

# Letter 10

**Maywan Krach**

**From:** Cornel DeLorean <cornel.delorean@gmail.com>  
**Sent:** Monday, January 13, 2014 12:27 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar Mountain Master Plan

Dear Maywan Krach,

I am writing to you today to express my concern regarding the Northstar Mountain Master Plan and urge you to NOT process the requested permits until they resolve PAST problems, namely the issue with the retention pond above Aspen Grove Condo Association.

County Code sections 15.48.160 reads “No building permit, septic, water, sewer, electrical permit, or any other permit shall be issued by the county to any person for any premises or portion thereof which is in violation...”. We have a hard fought court judgment that agreed with us and ordered them to stop the water trespass on our property and they still refuse, this should really be enough in of itself to halt further development until they cure the outstanding issue.

They have consistently demonstrated callous disregard for the damages that the retention pond has caused to Aspen Grove Association and they have shown that they are willing to fight legal battles that can span over a decade and cost the parties that they wronged many millions of dollars in legal fees in the hopes that the David vs. Goliath tactics they employ makes us just give up.

This is not a developer that can be TRUSTED to do the right thing, their actions have demonstrated repeatedly they will stop at nothing to avoid taking responsibility for their actions and we have to FORCE them to do the right thing!

On page 391 of the EIR there is a map with arrows indicating the water flow, if you note, Aspen Grove Association is immediately in the path of the flows.

On page 394 it incorrectly states that in Area 1-L(E), “Flows are general overland and collected in small swales that convey flows into West Martis Creek”. The lawsuit found that the water is trespassing on our property and is NOT being diverted to the creek around our property, it only ends up in the creek after I passes THROUGH our property.

The EIR does not address the impact to our Association from the past development and additional impact from the proposed development.

Table 13-2 indicates in a number of sections that they intend to “utilize existing drainage features as well as include drainage features that include water quality control features such as infiltration trenches, vegetative swales”. I’m concerned that this is tacit approval to divert additional water into the swale, directly above our Condo that has caused us so many problems.

I believe the following section captures what they have FAILED to do in regards to the swale above our Association. Policy 4.E.14, : The County shall require projects that have significant impacts on the quantity and quality of surface water runoff to allocate land as necessary for the purpose of detaining post- project flows...”

The placement of the Castle Peak Parking Lot Transport Gondola does not address any visual mitigation as

10-1

10-2

## Letter 10 Continued

required by the Placer County General Plan Policy 1.K.1 and Martis Valley Community Plan Policy 4.B.1 from the perspective of the Aspen Grove. They specifically need to:

-Incorporate design and screening measures to minimize the visibility of structures

**10-2  
Cont**

Maintains the character and visual quality of the area.

It is not clear how far away the Gondola will ultimately be from our association and if there is the potential for noise as well as visual impacts. EIR section 11.0 Noise, only address "Construction-Generated Noise Impacts", but I'm also concerned about on-going noise impacts after construction is completed.

**10-3**

I am also concerned about the piecemeal Environmental Review of the Forest Flyer. The Forest Flyer project is clearly within the scope of the project description and objectives of the NMMP, and they should be analyzed in a single environmental document so that the impacts of the projects as a whole are adequately analyzed. If you carve up anything into small enough pieces, you can come to an erroneous conclusions that there is no impact when a review of the whole plan, as they are supposed to do, could come to a different conclusion.

**10-4**

We have owned our Condo since 2002 and initially welcomed the new village expansion and the new amenities but the staggering costs to us and our properties must be taken into account in approving further development.

The reason they have fought us so hard and resisted repeated recommendations by the judge for arbitration and settlement escapes all of us, and only hardens the perception of an entity that is arrogant, belligerent and unwilling to admit and fix problems they cause.

**10-5**

Thank you for your consideration!

Cornel DeLorean  
3064 Silver Strike

### Letter 10: Cornel DeLorean, Resident

#### **RESPONSE TO COMMENT 10-1**

The commenter states that their property has been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenter further states that the Draft EIR does not address this previous impact. The commenter expresses concern that the proposed project will cause additional drainage issues to their property and requests that the proposed project be halted until the existing drainage issues are resolved.

The commenter is referred to Master Response 1 regarding drainage issues. DEIR page 13-8 regarding Area 1-L(E) is a generalized description of how drainage passes through the area and is not a specific statement regarding the water quality basin referenced by the commenter. Mitigation measure 13-3b specifically requires that the proposed NMMP reduce all project-related increases in drainage flows to pre-project conditions.

#### **RESPONSE TO COMMENT 10-2**

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

DEIR Table 8-3 (under Impact 8.3) specifically notes that the proposed Castle Peak Parking Lot Transport Gondola would alter the existing visual character, but would generally be observed as a complementary feature of the Northstar ski resort's visual character and would not adversely alter the visual character. 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. Building plans and improvement plans for the project are to identify compliance with this measure.

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

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

The commenter is referred to Response to Comment 10-2 regarding potential visual impacts. 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 10-4**

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 project segmentation concerns.

### **RESPONSE TO COMMENT 10-5**

The commenter states that the costs to Aspen Grove homeowners as a result of previous drainage issues must be taken into account before the proposed project can be implemented.

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

## Letter 11

**Maywan Krach**

---

**From:** Genie Donnelly <genie.donnelly@gmail.com>  
**Sent:** Friday, January 03, 2014 6:18 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar EIR - strong objection

Dear Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

This email is to voice my objection to and encourage you to deny the Environmental Impact Report submitted by Vail Resorts for the Northstar Master Plan expansion. We are homeowners within Northstar and have been property tax payers in Placer County for 10 years. We have experienced first-hand the damage that Vail Resorts has done to the environment by drowning our beautiful Aspen trees, decreasing our property values and our enjoyment of the area due to their illegal and immoral placement and treatment of the uphill retention pond in their last phase of development. Our Home Owner's Association has spent millions of dollars in litigation fees as the underdog against Vail Resorts who are employing Goliath tactics. Despite our ongoing wins and favorable rulings in the Placer County courts, Vail is appealing the outcomes and the water retention issue and damage persists with no end in sight. I believe it to be extremely irresponsible of your organization to grant approval of any further development of our precious mountain region until Vail cures and provides restitution for the immense amount of damage they have done to our homes and proves that they can be trusted to be responsible developers. In addition to the lack of accountability and non-responsiveness they have shown for past issues and the clear indication this provides of their utter lack of stewardship of our environment, I have serious concerns that many of the proposals in this plan will cause additional downhill drainage issues to ours or other Northstar properties.

I am unable to be at the hearing in person but am happy to speak to anyone via phone if you need more information or insight into these items.

Thank you for your consideration.

Genie Donnelly  
3012 Silver Strike  
Truckee, CA 96161

11-1

Letter 11: Genie Donnelly, Resident

**RESPONSE TO COMMENT 11-1**

The commenter states that their property has been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenter further states that the Draft EIR does not address this previous impact. The commenter expresses concern that the proposed project will cause additional drainage issues to their property and requests that the proposed project be halted until the existing drainage issues are resolved.

The commenter is referred to Master Response 1.

## Letter 12

### Maywan Krach

---

**From:** Beryl Kurgan <berdonny@yahoo.com>  
**Sent:** Friday, January 10, 2014 4:26 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Environmental Impact Report submitted by Vail Resorts

Mary Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

Dear Mary,

I'm writing to object and ask you to deny the Environmental Impact Report submitted by Vail Resorts for the Northstar Master Plan expansion. I have been a homeowner at Northstar and have been paying property taxes for over 30 years and have experienced the damage that Vail Resorts has done to the environment by drowning our lovely Aspen trees, decreasing the property values and our enjoyment of the area due to their illegal and immoral placement and treatment of the uphill retention pond in their last phase of development. Our Homeowner's Association has spent millions of dollars in litigation fees as the underdog against Vail Resorts who are employing Goliath tactics. Despite our ongoing wins and favorable rulings in the Placer County courts, Vail is appealing the outcomes and the water retention issue and damage persists with no end in sight. I believe it to be extremely irresponsible of your organization to grant approval of any further development of our precious mountain region until Vail cures and provides restitution for the immense amount of damage they have done to our homes and proves that they can be trusted to be responsible developers. In addition to the lack of accountability and non-responsiveness they have shown for past issues and the clear indication this provides of their utter lack of stewardship to our environment, I have serious concerns that many of the proposals in this plan will cause additional downhill drainage issues to ours or other Northstar properties.

12-1

Thank you for your consideration.

Beryl Drinkwater

Letter 12: Beryl Drinkwater, Resident

**RESPONSE TO COMMENT 12-1**

The commenter states that their property has been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenter further states that the Draft EIR does not address this previous impact. The commenter expresses concern that the proposed project will cause additional drainage issues to their property and requests that the proposed project be halted until the existing drainage issues are resolved.

The commenter is referred to Master Response 1.

## Letter 13

### Maywan Krach

---

**From:** Sheryl Drinkwater <ssdarch@comcast.net>  
**Sent:** Friday, January 10, 2014 4:48 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** EIR submitted by Vail Resorts/ASPEN GROVE HOMEOWNER

Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

Dear Maywan,

I'm writing to object and ask you to deny the Environmental Impact Report submitted by Vail Resorts for the Northstar Master Plan expansion. I have been a homeowner at Northstar and have been paying property taxes for over 30 years and have experienced the damage that Vail Resorts has done to the environment by drowning our lovely Aspen trees, decreasing the property values and our enjoyment of the area due to their illegal and immoral placement and treatment of the uphill retention pond in their last phase of development. Our Homeowner's Association has spent millions of dollars in litigation fees as the underdog against Vail Resorts who are employing Goliath tactics. Despite our ongoing wins and favorable rulings in the Placer County courts, Vail is appealing the outcomes and the water retention issue and damage persists with no end in sight. I believe it to be extremely irresponsible of your organization to grant approval of any further development of our precious mountain region until Vail cures and provides restitution for the immense amount of damage they have done to our homes and proves that they can be trusted to be responsible developers. In addition to the lack of accountability and non-responsiveness they have shown for past issues and the clear indication this provides of their utter lack of stewardship to our environment, I have serious concerns that many of the proposals in this plan will cause additional downhill drainage issues to ours or other Northstar properties.

