3. RESPONSES TO COMMENTS

3 RESPONSES TO COMMENTS

The Responses to Comments chapter includes responses to each of the comment letters submitted regarding the Rancho Del Oro Estates Draft EIR. Each bracketed comment letter is followed by numbered responses to each bracketed comment. Where revisions to DEIR text have been made in response to a comment, new text is **bold** and deleted text is ~~struck through~~.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
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Letter 1

January 20, 2010

09PLA0025
Rancho Del Oro Estates
Maywan Krach
Placer County
Planning Department
3091 County Center Drive
Auburn, CA 95603

Dear Maywan Krach:

1-1 Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for Rancho Del Oro Estates project that proposes to develop 89 single-family lots on a total of 119.4 acres with nine common lots. Our comments on the DEIR are as follows:

Potential Traffic/Circulation Impacts:

The traffic report contained in the DEIR only studies traffic impacts on local streets surrounding the development. It does not study impacts to the State Highway System. This project would generate vehicle trips at the Sierra College Boulevard/Interstate-80 (I-80), Douglas Boulevard/I-80, and the Hazel Avenue/United State-50 (US-50) interchanges. Right now, the Hazel/US-50 interchange is operating at Level of Service (LOS) F during the peak hours. The project will add to the traffic congestion on US-50 and I-80 during the peak periods, and contribute to cumulative traffic impacts at these interchanges.

1-2 We suggest that the Traffic Impact Study (TIS) be revised to assess the impacts of this project to the above referenced interchanges and ramps. Mitigation measures should be developed in this document to determine appropriate fair-share funding for the impacts mentioned above. One of the possible mitigation measures could be to contribute funding to ongoing projects such as Hazel Avenue widening project to mitigate its traffic impacts.

We suggest that the revised TIS be prepared in accordance with Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS Guidelines)*.
A copy of the guide can be downloaded at:
http://www.dot.ca.gov/hq/traffops/developmental/operationalsystems/reports/tisguide.pdf

"Caltrans: improve mobility across California"

Letter 1
Cont'd.

Maywan Krach
January 20, 2010
Page 2

1-3 Please provide our office with copies of the revised TIS and Final Environmental Impact Report. If you have any questions regarding these comments please do not hesitate to contact Aaron Cabaccang, Aaron_Cabaccang@dot.ca.gov, (530)741-5174.

Sincerely,

Rick Helman

Rick Helman, Chief
Office of Transportation Planning - East

c: Steven Vo, Travel Forecasting
Nelson Xiao, Traffic Operations

"Caltrans improves mobility across California"

LETTER 1: RICK HELMAN, CHIEF, CALIFORNIA DEPARTMENT OF TRANSPORTATION

Response to Comment 1-1

The comment is an introductory statement that identifies the commenter's understanding of the project and introduces the comments to follow. The comment does not address the adequacy of the Draft EIR.

Response to Comment 1-2

The following information is from the *Caltrans Guide For The preparation of Traffic Impact Studies*, December 2002:

> Trip Generation Thresholds
> The following criterion is a starting point in determining when a TIS is needed. When a project:
> 1. Generates over 100 peak hour trips assigned to a State highway facility.
> 2. Generates 50 to 100 peak hour trips assigned to a State highway facility – and, affected State highway facilities are experiencing noticeable delay; approaching unstable traffic flow conditions (LOS "C" or "D").
> 3. Generates 1 to 49 peak hour trips assigned to a State highway facility – the following are examples that may require a full TIS or some lesser analysis:
> a. Affected State highway facilities experiencing significant delay; unstable or forced traffic flow conditions (LOS "E" or "F").
> b. The potential risk for a traffic incident is significantly increased (i.e., congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
> c. Change in local circulation networks that impact a State highway facility (i.e., direct access to State highway facility, a non-standard highway geometric design, etc.).

Based on the trip generation and distribution utilized within the Rancho Del Oro Traffic Impact Study, the following trip estimates were derived:

- I-80/Sierra College Boulevard - The project is expected to add approximately 10 PM peak hour trips to this interchange. This interchange was recently reconstructed (2009) and is operating at acceptable LOS. As such, analysis of project impacts at this interchange is not required.

- I-80/Douglas Boulevard- The project is expected to add approximately 15 PM peak hour trips to this interchange. This interchange was recently reconstructed (2007-08) and is operating at acceptable LOS. As such, analysis of project impacts at this interchange is not required.

- US 50/Hazel Avenue - The project is expected to add less than 5 PM peak hour trips to this interchange. As such, analysis of project impacts at this interchange is not required.

