project is consistent with the region's economic goals.

This comment is noted.