13-1

Thank you for your consideration.

Sheryl Drinkwater

Letter 13: Sheryl Drinkwater, Resident

**RESPONSE TO COMMENT 13-1**

The commenter states that their property has been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenter further states that the Draft EIR does not address this previous impact. The commenter expresses concern that the proposed project will cause additional drainage issues to their property and requests that the proposed project be halted until the existing drainage issues are resolved.

The commenter is referred to Master Response 1.

FLYERS Energy

Letter 14

FLYERS Energy



2360 Lindbergh Street, Auburn, CA 95602 (530) 885-0401 fax (530) 885-5851 www.4flyers.com

January 9, 2014

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

RE: Northstar Mountain Master Plan EIR

Dear Sir/Madam

I own a condominium in the Big Horn building. I have skied at Northstar continuously since 1982. I have been the President of the Big Horn HOA since the beginning. I have reviewed the EIR and I support the 700 acre expansion. Please add me to the list of supporters for the Northstar Mountain Master Plan EIR.

14-1

Yours sincerely,

Thomas A. Dwelle



PLACER COUNTY  
DATE RECEIVED  
JAN 09 2014  
PLANNING  
COMMISSION

Letter 14: Thomas A. Dwelle, Flyers Energy

**RESPONSE TO COMMENT 14-1**

The commenter expresses support for the Draft EIR.

This comment is noted.

# Letter 15

LAW OFFICES

## FELDMAN McLAUGHLIN THIEL LLP

Lewis S. Feldman  
Michael J. McLaughlin  
Kara L. Thiel  
  
Licensed in California and Nevada

178 U.S. Highway 50, Suite B  
P.O. Box 1309, Zephyr Cove, NV 89448  
Telephone: 775.580.7431 Facsimile: 775.580.7436

Website: [fmltaaho.com](http://fmltaaho.com)  
Email: [lew@fmltaaho.com](mailto:lew@fmltaaho.com)

January 8, 2014

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

Via Email [cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)

Re: Northstar Mountain Master Plan Environmental Impact Report

Dear Ms. Krach:

This letter is written in support of the adequacy of the Draft Environmental Impact Report ("DEIR") scheduled for public hearing before the Placer County Planning Commission on January 9, 2014.

The DEIR does a thorough job of disclosing potential impacts anticipated as a result of a very thoughtful Master Plan to improve the recreational opportunities necessary to maintain an environmentally sensitive and recreationally competitive destination four-season resort. The applicant is to be commended for collaborating with local environmental groups and the public. It is noteworthy Northstar has successfully implemented the previously negotiated Habitat Management Plan in collaboration with Sierra Watch and Mountain Area Preservation. This successful partnership establishes a strong foundation to update the resort and protect important natural resources.

15-1

The project does not propose any additional residential or commercial density, nor parking. The surrounding bed base and commercial facilities will accommodate and compliment the proposed project without the need for additional parking. Northstar's continued leadership in providing transit service and participating in transportation solutions in the Truckee/North Tahoe Resort Triangle is acknowledged and is to be commended. Moreover, the proposed project will include a significant conservation area managed in harmony with the successfully implemented Habitat Management Plan preserving natural resources and enhancing forest values. Further, the proposed project is generally consistent with the 2003 Martis Valley Community Plan Update and Placer County Zoning and Land Use defined in the Placer County Code and has been revised to exclude TPZ lands within the Tahoe Basin, avoiding a rezone to Forestry, thereby precluding more impactful land uses.

15-2

We appreciate the County's consideration of our comments and look forward to the opportunity to review the Final EIR when available.

Sincerely,

FELDMAN McLAUGHLIN THIEL LLP

By:

Lewis S. Feldman

L.SF/jps

Letter 15: Lewis S. Feldman, Feldman McLaughlin Thiel LLP

**RESPONSE TO COMMENT 15-1**

The commenter expresses support for the Draft EIR and the proposed project while also commending the collaboration between Northstar and Sierra Watch and Mountain Area Preservation.

This comment is noted.

**RESPONSE TO COMMENT 15-2**

The commenter notes that the project does not propose additional residential or commercial land uses and that the surrounding bed base and commercial facilities will accommodate and complement the proposed project. The commenter further expresses support for Northstar's provision of mass transit, implementation of the Habitat Management Plan, and the project's consistency with the 2003 Martis Valley Community Plan.

This comment is noted.

## Letter 16

**Maywan Krach**

---

**From:** kelly gilligan <kellygilligan@pacbell.net>  
**Sent:** Wednesday, January 08, 2014 10:14 AM  
**To:** Placer County Environmental Coordination Services  
**Cc:** Kelly Gilligan; Stacey Gilligan  
**Subject:** Environmental Impact Report for the Northstar Mountain Master Plan

Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

January 8, 2014

I am an owner of 3002 Silver Strike in the Aspen Grove subdivision at Northstar and am submitting this letter to ask for you to deny the Environmental Impact Report submitted by Vail Resorts for the Northstar Master Plan expansion. The County of Placer is well aware of our pending lawsuit against Vail Resorts regarding the retention pond they installed above our property that is causing millions of dollars of damage to our property. In simple terms, more development means more run off and Vail has yet to mitigate the current problem. They refuse to mitigate this problem by appealing the courts decision finding in our favor because they have deep pockets and believe the longer they drag this out in court we the homeowners will not be able to afford the legal costs.

16-1

Why should the county approve this EIR when we have an outstanding lawsuit against Vail for environmental issues? I am not against the proposed development but request that Vail proceeds in a responsible manner which they have not done to date. Once Vail takes responsibility for the damage done to our property and mitigates this problem then I will support their proposed development.

Sincerely,  
Kelly Gilligan  
3002 Silver Strike  
Truckee, CA 96161  
707 695-9193

Kelly Gilligan  
Gilligan Financial - Stearns Lending  
707 545-8183 direct  
707 471-4045 fax  
[kellygilligan@pacbell.net](mailto:kellygilligan@pacbell.net)  
[www.gilliganfinancial.com](http://www.gilliganfinancial.com)

NMLS #258369  
CA DRE #01122252

-----  
CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential

Letter 16: Kelly Gilligan, Resident

**RESPONSE TO COMMENT 16-1**

The commenter states that there is a pending lawsuit against Vail Resorts regarding a previously installed retention pond and that this pond has caused damage to the commenter's property. The commenter expresses concern that the proposed project will cause additional drainage issues.

The commenter is referred to Master Response 1.

## Letter 17

**Maywan Krach**

**From:** Mimi Greene <greene.mimi@gmail.com>  
**Sent:** Sunday, January 12, 2014 10:29 AM  
**To:** Placer County Environmental Coordination Services  
**Cc:** CAMCO Truckee; Rebecca Nystrom  
**Subject:** Comments on DEIR Northstar Mountain Master Plan

I am an Aspen Grove Condominium homeowner. The Northstar California Master Plan directly effects the Aspen Grove community as have their past actions. As you are aware, there is currently litigation concerning down hill drainage and the real and costly damage to the Aspen Grove community - the trees, the increase of water to the area effecting the buildings and the actions of Trimont Land Company dba Northstar California to keep appealing the litigation outcome of our favorable rulings. There is continuing damage to the land and the buildings as they appeal these decisions. The water drainage issues are environmental issues that effect the land and the property built on the land. There seems to be no end in sight as the big corporation appeals against decisions favorable to the small condo association. This process has been very costly in financial output for litigation costs and devaluation of property values.

The DEIR sites additional snow making which creates additional water drainage issues. There are other issues with the DEIR, but I chose to identify this one as the most pertinent to our community.

It seems irresponsible to approve further development when the consequences of past development have not been rectified: existing code violations and compliance with the Placer County courts.

I respectfully request that you deny the EIR until the past consequences of their actions are rectified. If and when they can comply with Placer County ordinances and decisions, then maybe they will be ready to be good stewards of the environment and responsible developers.

Mimi Greene - co-homeowner 3147 Aspen Grove

17-1

Letter 17: Mimi Greene, Resident

**RESPONSE TO COMMENT 17-1**

The commenter states that there is a pending lawsuit against Vail Resorts regarding a previously installed retention pond and that this pond has caused damage to the commenter's property. The commenter further states that the Draft EIR does not adequately address the impacts from water drainage associated with proposed snowmaking activities and requests that the Draft EIR be denied until the existing drainages issues are resolved.

The commenter is referred to Master Response 1.

## Letter 18

**Maywan Krach**

---

**From:** Thomas Hobday <[thobday@suddenlink.net](mailto:thobday@suddenlink.net)>  
**Sent:** Saturday, December 21, 2013 11:52 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Re. Northstar Mountain Master Plan

Maywan Krach, Placer County Community Development Resource Agency, Environmental Coordination Services:  
This memo is to recommend approval of the Northstar Mountain Master Plan.  
The process that Northstar has pursued to develop this plan is a model for how development planning should proceed in environmentally sensitive areas.  
Northstar identified the two most influential and active local community based environmental organizations in the area prior to beginning their planning process and worked with them to develop a plan that would meet their requirements for stewardship of the area under consideration. The resulting proposal is based on comprehensive input from these entities and other local advocates over a long period of time.  
The current plan that is being presented should be approved and moved forward by the Placer County Planning department as rapidly as possible.  
This project should also serve as a guide to other developers who are desirous of building responsibly in environmentally sensitive areas.

Thomas Hobday  
14090 Donner Pass Road  
Truckee, Ca.  
96161  
[thobday@suddenlink.net](mailto:thobday@suddenlink.net)

18-1

Letter 18: Thomas Hobday, Resident

**RESPONSE TO COMMENT 18-1**

The commenter expresses support for the Draft EIR and the proposed project and notes the collaboration between the applicant and the two most influential and active local community-based environmental organizations in the area.

This comment is noted.