Response to Comment 1-3

The comment requests copies of documents and provides the comment letter conclusion. The comment does not address the adequacy of the Draft EIR. The County will provide the Final EIR to Caltrans upon its completion.

Letter 2

GRANITE BAY COMMUNITY ASSOCIATION

P.O. BOX 2704 * GRANITE BAY, CALIFORNIA 95746 * (916) 791-7427

SANDRA HARRIS
Issues Coordinator

RECEIVED
JAN 04 2010
ENVIRONMENTAL COORDINATION SERVICES

Granite Bay Community Association
P.O. Box 2704
Granite Bay, CA 95746

December 28, 2009

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

cdraecs@placer.ca.gov

Subject: Rancho Del Oro DEIR Response of Granite Bay Community Association

2-1 To begin with, the GBCA would like to go on record as being opposed to the way this DEIR was distributed. Sending a disc (which didn't work properly) and posting the information on the internet isn't appropriate. In the past, GBCA has received hard copies of the information making it possible to go through the information, highlight passages, and make notes. It takes blocks of time to review a DEIR and the public copy at the library was difficult to access due to holiday hours, furlough days, and shortened daily hours of operation because of cut backs. Also, receiving the notice just prior to two major holidays made it difficult to study the DEIR as a Board in order to put together a comprehensive response to the DEIR.

2-2 The following are some of the comments GBCA has hurriedly compiled to the DEIR for your consideration.

2-3 Chapter I
Visual Resources 1-2 – The proposed infill project does have a significant adverse impact on the neighborhood as it proposes a 6 foot high wall that would stretch a long distance on Olive Ranch Road thus setting it apart from the developed neighborhood.

2-4 Agricultural Resources – If developed as proposed, the ability to keep animals would be eliminated from this project. The GB Community Plan stresses the ability to keep animals to maintain the rural character of the community.

2-5 Also, because this project seeks higher density, the property immediately to the north is also seeking a change in

1

Letter 2
Cont'd.

2-5 Cont'd. density to be compatible with this project even though it is also an infill parcel surrounded by low density zoning and animal keeping. The impacts of this project cannot be mitigated as proposed.

2-6 Land Use 1-4 -When the GBCP was adopted, this parcel received its designation along with the property to the north to provide a buffer between the more urban densities south of Olive Ranch Road and the rural property north and the current zoning was done for this purpose. Eliminating the right to keep animals and possibility of hobby farms is a conflict with the goals and policies of the GBCP. The proposed wall and gates would be a physical disruption to the established neighborhood and the character of the neighborhood. A project at the base zoning would mitigate impacts.

2-7 Noise 1.4 – A wall along the length of the project is not required to abate noise. This is a market tool and walls and gates aren't supported by the community when there is no significant need demonstrated.

2-8 Population and Housing - 1-5 – The proposal seeks twice the density allowed under the current zoning and is an impact on the overall community plan.

2-9 Alternatives 2-8 - The base zoning would allow 40 lots with 2.3 acre minimum sizes. A subdivision in the area similar to the terrain, oak woodlands, creek, rock outcroppings, etc. is Carolinda to the east. A drive through this community embodies the GBCP in that the houses fit the lots, and the natural amenities are still abundant with the ability for all to enjoy in the ungated community. A project at the base zoning would fit the neighborhood and the GBCP and mitigate impacts.

2-10 Table 2-11 –
4-1 Compliance with the GBCP –impact - S
4-3 Compatibility with existing adjacent land uses and resources – impact - S

2-11 5-9 Impacts to oak woodland communities and significant trees – S
5-9 (b) (2) Lot Development – Impact - S (The density sought creates more impacts – Paying to mitigate loss of trees is not a substitute to residents for their loss of enjoyment of those trees in their lifetime and the loss of habitat and wildlife that they enjoy today.) Paying Mitigation Fees is unsatisfactory

2-12 5-10 © - Grading – Impacts – S - The rolling terrain is an important visual quality of this parcel. Grading should be kept to a minimum to mitigate impacts.

2-13 5-11 Impacts related to conflicts with local policies and ordinances – S – Creating a high density, gated community in this area of low density residential is a conflict with the GBCP.

2-14 6-1, 2, etc. Impacts to Archaeological site – S - Neighbors familiar with property know that there are Indian relics on the property that should be preserved when found.

2-15 7-1 – Impacts to scenic vistas and scenic resources – S – A high density, gated, walled development is incompatible with the neighborhood and the GBCP for that area.

2-16 8-1 – Traffic flow – Impacts - S – Project did not consider the traffic created by Bayside Church and its cumulative affect of adding twice the density on Cavitt-Stallman at Sierra College. Residents trying to access Sierra College are often blocked by heavy church

2

Letter 2
Cont'd.