## Letter 19

**Maywan Krach**

---

**From:** janhof@comcast.net  
**Sent:** Saturday, January 11, 2014 4:55 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Vail Master Plan and EIR

January 11, 2014

Dear Maywan Krach,

I am a condo owner at Aspen Grove in Northstar, Truckee, CA. Vail is asking for County approval for an expansion in the form of the Master Plan. Vail should not have this approval until the damage that has already been done to Aspen Grove by Northstar/Vail and others has been rectified and Aspen Grove is made as whole as possible at the expense of these entities.

I am opposed to consideration of the EIR and the Master Plan until Northstar/Vail complies with all County codes, expands and improves the EIR. and complies with conditions of past projects.

Thanks for your consideration,

Jan Hoffman

19-1



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Letter 19: Jan Hoffman, Resident

**RESPONSE TO COMMENT 19-1**

The commenter states that the proposed project should be denied until such time that the project applicant complies with all County codes, the Draft EIR is improved, and the existing drainage issues are resolved.

The commenter is referred to Master Response 1.

## Letter 20

**Maywan Krach**

---

**From:** William Hoffman <bilhof@comcast.net>  
**Sent:** Tuesday, January 07, 2014 9:51 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar DEIR & NMMP

Dear Ms. Krach,

I am opposed to the Northstar DEIR and NMMP as there are existing violations:

County Code sections 15.48.160 and 17.58.040.C. prohibit the processing of any permit applications when the project site is the subject of a code violation. Aspen Grove has informed the County of the ongoing violations at the Northstar Village and the greater drainage basin arising from the retention pond, and the County is in the process of investigating these issues. All processing of the NMMP should be suspended pending this investigation.

Placer County should not allow Northstar to add any additional infrastructure before complying with a court order to remove the defective retention pond directly above the Aspen Grove condominiums.

Sincerely,

William Hoffman  
3177 Aspen Grove Road  
Truckee, CA 96161

20-1

Letter 20: William Hoffman, Resident

**RESPONSE TO COMMENT 20-1**

The commenter cites County Code Sections 15.48.160 and 17.58.040C as prohibiting the processing of permit applications involving a project site that is subject to a code violation. The commenter further states that the County should not allow implementation of the proposed project before the applicant complies with a court order to remove a defective retention pond directly above the Aspen Grove condominiums.

The commenter is referred to Master Response 1.

## Letter 21

January 12, 2014

Northstar Mountain Master Plan Draft EIR – 12 Geology and Soils

### California Building Code

Seismic zones as discussed in the DEIR are no longer used in the current CBC. The structures should be designed in accordance with the current standards in the current CBC.

### Impact 12-1- Rupture of Known Earthquake Fault

#### Mitigation Measure 12-1- Require Lift Design to Avoid Fault Hazard

Required geologic investigation should be produced by a California registered Geologist or Certified Engineering Geologist as opposed to a registered civil engineer or geotechnical engineer. See California Geological Survey Note 49

21-1

If an active fault is identified, 50-foot setbacks are not required for a non-habitable structure. It would be good practice to avoid placing chairlift towers on an active fault trace. However, a 50-foot setback distance is not required. Chairlifts should be able to perform well with potential offset of alignment as long as the tower is not on the fault trace.

Thank you,

Jake Hudson  
Principal

Holdrege & Kull Consulting Engineers and Geologists  
10775 Pioneer Trail, Suite 213 | Truckee, CA 96161  
530.587.5156 | 587.5196 fax | 362.2882 cell  
[jhudson@handk.net](mailto:jhudson@handk.net) | [www.HoldregeandKull.com](http://www.HoldregeandKull.com)

## Letter 21: Jake Hudson, Principal, Holdrege & Kull Consulting Engineers and Geologists

### RESPONSE TO COMMENT 21-1

The commenter states that the seismic zones discussed in Section 12.0 of the Draft EIR are no longer used in the current California Building Codes, the required geologic investigation should be produced by a California registered geologist or certified engineering geologist, and non-habitable structures are not required to be set back from active faults. 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 12.0, page 12-9, to address this comment:

#### **California Building Code**

The State of California provides minimum standards for building design through the California Building Code (CBC [California Code of Regulations, Title 24]). The CBC is based on the Uniform Building Code, which is used widely throughout the United States (generally adopted on a state-by-state or district-by-district basis), and has been modified for conditions within California and includes a large number of more detailed and/or more restrictive regulations. ~~Seismic zones range from 0 to 4, with Zone 0 being the least active and Zone 4 the most active. The Martis Valley Community Plan area is located in Seismic Zone 3 (moderate seismic risk zone).~~ For example, the CBC includes common engineering practices requiring special design and construction methods that reduce or eliminate potential expansive soil-related impacts. The CBC requires structures to be built to withstand ground shaking in areas of high earthquake hazards and the placement of strong motion instruments in larger buildings to monitor and record the response of the structure and the site of seismic activity. Compliance with CBC regulations ensures the adequate design and construction of building foundations to resist soil movement. In addition, the CBC contains drainage requirements in order to control surface drainage and to reduce seasonal fluctuations in soil moisture content. All structures built in Placer County must comply with CBC requirements for this zone.

## Letter 22

**Maywan Krach**

---

**From:** Brian Hughes <bhughes1063@aol.com>  
**Sent:** Wednesday, January 08, 2014 9:20 AM  
**To:** Placer County Environmental Coordination Services  
**Cc:** Brian Hughes; Molly Hughes  
**Subject:** Northstar Mountain Master Plan

Dear Maywan Krach [cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)  
Environmental Coordination Services  
Placer County Community Development Resource Agency

This email is to voice my objection to and encourage you to deny the Environmental Impact Report submitted by Vail Resorts for the Northstar Master Plan expansion. We are homeowners within Northstar and have been property tax payers in Placer County for 10 years. We have experienced first-hand the damage that Vail Resorts has done to the environment by drowning our beautiful Aspen trees, decreasing our property values and our enjoyment of the area due to their illegal and immoral placement and treatment of the uphill retention pond in their last phase of development. Our Home Owner's Association has spent millions of dollars in litigation fees as the underdog against Vail Resorts who are employing Goliath tactics. Despite our ongoing wins and favorable rulings in the Placer County courts, Vail is appealing the outcomes and the water retention issue and damage persists with no end in sight. I believe it to be extremely irresponsible of your organization to grant approval of any further development of our precious mountain region until Vail cures and provides restitution for the immense amount of damage they have done to our homes and proves that they can be trusted to be responsible developers. In addition to the lack of accountability and non-responsiveness they have shown for past issues and the clear indication this provides of their utter lack of stewardship of our environment, I have serious concerns that many of the proposals in this plan will cause additional downhill drainage issues to ours or other Northstar properties.

22-1

I am unable to be at the hearing in person but am happy to speak to anyone via phone if you need more information or insight into these items.

Thank you for your consideration.  
Molly and Brian Hughes  
Owners  
3005 Silver Strike/Aspen Grove  
408 568-0588

Letter 22: Molly and Brian Hughes, Residents

**RESPONSE TO COMMENT 22-1**

The commenters state that there is a pending lawsuit against the proposed project applicant regarding a previously installed retention pond and that this pond has caused damage to the commenters' property. The commenters express concern that the proposed project will cause additional drainage issues.

The commenter is referred to Master Response 1.

## Letter 23

**Maywan Krach**

**From:** Cynthia Karr <cynthia@karr.com>  
**Sent:** Saturday, January 11, 2014 3:32 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Do NOT approve Northstar's new development

Jan. 11, 2014

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

Maywan,

I am emailing to express my concern about the "New Planned Development" at Northstar and vote for it to be rejected. Before any new development is started they should be taking responsibility and fixing the problems that they created at Silver Strike. From their actions, it is obvious that they are not concerned about the environment or the people who own property at Northstar. They are looking at the bottom line and figuring out ways to make more money. Yes, Tahoe wants to make money as well, but Tahoe has always looked out for the environment as well as the people who live there. Don't let them change that just because they are a big company.

We are concerned about the following:

- Downhill drainage. We want all downhill properties to be protected under mitigation measures.
- Castle Peak Gondola (Program level)
- J Lift: this alignment is close to some Big Spring homes and in the vicinity of Ski Trails.
- Noise for any new lift. We don't want to repeat the issue of the siren sound we were all experiencing from the Highlands Gondola.
- Traffic & Circulation: The traffic section doesn't appear to take into account the 650 homes in Martis Camp at build out.

Most importantly, before any "New Development" is approved they should take responsibility for their actions and fix the issues that they created with their prior development. Only then can we believe that they are looking out for the best interest of everyone and every living thing at Northstar.

Thank you for "Keeping Tahoe Blue!"

Cynthia Karr

23-1

## Letter 23: Cynthia Karr, Resident

### **RESPONSE TO COMMENT 23-1**

The commenter states that the properties on Silver Strike have 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 and states that the County should not allow implementation of the proposed project before the applicant resolves the issues surrounding the defective retention pond. The commenter also expresses concerns about the proposed Castle Peak Gondola (though provides no clarification of these concerns), the alignment of the proposed J lift, noise from new lifts, and increased traffic associated with 650 homes in Martis Camp.

The commenter is referred to Master Response 1 regarding proposed project drainage. In terms of the alignment of the proposed J lift, Impact 4.4 on pages 4-13 through -14 of the Draft EIR states that in the short term, construction of the proposed NMMP improvements, such as the proposed J lift, could cause temporary construction-related conflicts for visitors and residents enjoying on-site amenities and could result in the disruption of roadways for Northstar residents. However, as demonstrated in the Draft EIR, such impacts would be mitigated to a less than significant level. Similarly, Impact 8.3 on page 8-23 of the Draft EIR addresses potential visual impacts associated with the proposed J lift. According to the impact discussion on page 8-23 of the Draft EIR, development of the J lift and associated ski terrain improvements would not substantially alter views and would blend with the existing visual character of the current ski terrain. Noise impacts associated with the proposed project ski lifts are addressed under Impact 11.4 on page 11.26 of the Draft EIR, which states that noise generated by the proposed J lift would typically only occur during routine daytime maintenance activities and would not be projected to exceed the County's noise standard of 45 decibels. As a result, project-level impacts would be considered less than significant. The commenter is referred to Master Response 2 regarding traffic.

## Letter 24

**Maywan Krach**

**From:** Ed Kimball <edkimballchico@gmail.com>  
**Sent:** Wednesday, January 08, 2014 3:38 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** request for denial of Northstar Mountain Master Plan EIR

Good Afternoon,

As a 30 year property owner/property tax payer of Placer County with my property in Aspen Grove Northstar, I request that you deny the NMMP EIR.

In December, I attended a session of property owners (Northstar Property Owners Association) whereby a presentation was made by Vail (those proposing the approval of the NMMP). They have some grand plans for the future, but they have failed to address the fact that Aspen Grove Owners (180 property owners within Northstar) are in the middle of a law suit with Vail. Water flowing down hill from Vail has caused terrible damage to our property... trees are dying, building foundation problems, etc. and approval of this NMMP EIR would only further the damage.

Vail, by their own admission has presented this plan at least 50 times. They have endorsements of several environment organizations, but what weight should that carry when 180 owners of Aspen Grove Properties within Northstar are being environmentally ignored? Doesn't having your property become a swamp have any bearing on environmental evaluations?

After several million dollars in legal fees, last year the Placer County trial resulted in the Superior Court judge ruling in our favor, only to have Vail and the other defendants appeal the law suit. At this time, the defendants attorneys will not even meet to discuss mediation possibilities. The appeal is scheduled for sometime later this year.

Until a solution to the ongoing destruction of our property by the uphill water flowing onto our down hill property has been met by the defendants, I request that you not approve the EIR.

I see this as a moral issue (allowing the water from the uphill defendants property to flow directly onto our down hill property). It is a moral issue for all concerned ... Placer County, Vail, East West Partners and all the other named defendants.

Deny the EIR until Aspen Grove has been provided a reasonable solution to the water problem.

Thank you for your consideration.

Ed Kimball  
 3073 Aspen Grove  
 Northstar

24-1

Letter 24: Ed Kimball, Resident

**RESPONSE TO COMMENT 24-1**

The commenter states that the Aspen Grove Homeowners are involved in a lawsuit against the project applicant due to water flowing from uphill property onto Aspen Grove. The commenter requests anything in the Draft EIR regarding the flow of water downhill onto Aspen Grove be denied until such time as these existing drainage issues are resolved.

The commenter is referred to Master Response 1.

## Letter 25

**Maywan Krach**

---

**From:** Ed Kimball <edkimballchico@gmail.com>  
**Sent:** Tuesday, December 03, 2013 11:57 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar Master Plan EIR

As a property owner in Placer County, specifically an Aspen Grove Condominium at Northstar, I am asking that the EIR not be approved as long as the law suit Aspen Grove has as an open suit against the Northstar developers.

Aspen Grove Homeowners are involved in a law suit against the developers of Northstar because of the water flowing from the dependents uphill property on to our property. The court decided in favor of Aspen Grove, but the law suit is under appeal by the developers. As long as the appeal is in progress, I am asking that anything in the EIR regarding the flow of water down hill onto our property be denied. Any additional water flowing downhill, such as widening of the ski trails, more snow making and more traffic continues to damage our downhill property.

25-1

Thank you for your consideration.

Edgar M Kimball  
3073 Aspen Grove  
Northstar  
Truckee, CA

Letter 25: Edgar Kimball, Resident

**RESPONSE TO COMMENT 25-1**

The commenter states that the Aspen Grove Homeowners are involved in a lawsuit against the project applicant due to water flowing from uphill property onto Aspen Grove. The commenter requests anything in the Draft EIR regarding the flow of water downhill onto Aspen Grove be denied until such time as these existing drainage issues are resolved.

The commenter is referred to Master Response 1.

## Letter 26

Joy Anderson Kimball  
1494 Vallombrosa Ave  
Chico, CA 95926  
[jkimball@andersonjobs.com](mailto:jkimball@andersonjobs.com)

January 8, 2014

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

Dear Maywan Krach and Members of the County of Placer Planning Commission,

The purpose of this letter is to express my concern and explain my opposition to approval of the Northstar Mountain Master Plan.

Since the 1970s we have owned a condominium at Aspen Grove. (Parcel Number 110 150 013000) Throughout the 70s, 80s and 90s, we enjoyed the view of a beautiful aspen patch from our condo living area and deck. It provided not only a beautiful view, but a screen from the condominiums on the other side of the patch. It also provided a buffer from the road noise on Northstar Drive. In the summer and fall it provided a wonderful place for our children and grandchildren to explore. There was very little ground cover because the ground was dry. It was a dense wooded area with only narrow trails made by wildlife.

Today is quite a different situation. The grove is patchy; most trees have died or are dying. The ground is saturated, and where it was once dry ground, it is now thick swamp grass. There is no way you would go and explore. Now instead of looking at Aspens, our view is to look at the condos at the other side of the aspen grove which before screened their view. And what we did not fully appreciate until now that the trees are gone, is the noise buffer from traffic on Northstar Drive that the trees provided.

Once it was evident the retention pond, which was built to handle the runoff from the Northstar Village expansion, was not working and the developers were ignoring the issue, we had to pursue legal action to mitigate the issue. Although a court ruled in favor of removing/replacing the retention pond, NOTHING has been done to solve the issue. There is no concern for the damage to the environment, the condo owner's property, or the area as a whole. Instead, the issue is being ignored and dealt with by playing legal delay tactics.

Before any further development for this area is approved, I urge the Placer County Planning Commission to look at the negative environmental impacts prior development has caused and the developer's unwillingness to solve existing issues. The developers have shown little concern for the area as a whole and certainly no concern for those of us who have enjoyed the area and own homes in the Aspen Grove

26-1

## Letter 26 Continued

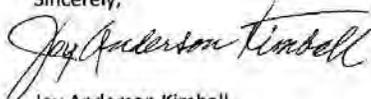
community. CLP Northstar, LLC c/o Trimont Land Company has a responsibility to look at the area that is directly affected by any further development at Northstar. The NMMP identifies planned on-mountain improvements but anything on-mountain affects those residences that already exist at Northstar. The emphasis appears to be focused on adding more recreation as opposed to preserving the existing ecosystem.

Finally, I would point out that we are in a drought and we still have a water issue. The area cannot handle any further water runoff. The existing violation at Northstar due to the retention pond needs to be addressed and any and all plans, including the Northstar Mountain Master Plan, need to be denied until damages caused by prior development are solved.

Please, preserve and protect the Northstar area by opposing the Northstar Mountain Master Plan (PEIR 20070565, State Clearinghouse # 2012112020).

26-1

Sincerely,



Joy Anderson Kimball

Joy Anderson Kimball

Letter 26: Joy Anderson Kimball, Resident

**RESPONSE TO COMMENT 26-1**

The commenter states that the properties at Aspen Grove have been damaged due to drainage issues involving the placement of a retention pond associated with a past improvement. The commenter states that the County should not allow implementation of the proposed project before the applicant resolves the issues surrounding the defective retention pond.

The commenter is referred to Master Response 1.

## Letter 27

**Maywan Krach**

---

**From:** Tori Long <tlong@carrlong.com>  
**Sent:** Sunday, January 12, 2014 5:52 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Draft Environmental Impact Report

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

Hi,

I have reviewed the Draft Environmental Impact Report for the proposed Northstar Mountain Master Plan, and I am in support of the plan and the manner in which they are bringing smart planning and thoughtful development to an area very near and dear to my heart.

My love for Northstar, the local community and the people who visit Northstar has grown exponentially over the last 10 years. Not only do I pride myself in knowing that I am helping to make my clients' dreams of owning a home in the mountains a fantastic reality, but I love knowing that my children will be able to enjoy this slice of paradise we call home for years to come.

Over the years, I have been a first hand witness to the completion of numerous on-mountain improvement projects at Northstar. With each improvement project, protecting the integrity of the natural environment was a highest priority. After reviewing the proposed plan, it is obvious that the Mountain Master Plan takes the same approach of putting the environment first and properly conserving the natural elements of our precious landscape and community.

The mountain has evolved over the years, and the proposal at hand is a proper continuation of that evolution. The increased ski terrain is an exciting improvement to Northstar and promises guests a more enjoyable experience for generations to come. Having appropriately considered impacts to the land and natural habitat, the addition of new terrain comes with very minimal environmental impact. For this reason I am strongly in favor of the proposed plan.

It's been a privilege to see Northstar improve over the last decade, and I'm equally as excited to see the continuation of responsible and conscientious development.

Thanks for your thorough review of the plan and for your consideration of my support.

Sincerely,

Tori Long  
mobile 530 412 0176 | fax 530 579 5913  
Village at Northstar Office

[www.carrlong.com](http://www.carrlong.com)

Letter 27: Tori Long, Resident

**RESPONSE TO COMMENT 27-1**

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

This comment is noted.

## Letter 28

**Maywan Krach**

---

**From:** Jennifer Spenelli <jenspenelli@aol.com>  
**Sent:** Thursday, January 09, 2014 12:46 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar at Tahoe

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

I am writing to you to request that you please, please, please take a moment to pause and closely consider the expansion that is taking place at Northstar at Tahoe in Truckee, CA. As a condo owner on Aspengrove, the expansion and growth that Vail Resorts have already implemented has and continues to take a huge toll on the existing properties and surroundings without impunity. In a sort of David vs Goliath fashion, Aspengrove Condo Assn. is trying to fight back at the damage caused, and winning for now in the eyes of the court, but because of the deep pockets of a company like Vail, will likely succumb to the appeals process that Vail has the resources to access, where residents and small property owners do not. I hope a letter like this isn't useless, but have the feeling that it is. Unless someone with authority, such as yourself, can request that Vail fix and repay the current offenses it is responsible for, before it is given permission to move forward. "Progress" cannot be so one sided. They should have to clean up their mess before they start a new one. Please set a precedent that says CA and Placer County requires everyone behave in a civil and courteous fashion as we try to improve what already exists. If they want to tear down what is there, they should have to pay to do it...over the counter, not with erosion tactics that are now being used.

28-1

Thanks for your consideration,

Jennifer Mangan

### Letter 28: Jennifer Mangan, Resident

#### **RESPONSE TO COMMENT 28-1**

The commenter states that there is a pending lawsuit against the proposed project applicant regarding a previously installed retention pond and that this pond has caused damage to the commenter's property. The commenter states that the County should not allow implementation of the proposed project before the applicant resolves the issues surrounding the defective retention pond.

The commenter is referred to Master Response 1.

## Letter 29

**Maywan Krach**

---

**From:** MarcusZmarcus@aol.com  
**Sent:** Monday, December 09, 2013 3:52 PM  
**To:** Placer County Environmental Coordination Services  
**Cc:** dmarcus1128@comcast.net  
**Subject:** PLEASE HALT Northstar Mountain Master Plan

*Dear Sir or Madam,*

*We currently own a home in Aspen Grove at Northstar. We continue to be the victims of an earlier expansion project by the same owners/builders. Please NO NOT ALLOW THEM TO EXPAND ANY FURTHER UNTIL THEY SOLVE THE OTHER PROBLEMS THEY HAVE CAUSED.*

*After several years, we have finally won a lawsuit for all the damage their water run-off and retention pond has caused to our area, BUT THEY ARE STILL FIGHTING IT, AND IN THE MEANTIME OUR TREES HAVE ALL DIED, AND OUR BUILDING STRUCTURES ARE BEING COMPROMISED from their construction and expansion.*

*They have not shown that they can be trusted to use the best engineering, take any environmental interest, or to correct problems which they might cause.*

*PLEASE DO NOT ALLOW THIS EXPANSION UNTIL THEY FIX THE PROBLEMS THEY HAVE CREATED AT ASPEN GROVE.*

*WE NEED RESOLUTION NOW!!*

*Thank you for your attention and help in this matter.*

*Sincerely,*

*Jacqueline & David Marcus, 3175 Aspen Grove*

29-1

### Letter 29: Jacqueline & David Marcus, Residents

#### **RESPONSE TO COMMENT 29-1**

The commenter states that Vail Resorts has caused off-site property damage from a drainage issue involving the placement of a retention pond during a past improvement. The commenter expresses concern that the proposed project will cause additional drainage impacts and requests the proposed project be denied until the applicant fixes this current drainage issue.

The commenter is referred to Master Response 1.

## Letter 30



RECEIVED

DEC 06 2013

ENVIRONMENTAL COORDINATION SERVICES

December 4, 2013

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

RE: Northstar Mountain Master Plan

Dear Ms. Krach:

As general manager of The Ritz-Carlton, Lake Tahoe and one of the largest employers in the local community, I would like to express my unequivocal support for the Northstar Mountain Master Plan (NMMP) that outlines mountain improvements proposed at the resort over the next 20 years.

With our ski-in / ski-out location on Northstar California, the proposed improvements are critical to the resort's continued growth and success, allowing our destination to compete more effectively against other mountain destinations. By upgrading existing services, amenities and operations, including a better balance of skier amenities, improving lift technology and increasing the variety and mix of recreational activities, we are able to extend our reach within the global affluent community, attracting visitors from all over the world.

Upon careful review of the plan, I am confident that the NMMP has taken the environmental impact and voice of the local community into consideration and is consistent with the goals defined in Habitat Management Plan.

Should you have any questions, please feel free to contact me directly at (530) 562-3005 or email me at [joseph.mattioli@ritzcarlton.com](mailto:joseph.mattioli@ritzcarlton.com).

Sincerely,

Joseph Mattioli  
General Manager  
The Ritz-Carlton, Lake Tahoe



13031 RITZ-CARLTON HIGHLANDS COURT, TRUCKEE, CALIFORNIA 96161 530.562.3000 FAX 530.562.3001

30-1

Letter 30: Joseph Mattioli, General Manager, The Ritz-Carlton, Lake Tahoe

**RESPONSE TO COMMENT 30-1**

The commenter expresses support for the Draft EIR and the proposed project and notes that by upgrading existing services, amenities, and operations, the region is able to attract more visitors.

This comment is noted.

## Letter 31

**Maywan Krach**

---

**From:** tommerr@comcast.net  
**Sent:** Saturday, December 07, 2013 11:49 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** EIR/northstarmmp

Maywan,

This a comment on the EIR proposed for Northstar.

In a previous EIR (2003?) Northstar included the parking lot just below the Northstar Village. When built it followed the plan submitted.

Since then, its' periphery has been breeched (to allow more paid parking), four handicapped parking places have been removed, and snow

dumping has occurred in areas specified as off limits in the EIR.

I complained to your office in Tahoe City and snow dumping was discontinued for one year.

I encourage you to address results from past EIRs from this developer as an indication of compliance with the current proposal. Perhaps compliance with past EIRs would help their cause.

Tom Merrick  
3146 Aspen Grove  
Northstar

31-1

Letter 31: Tom Merrick, Resident

**RESPONSE TO COMMENT 31-1**

The commenter states that the project applicant has developed a parking lot contrary to the requirements of a previous EIR. The commenter suggests that the County analyze the applicant's compliance with past EIRs in order to ascertain their compliance with the requirements of this EIR.

This comment is noted for the decision-makers.

## Letter 32

**Maywan Krach**

---

**From:** Gabrielle Middleton and Greg Snow <gabandgreg@gmail.com>  
**Sent:** Friday, January 03, 2014 8:54 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Comments Regarding Northstar Master Plan Draft EIR

Dear Maywan Krach:

I am a homeowner in the Aspen Grove Condominiums adjacent to the New Northstar Village (3042 Silver Strike).

I am writing to oppose the approval of Northstar's Master Plan due to pending resolution of outstanding violations from the Northstar Village project. Placer County Superior Court has ruled that Northstar is in violation of the conditions of approval and county codes for the placement of a retention basin directly upslope from our community. The retention pond above Aspen Grove continues to impact our association with constant water trespass.

32-1

I do not understand why you would allow another project when Northstar has shown such disregard for neighboring communities in previous projects.

I urge you to not allow any further work pending resolution of violation of existing conditions of approval for the Northstar Village.

Sincerely,

Gabrielle Middleton  
244 Waterman Circle  
Danville, CA 94526  
Cell: 510-381-1290

### Letter 32: Gabrielle Middleton, Resident

#### **RESPONSE TO COMMENT 32-1**

The commenter states that the Aspen Grove Homeowners are involved in a lawsuit against the project applicant due to water flowing from uphill property onto Aspen Grove. The commenter requests anything in the Draft EIR regarding the flow of water downhill onto Aspen Grove be denied until such time as these existing drainages issues are resolved.

The commenter is referred to Master Response 1.

## Letter 33

**Maywan Krach**

---

**From:** Lynda Ward Pierce <lynda.pierce@sbcglobal.net>  
**Sent:** Sunday, January 05, 2014 6:44 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar Environmental Impact Review Comments

To:  
Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

I have been a homeowner in Placer County and Northstar for twenty years. I am writing to you in reference to the draft EIR pending for Northstar's expanded development. I strongly encourage the county to DENY the EIR submitted by Vail Resorts for the Northstar Master Plan expansion. Any and all requests for further development by Northstar/Vail Resorts should be suspended until they successfully resolve pending issues from the past expansion. Specifically, despite a court judgment in favor of Aspen Grove, Vail et al has failed to stop the downhill flow of water into the Aspen Grove association caused by the village expansion. As you know, this water trespass has caused and continues to cause significant damage.

In general, I am an advocate of responsible development within Northstar specifically and Placer County in general. I believe that enhanced facilities and terrain benefit me as a Northstar owner and the county in general. However, I am opposed to irresponsible growth. Vail's continued failure to resolve issues resulting from the past development should be a significant factor when Placer County considers future development requests. Vail's past behavior should also play a part in the design and nature of development restrictions and monitoring (i.e. Vail has shown a blatant disregard for neighboring communities and for county ordinances).

33-1

Lack of accountability and non-responsiveness related to issues from past development don't give me confidence in Vail as they expand development. My particular concerns with the DEIR currently before the county include but are not limited to the following:

- \* No further development (to include the Forrest Flyer, Snow making, new lifts or gondolas, construction of new homes, etc) should be permitted until past issues with Aspen Grove are fully resolved. This means development should be suspended until resolution in court (i.e. all appeals are completed) or an out of court settlement agreed to by all parties.

Once the Aspen Grove matter is resolved, all future develop should include the following provisions:

- \* All downhill properties must be protected from downhill drainage.
- \* Additional snow making is a risk to Aspen Grove and other downhill neighbors due to increased water flow. This should be considered carefully and include significant protections against future harm to downhill neighbors.
- \* We need stronger language as far as monitoring - this is in Mitigation 13-3c
- \* Instead of the developer hiring for monitoring, the County should hire an independent monitor for the first 4 years with funding coming from the developer.
- \* Also under Mitigation 13-3a, the final drainage report be submitted not only to the County but also to Aspen Grove.

33-2

---

*Lynda Ward Pierce*

Mobile: (510) 908-9559  
Email: [Lynda.Pierce@sbcglobal.net](mailto:Lynda.Pierce@sbcglobal.net)

Letter 33: Lynda Ward Pierce, Resident

**RESPONSE TO COMMENT 33-1**

The commenter states that the project applicant has caused substantial off-site property damage from a drainage issue involving the placement of a retention pond during a past improvement from previous development. The commenter requests the proposed project be denied until this current drainage issue is resolved.

The commenter is referred to Master Response 1 regarding drainage issues.

**RESPONSE TO COMMENT 33-2**

The commenter states that once this drainage issue is resolved, all future development should include protection of all downhill properties, special consideration to additional snowmaking, stringent monitoring requirements, County-hired monitors, and a final drainage report submitted to Aspen Grove.

The commenter is referred to Master Response 1 regarding drainage issues and mitigation measures. The final drainage report identified under mitigation measure 13-3a will be publicly available once it is submitted to the County.

## Letter 34

**Maywan Krach**

---

**From:** PIERCE, PAUL <pp1561@att.com>  
**Sent:** Friday, January 10, 2014 8:40 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar Environmental Impact Review Comments

Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

Dear Placer County Development Team:

I have been a home owner and tax payer in Placer County and Northstar for twenty years. I am writing to you in reference to the draft EIR pending for Northstar's expanded development. I strongly encourage the county to deny approval of the EIR submitted by Vail Resorts for the Northstar Master Plan expansion. Development by Northstar/Vail Resorts should be suspended until Vail et al successfully resolve pending issues from the past expansion. Specifically, despite a court judgment in favor of Aspen Grove, Vail et al has failed to stop the downhill flow of water into the Aspen Grove association caused by the village expansion. As you know, this water trespass has caused and continues to cause significant damage.

34-1

In addition, there are a number of issues with the current draft EIR which need to be address including but not limited to:

- **Existing Violations** - County Code sections 15.48.160 and 17.58.040.C. prohibit the processing of any permit applications when the project site is the subject of a code violation. Aspen Grove has informed the County of the ongoing violations at the Northstar Village and the greater drainage basin arising from the retention pond, and the County is in the process of investigating these issues. All processing of the NMMP should be suspended pending this investigation.
- **Piecemealing Environmental Review of the Forest Flyer** - The Forest Flyer project and the NMMP are being reviewed under separate environmental documents to minimize the impacts of each individual project. The Forest Flyer project is clearly within the scope of the project description and objectives of the NMMP, and they should be analyzed in a single environmental document so that the impacts of the projects as a whole are adequately analyzed.
- **Spot Zoning** - The zoning text amendment to the TPZ zone constitutes illegal spot zoning, i.e. the change is designed solely for the economic benefit of the owner of the property receiving special treatment (by the EIR's admission, the amendment will only

34-2

34-3

## Letter 34 Continued

apply to Northstar’s property), and which is not in accordance with a well-considered plan for the public welfare. The EIR also fails to analyze the secondary effects of the proposed zoning, especially in light of the equivalent use determination recently made by the County’s community development office.

34-3  
Cont.

- **Visual Resources** - While the EIR recognizes that the Castle Peak Parking Lot Transport Gondola will be visible from Aspen Grove and the NPOA recreation center, it fails to analyze the visual impacts to these vantage points and consider appropriate mitigation, such as planting of additional vegetation for screening.

34-4

- **Traffic –**

- (1) Baseline - the traffic analysis fails to set an appropriate baseline for existing traffic conditions, using traffic counts for Squaw Valley rather than Northstar;
- (2) the traffic analysis is based on the faulty assumption that the only increase in traffic will be new employees, and that the Project will not result in any increase in existing guest visits;

34-5

- (3) The EIR’s analysis of parking impacts is based on the circular logic that because inadequate parking will limit the number of trips to Northstar resulting from the expanded facilities to employees only, no new parking will be required;
- (4) analysis of air impacts suffer from the same deficiencies and do not adequately analyze impacts from cars circulating while searching for parking.

- **Noise** - The EIR fails to analyze and mitigate noise related to operation of the Castle Peak Parking Lot Transport Gondola in relation to Aspen Grove and the NPOA rec center.

34-6

- **Geology** - The EIR impermissibly defers mitigation relate to geological impacts.

34-7

- **Hydrology –**

- (1) The EIR fails to set an appropriate baseline for analysis based on the ongoing impacts of the retention basin to Aspen Grove;
- (2) The EIR does not sufficiently analyze/mitigate the impacts of increased snowmaking, especially in light of the fact that the water used for snowmaking is from a separate drainage basin; and
- (3) The EIR does not analyze all feasible mitigation measures, including removal of the retention basin.

34-8

Given Vail's past disregard of neighboring concerns, and the specific issues noted above it is inconceivable that the county can approve the pending EIR without resolving the existing legal claims, the pending reviews and the open unaddressed issues.

Sincerely:

**Paul Pierce**

3047 Silver Strike  
Northstar, California 94502  
Home: 510-523-4647

Mobile: 510-207-7057

### Letter 34: Paul Pierce, Resident

#### **RESPONSE TO COMMENT 34-1**

The commenter cites County Code Sections 15.48.160 and 17.58.040C as prohibiting the processing of permit applications involving a project site that is subject to a code violation. The commenter further states that the County should not allow implementation of the proposed project before the applicant complies with a court order to remove a defective retention pond directly above the Aspen Grove condominiums.

The commenter is referred to Master Response 1 regarding drainage concerns.

#### **RESPONSE TO COMMENT 34-2**

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 project segmentation concerns.

#### **RESPONSE TO COMMENT 34-3**

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 34-4**

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

DEIR Table 8-3 (under Impact 8-3) specifically notes that the proposed Castle Peak Parking Lot Transport Gondola would alter the existing visual character, but would generally be observed as a complementary feature of the Northstar ski resort visual character and would not adversely alter the visual character. 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. Building plans and improvement plans for the project must identify compliance with this measure.

#### **RESPONSE TO COMMENT 34-5**

The commenter states that the Draft EIR traffic, parking, and air quality analyses are inadequate.

The commenter is referred to Master Response 2 regarding traffic, parking, and related air quality analyses concerns. As noted in Master Response 2, the additional air quality impacts from additional day skier traffic that may be generated by the project would not alter the air quality or GHG emissions impact conclusions in the DEIR.

## **RESPONSE TO COMMENT 34-6**

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

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 34-7**

The commenter states that the Draft EIR defers geological-related mitigation.

The commenter is not clear regarding what geology mitigation measure is of concern and provides no specific information on what is being deferred. DEIR mitigation measure 12-1 includes performance standards to ensure that the C and J lifts are sited and designed to address seismic hazards, while mitigation measures MM 12-3c through 12-3f include performance standards to ensure slope stability, erosion control measures, and water quality controls are in place and implemented during construction.

## **RESPONSE TO COMMENT 34-8**

The commenter states that the Draft EIR does not analyze all feasible mitigation measures.

The commenter is referred to Master Response 1 regarding drainage concerns and associated mitigation measures. The commenter provides no evidence to support the assertion that the hydrologic analysis and mitigation measures identified under DEIR Impact 13-3 are inadequate, while the DEIR is based on technical analysis and hydrologic modeling.

Louis A. Basile  
Kelley R. Carroll\*†  
Peter H. Cutitta\*  
Steven C. Gross\*  
Brian C. Hanley\*  
Stephen C. Lieberman  
James L. Porter, Jr.\*  
James E. Simon



Catherine E. Blaber\*  
Ravn R. Whittington\*

Dennis W. De Cuir, A Law  
Corporation, Of Counsel

† Certified Specialist In Estate  
Planning, Trust & Probate Law  
\* Also licensed in Nevada  
• Also licensed in Colorado

January 7, 2014

Placer County Community Development Resource Agency  
Attn: Maywan Krach  
3091 Country Club Center, Suite 190  
Auburn, CA 95603

**NORTHSTAR MOUNTAIN MASTER PLAN DRAFT ENVIRONMENTAL IMPACT  
REPORT COMMENTS: FAVORABLE COMMENT**

Dear Ms. Krach:

I am familiar with the proposed Northstar Mountain Master Plan having watched it unfold over several years and have reviewed the Draft EIR for the project as a 40-year resident. I have personally witnessed the Northstar resort develop and subsequently redevelop over a number of years.

A collaborative partnership (which I helped orchestrate) between Northstar and the key conservation organizations in the Martis Valley led to the development of a comprehensive Habitat Management Plan (HMP) that conserves biologic and other important natural resource values. The HMP was used by Northstar as the foundation for the Master Plan. Further, Northstar's proven record of stewardship will ensure that the Master Plan is implemented appropriately over time. This is clearly demonstrated in environmental provisions incorporated into the project design and construction section the Draft EIR (Sub-section 3.10.3).

**35-1**

The proposed Project Description that was filed by Northstar meets the resort's stated Master Plan objectives better than any of the other alternatives analyzed in the Draft EIR.

Northstar is recognized as one of our region's leaders in terms of providing transit services for visitors, residents and employees. I am confident that, with the implementation of the Master Plan, their participation in this important issue will continue.

The Draft EIR correctly notes that the public services (including electrical power), needed to serve the project do not depend on the CalPeco 625 and 650 Electrical Line Project.

I disagree with the conclusion reached in Section 8.3 that there will be a significant and unavoidable visual impact from the project in the future to people travelling on State Route 89. I believe that residents and visitors alike travelling along our highways expect to see ski runs  
(00413351.DOC 1)

**35-2**

TRUCKEE 40200 Truckee Airport Road, Truckee, California 96161 phone (530) 587-2002 fax (530) 587-1316

TAHOE CITY • RENO

## Letter 35 Continued

Page 2 of 2

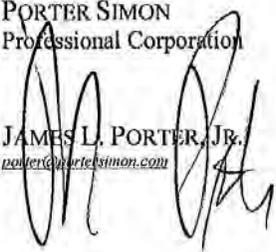
during their journey which can only help reinforce that they are in ski country. This should more properly be seen as a positive asset in our outdoor recreation and tourism-based economy than a negative effect.

Based on my review of the Draft EIR, I believe the analysis otherwise accurately discloses the anticipated environmental effects and necessary mitigation measures associated with the project as proposed.

Thank you for the opportunity to provide public comment on this matter.

Very truly yours,

PORTER SIMON  
Professional Corporation

  
JAMES L. PORTER, JR.  
[porter@portersimon.com](mailto:porter@portersimon.com)

JLP/eh

cc Michael Johnson (via e-mail)  
Jennifer Montgomery (via e-mail)  
Bill Rock (via e-mail)  
Larry Sevison (via e-mail)

**35-2  
Cont.**

{00413351.DOC }

### Letter 35: James L. Porter, Porter Simon Corporation

#### **RESPONSE TO COMMENT 35-1**

The commenter notes the collaborative partnership between the project applicant and the key conservation organizations in the Martis Valley that led to the Habitat Management Plan. The commenter further notes that Northstar has a proven record of stewardship and is recognized as one of the region's leaders in terms of providing transit services.

This comment is noted.

#### **RESPONSE TO COMMENT 35-2**

The commenter objects to the Draft EIR's significant and unavoidable impact conclusion for visual resources, citing the opinion that residents and visitors traveling along the region's highways expect to see ski runs.

As stated on page 8-20 of the Draft EIR, any analysis of impacts to visual character is subjective by nature since the qualities that create an aesthetically pleasing setting will vary from person to person. Page 8-21 of the Draft EIR concluded that the proposed NMMP project-level components related to the improvement of existing ski trails associated with the Backside lift would be noticeable, as would the proposed new W and V lifts and associated ski terrain. The addition of these ski terrain features from this view point would appear as a substantial increase in existing ski terrain features over existing conditions. Implementation of mitigation measure 8-2 and project design practices from the Northstar Habitat Management Plan (e.g., incorporation of tree islands, utilization of existing open areas, and varying trail widths to minimize the visual impacts) would assist in reducing visual impacts. However, the proposed Q lift in combination with the improvement of existing ski trails associated with the Backside lift and the proposed new W and V lifts and associated ski terrain would result in a significant and unavoidable impact to scenic vistas given the substantial alteration of the visual character from views along State Route 89.

## Letter 36

January 13, 2014

Michael Johnson  
Agency Director  
Community Development Resource Agency  
County of Placer  
3091 County Center Drive  
Suite 140  
Auburn, CA 95603

RE: Northstar Mountain Master Plan – DEIR Comments

Dear Mr. Johnson:

I respectfully submit this letter on behalf of Northstar Mountain Properties, LLC (NMP) in support of the Northstar Mountain Master Plan (NMMP). The NMMP represents a thoughtful and conscientious plan that has been carefully prepared with input from key stakeholders that will help ensure that Northstar will continue to evolve and build upon its standing as a family-friendly world class destination resort community.

As Placer County is aware, portions of the project are proposed on land that NMP owns which is covered by the Northstar Highlands Master Conditional Use Permit (PSUB20040898), Northstar Highlands II (PSUB T20060609 - PSM20120079) as well as Northstar Highlands III (PSUB 20100334). Of particular interest to NMP are: the lower half of the J Lift, including the mid-station, along with a number of skiway improvements such as the proposed project level skiway that would connect Home Run skiway to Village Run skiway. It is vital to the success of our existing and future projects that NMP be an integral part of the program and project level planning and design of each project impacting NMP projects and land. With this in mind, we have the following Draft EIR comments:

1. Similar to the Condition of Approval #3 placed on our Northstar Highlands III (PSUB 20100334) project, we propose the following condition of approval to help ensure coordination between the NMMP proposed projects and the existing Northstar Highlands entitlements and projects:

*Prior to the submittal of Improvement Plans and/or the issuance of a building permit, and/or grading permit(s) whichever may come first, and subject to the review and approval of the Planning Director, the applicant shall provide evidence that Northstar Mountain Properties, LLC is in agreement with the improvements that are either located on or adjacent to its property. (PD)*

This condition would be applicable to the following projects:

- a. Proposed J Lift and Mid-Station
- b. Home Run to Village Run Skiway Connection
- c. Any Proposed Project on or directly adjacent to NMP land

530 550 7070 fax 530 550 2727  
PO Box 2537 Truckee, California 96160  
3001 Northstar Drive, G-200 Truckee, California 96161  
www.eastwestpartners.com www.tahoe/mountainresorts.com

36-1

## Letter 36 Continued

2. In Appendix 3.2 Page 8, there is a section that reads as follows:  
*Northstar would like to see the Highlands applicants prepare this plan and construct employee parking as necessary per the Highlands improvements parking requirements. It should be noted that the Northstar Highlands Environmental Impact Report (EIR) includes a programmatic-level expanded employee parking lot adjacent to Northstar's existing administration building. Potential capacity for the employee lot is estimated to be approximately 300 spaces.* **36-2**

The 300 space parking lot that is referred to above was in fact approved at a program level as part of the Northstar Highlands Master Conditional Use Permit, however, there is no requirement or mitigation measure that would obligate NMP (or its successors in interest) to plan, design or construct this facility. As such, this paragraph should be stricken in its entirety.
3. The NMMP shall be evaluated and processed based on its own merits. NMP (or its successors in interest) shall not be responsible for mitigating any impacts associated with the NMMP. **36-3**
4. Given a number of the proposed NMMP projects located adjacent to residential areas, we would like to see that the project be conditioned to follow the same construction hours that have been established for the Northstar Highlands projects. **36-4**
5. As currently written, Mitigation Measure 11-2: Mitigate for Snowmaking and Grooming Activities, helps protect the Ritz-Carlton Hotel from snowmaking and grooming noise. We request this Mitigation Measure be expanded to also include the existing and proposed mid-mountain residential areas within the Northstar Highlands project area. **36-5**
6. Given the existing and proposed mountain operations traffic impacts on Highlands View Road and Ridgeline Drive, we request that the NMMP be conditioned to conduct an update to the Placer County Permanent Road Division No. 7 (PRD) Engineer's Report to account for existing and future mountain operations traffic as well as any future cross country ski center impacts. The PRD pays to maintain Highlands View Road and Ridgeline Drive within Northstar. Currently, the NMMP applicant is the only entity or property owner that utilizes the PRD facilities extensively without contributing to its funding which means that those individuals and property owners paying into the PRD are currently paying a disproportionate share of the PRD special tax. **36-6**
7. The Green House Gases & Climate Change portion of the DEIR requires a significant number of trees or saplings to be planted for mitigation purposes. Placer County is expressly aware of the community's concerns surrounding the Castle Peak parking lots landscaping. NMP suggests that the Castle Peak parking lots be the first location utilized for the proposed tree planting mitigation. **36-7**

## Letter 36 Continued

Thank you for the opportunity to comment on this exciting project. The NMMP will be of benefit to the Northstar community and the greater North Lake Tahoe Region.

Sincerely,



Blake Riva  
Northstar Mountain Properties, LLC

Cc (via email): Maywan Krach; Gerry Haas; Andrew Strain; Jerusha Hall; Jen Mader; Bill Rock; Steve Rice; Kurt Krieg; Jim Telling; Hayes Parzybok

Letter 36: Blake Riva, Northstar Mountain Properties, LLC

**RESPONSE TO COMMENT 36-1**

The commenter suggests a condition of approval be placed on the proposed project that would require Northstar Mountain Properties, LLC, to agree with all improvements proposed either on or adjacent to its property.

This comment is noted and will be considered during the project consideration process by County staff.

**RESPONSE TO COMMENT 36-2**

The commenter requests a paragraph in Appendix 3.2 of the Draft EIR referring to 300 parking spaces associated with the Northstar Highlands master Conditional Use Permit be removed.

This comment is noted. The suggested changes are associated with Northstar's existing Traffic and Parking Management Plan, which is not part of the proposed NMMP.

**RESPONSE TO COMMENT 36-3**

The commenter states that Northstar Mountain Properties will not be responsible for implementation of any mitigation contained in the DEIR.

This comment is correct that existing approved development projects are not responsible for the implementation of mitigation measures for the proposed NMMP.

**RESPONSE TO COMMENT 36-4**

The commenter requests that the same construction hours established for the Northstar Highlands project be established for the proposed project.

The hours of construction in DEIR mitigation measure 11-1 are based on County Code Section 9.36.030 (Noise Ordinance). No proposed changes to mitigation measure 11-1 are recommended.

**RESPONSE TO COMMENT 36-5**

The commenter requests that mitigation measure 11-2 be expanded to include the existing and proposed mid-mountain residential areas within the Northstar Highlands area.

The DEIR 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 11.0, page 11-28, to address this comment:

**Mitigation Measure 11-2 Mitigate for Snowmaking and Grooming Activities**

The applicant shall implement the following measures for project-level components:

- Snowmaking activities located within 1,200 feet of the Ritz-Carlton and Northstar Highlands shall utilize quieter fan guns, as opposed to nozzle guns. Fan guns shall be directed to minimize noise levels at the Ritz-Carlton and existing and planned residential

areas at Northstar Highlands, based on the directional noise aspects of the fan guns used (refer to **Table 11-14**), while still achieving snow-making objectives.

- Fan guns located within 300 feet of the Ritz-Carlton and existing and planned residential areas at Northstar Highlands shall be shielded from direct line of sight of the Ritz-Carlton and existing and planned residential areas at Northstar Highlands by use of temporary barriers or comparable technology or by locating the fan guns to take advantage of intervening physical features or structures. Temporary barriers or comparable technology shall be constructed of plywood having a minimum thickness of 0.5 inches, or a material of equivalent/increased density. Barriers or comparable technology shall be constructed to minimize air gaps at the base of the structure and between any barrier components. To the extent possible, fan guns located within 300 feet of the Ritz-Carlton and Northstar Highlands shall be placed at ground level to increase the effectiveness of the shielding provided by temporary barriers or intervening physical features.
- Snowmaking equipment shall be located as far as practical from the Ritz-Carlton Hotel and existing and planned residential areas at Northstar Highlands.

### **RESPONSE TO COMMENT 36-6**

The commenter requests that the proposed project be conditioned to conduct an update to the Placer County Permanent Road Division No. 7 Engineer's Report.

This comment is noted and will be considered during the project consideration process by County staff.

### **RESPONSE TO COMMENT 36-7**

The commenter requests that the Castle Peak parking lots be the first location utilized for the proposed tree planting mitigation.

This comment is noted.

## Letter 37

REAL ESTATE LAW GROUP LLP

ATTORNEYS AT LAW  
3455 AMERICAN RIVER DRIVE, SUITE C  
SACRAMENTO, CALIFORNIA 95864  
TELEPHONE: (916) 484-2600 ♦ FAX: (916) 484-2601

January 13, 2014

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

Re: Opposition to Proposed Northstar Mountain Master Plan

Dear Ms. Krach,

I write to you as a long time property owner in the Aspen Grove section of Northstar to express my strong opposition to the recently proposed Northstar Mountain Master Plan. I am a firm believer in the ability to exercise one's private property rights. However, the Applicant in this instance should not be allowed to pursue entitlements from Placer County to engage in further development until the Applicant first takes responsibility for the reckless course of action that has resulted in over \$2 million in actual damages to the property owners of Aspen Grove.

As you may know, the Applicant's predecessor in interest violated multiple agreements and conditions of approval established by Placer County in constructing a retention pond in an unapproved location and without approved plans in upslope proximity to Aspen Grove. After multiple years of litigation and refusal to mitigate extensive and ongoing damage, pursuant to which the court has ruled against Applicant's predecessors, now the Applicant continues to refuse to mitigate ongoing damages and chooses instead to appeal the litigation which will surely cost the Aspen Grove property owners in excess of \$1 million in additional damages and expenses.

My opposition to the approval of the Applicant's proposal is not motivated by a desire to prevent any and all development in the surrounding area of Aspen Grove. However, I do oppose the Applicant being given approval from the County for further development prior to the Applicant remedying its significant violations of the law and the County Conditions of Approval, especially when the new development impacts the same group of property owners affected by the prior violations.

37-1

## Letter 37 Continued

Re: Opposition to Proposed Northstar Mountain Master Plan  
January 13, 2014  
Page 2

Thank you for your consideration.

Respectfully submitted,



Andrew Sackheim  
3014 Silver Strike, Truckee

Letter 37: Andrew Sackheim, Resident

**RESPONSE TO COMMENT 37-1**

The commenter states that there is a pending lawsuit against the proposed project applicant regarding a previously installed retention pond and that this pond has caused damage to the Aspen Grove property. The commenter states that the County should not allow implementation of the proposed project before the applicant resolves the issues surrounding the defective retention pond.

The commenter is referred to Master Response 1.

## Letter 38

**Maywan Krach**

---

**From:** Andrew Sackheim <asackheim@relglaw.com>  
**Sent:** Friday, January 10, 2014 6:02 PM  
**To:** Maywan Krach  
**Subject:** Opposition to Proposed Northstar Mountain Master Plan

Dear Ms. Krach-

I write to you as a long time property owner in the Aspen Grove section of Northstar to express my strong opposition to the recently proposed Northstar Mountain Master Plan. I am a firm believer in the ability to exercise one's private property rights. However, the Applicant in this instance should not be allowed to pursue entitlements from Placer County to engage in further development until the Applicant first takes responsibility for the reckless course of action that has resulted in over \$2 million in actual damages to the property owners of Aspen Grove.

As you may know, the Applicant's predecessor in interest violated multiple agreements and conditions of approval established by Placer County in constructing a retention pond in an unapproved location and without approved plans in upslope proximity to Aspen Grove. After multiple years of litigation and refusal to mitigate extensive and ongoing damage, pursuant to which the court has ruled against Applicant's predecessors, now the Applicant continues to refuse to mitigate ongoing damages and chooses instead to appeal the litigation which will surely cost the Aspen Grove property owners in excess of \$1 million in additional damages and expenses.

My opposition to the approval of the Applicant's proposal is not motivated by a desire to prevent any and all development in the surrounding area of Aspen Grove. However, I do oppose the Applicant being given approval from the County for further development prior to the Applicant remedying its significant violations of the law and the County Conditions of Approval, especially when the new development impacts the same group of property owners affected by the prior violations.

Thank you for your consideration.

Respectfully submitted,  
Andrew Sackheim  
3014 Silver Strike, Truckee

38-1

Letter 38: Andrew Sackheim, Resident

**RESPONSE TO COMMENT 38-1**

The commenter states that there is a pending lawsuit against the proposed project applicant regarding a previously installed retention pond and that this pond has caused damage to the Aspen Grove property. The commenter states that the County should not allow implementation of the proposed project before the applicant resolves the issues surrounding the defective retention pond.

The commenter is referred to Master Response 1.

## Letter 39

January 5, 2013

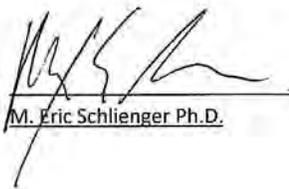
Eric Schlienger Ph.D.  
14 Remington Court  
Napa CA, 94558

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

Dear Ms. Krach

As a lifelong California resident and a long time property owner in Placer County, I would like to submit this letter of support for the Northstar Mountain Master Plan. Over the years I have witnessed many developments in the mountains I love. Unfortunately, I cannot recall one that has been proposed with the level of planning, forethought and environmental sensitivity that is exhibited in the Northstar Mountain Master Plan. Our states growing population leaves us in a position where growth is inevitable, yet the Northstar Mountain Master Plan does an admirable job of balancing growth and environmental sensitivities, while simultaneously providing resources required to protect our beloved mountain environment. The Northstar Mountain Master Plan is an environmentally sensitive win-win proposition that provides expanded mountain access while simultaneously ensuring that the natural beauty of our mountains remains available for generations to come.

I applaud the Northstar Mountain Master Plan as an exemplary piece of land use planning that leverages development by creating environmentally sensitive expanded mountain access. When contrasted to alternative land use possibilities, the Northstar Mountain Master Plan represents the best future for our mountain lifestyle. I heartily endorse the Northstar Mountain Master Plan and hope to see its full and swift approval.



M. Eric Schlienger Ph.D.

39-1

Letter 39: M. Eric Schlienger, Resident

**RESPONSE TO COMMENT 39-1**

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

This comment is noted.

## Letter 40

**Maywan Krach**

---

**From:** Lisa Smith <lsmith@carrlong.com>  
**Sent:** Friday, January 10, 2014 10:52 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Northstar Mountain Master Plan

**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)**

As a Village Property Owner I am in support of the draft Environmental Impact Report for the Northstar Mountain Master Plan that Placer County is currently reviewing. I feel that the previous improvements have made a positive impact both monetarily in the value of my property and the overall enjoyment of the Mountain experience.

Just as excited as I am to see the snow season roll out, I am seeing a greater interest in the summer and fall seasons here at Northstar. I personally feel that the Northstar Mountain Master Plan will only accelerate the year round activity at Northstar. I'm excited that the plan is nearing approval. Its design has been in the works some 15 years – which exemplifies the careful and methodical planning needed to be a success.

Northstar is one of the most family-friendly resorts in North America. My family started skiing years ago, visiting a different slope every week. After skiing and staying at Northstar we purchased our second home in the Village. This has truly become our second home. My husband and I wanted to make sure we had a place where our children would want to come and stay and bring their families. 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.

Both of my children have become excellent skiers taking on all terrains across the country. They will appreciate an increased variety of ski terrain for all abilities which is needed at Northstar. My fears have been addressed 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.

Thank you for your consideration of my support.

Lisa Smith  
Village Property Owner

40-1

Letter 40: Lisa Smith, Resident

**RESPONSE TO COMMENT 40-1**

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

This comment is noted.

## Letter 41

**Maywan Krach**

---

**From:** Greg Snow <greg.snow@palmer.edu>  
**Sent:** Wednesday, January 08, 2014 10:24 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Opposition to Northstar Expansion Plan

To: Maywan Krach  
Community Development Technician  
Environmental Coordination Services  
Placer County Community Development Resource Agency

I am a homeowner in Placer County at the Aspen Grove condominiums at Northstar. Recently I became aware of Northstar's draft EIR plan for expansion. I wish to express my opposition to this expansion and ask strongly request that the county to DENY the EIR submitted by Vail Resorts for the Northstar Master Plan expansion. Any and all requests for further development by Northstar/Vail Resorts should be suspended until they successfully resolve pending issues from their past expansion. Specifically, despite a court judgment in favor of Aspen Grove, Vail et al has failed to stop the downhill flow of water into the Aspen Grove association caused by the village expansion. As you know, this water trespass has caused and continues to cause significant damage.

In general, I am an advocate of responsible development within Northstar specifically and Placer County in general. I believe that enhanced facilities and terrain benefit me as a Northstar owner and the county in general. However, I am opposed to irresponsible growth. Vail's continued failure to resolve issues resulting from the past development should be a significant factor when Placer County considers future development requests. Vail's past behavior should also play a part in the design and nature of development restrictions and monitoring (i.e. Vail has shown a blatant disregard for neighboring communities and for county ordinances).

41-1

Lack of accountability and non-responsiveness related to issues from past development don't give me confidence in Vail as they expand development. My particular concerns with the DEIR currently before the county include but are not limited to the following:

- \* No further development (to include the Forrest Flyer, Snow making, new lifts or gondolas, construction of new homes, etc) should be permitted until past issues with Aspen Grove are fully resolved. This means development should be suspended until resolution in court (i.e. all appeals are completed) or an out of court settlement agreed to by all parties.

Once the Aspen Grove matter is resolved, all future develop should include the following provisions:

- \* All downhill properties must be protected from downhill drainage.
- \* Additional snow making is a risk to Aspen Grove and other downhill neighbors due to increased water flow. This should be considered carefully and include significant protections against future harm to downhill neighbors.
- \* We need stronger language as far as monitoring - this is in Mitigation 13-3c
- \* Instead of the developer hiring for monitoring, the County should hire an independent monitor for the first 4 years with funding coming from the developer.
- \* Also under Mitigation 13-3a, the final drainage report be submitted not only to the County but also to Aspen Grove.

41-2

**Gregory J. Snow, DC, CCSP**  
3042 Silver Strike  
Truckee CA 96061  
408-761-7312

CONFIDENTIALITY NOTICE: This E-Mail communication (including attachments) is covered by the Electronic Communications Privacy Act 18, U.S.C 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are