2-16 Cont'd. traffic several days a week. In an emergency this could be crucial to access Kaiser and Sutter Hospitals.

2-17 IX-4 Result in the development of incompatible uses and/or the creation of land use conflicts – Impact - S – The GBCP encourages the keeping of animals and hobby farms. The base zoning of 40 lots would allow lot sizes for these purposes. The high density proposed will have conditions prohibiting these activities – a direct conflict with the GBCP.

2-18 Project Site – The overview map of the project clearly shows why the zoning was put on this parcel. To put more than 40 lots on the parcel would be incompatible with the GBCP. This is an infill project and care should be taken to have it blend with the area.

2-19 Constructing a wall for hundreds of feet and installing gates is incompatible with the developed area.

2-20 The proposal to have 9 open space lots is of no value to the neighborhood when they will be blocked from sight and gated off from the public. The proposed tentative map looks like a typical overbuilt project that is unimaginative and ugly and offers no benefit to the community.

2-21 Required Permits and Approvals – 3-13 – Rezone – The proposed project would require County approval of change in zoning – GBCA urges County to deny this request and support the GBCP as written to mitigate impacts..

2-22 Existing Land Use Designation: When the GBCP was going through the process, staff recommended: "Changing the general plan designation from Rural Estate (4.6-20) to Rural Residential (2.3-4.6) for this property and parcels to the east to Carolinda along with the Tanner Property to the north for a total of 498 acres to provide a buffer between the more urban densities south of Olive Ranch Road and the rural property north of Miners Ravine. Based on drainage, tree cover, and terrain, staff recommends the property south of Miners Ravine owned by Mr. Tsakopolous be zoned Agricultural Residential with 2.3 ac. Min. and provision for a PUD at the same density and also a traffic limitation zone (AR-B-100-TL, LUI 0.44). On the northern 34 acres of the property and all the remaining parcels in the 498 acres mentioned above, recommend Agricultural Residential zoning with 4.6 ac. Min. if no individual sewage systems and 2.3 ac. Min. if on sewers. All parcels will be in a traffic limitation zone." The zoning was to protect many of the natural resources and to be compatible with the area and Plan.

2-23 During this current update of the GBCA there were very few requests submitted for higher density and most of the responses County received expressed that the Plan shouldn't be changed – leave it alone. Residents like the way the community has developed. This project should be developed at base zoning to mitigate impacts of this infill project..

2-24 Relevant GBCP Policies – 4-16 – Policy 3 – Locate low and rural low density residential developments where a full range of services and facilities can be provided.
The proposed project seeks 89 lots. It is an infill project and the high density sought is precedent setting as the property owner to the north is seeking like zoning on the adjoining parcel based on the density sought for this project.

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Letter 2
Cont'd.

2-25	Policy 4 – Encourage PUDs –4-16 This project does not seek a PD, but requests the added density bonus that a PD would be eligible for.
2-26	Policy 6 – Negative impacts to agricultural – The density would eliminate the keeping of animals and hobby farming which is a conflict with the GBCP.
2-27	Policy 11 – Public services - 4-17 Even though public services might be available, this doesn't necessarily mean the density should be increased for the infill project.
2-28	Policy 12 – Minimum disturbance to terrain 4-17 - The tentative map for this project doesn't compare with the way Carolinda has developed. Carolinda has open spaces, natural amenities, Miners Ravine, and rolling terrain which gives the impression of open spaces. It is not gated and neighbors to the development enjoy walking through it.
2-29	Specific Policies for Intensity of Use – Policy 1 - 4-17 - See above Existing Land Use Designation
2-30	Specific Policies for Preservation/Conservation of Natural Resources – Policy 2 - 4-18 See above comments
2-31	Policy 3 – Stream corridors – 4-18 – The stream corridors would be better protected if the homes didn't back to them. The road should run along this area to allow public access, to keep homeowners from incorporating the stream into their back yards, and to provide better flood protection to the homes.
2-32	Community Design Element – Policy 2 – 4-18 – The gates and walls will prohibit bicycle and pedestrian traffic from the project. Gates are not supported by the community.
2-33	Policy 8 – 4-16 – The increased density will impact many trees and natural resources on the parcel.
2-34	Policy 11 – 4-19 – Structures, etc. should complement and blend in with the setting, etc. In order to blend with the neighborhood, there should be no gates or wall and the homes should face onto the street as those in the neighborhood do.
2-35	Circulation Element 4-22 – As stated previously, the traffic generated by Bayside should be part of the traffic study.
2-36	Impacts related to existing visual character or quality of the site and surroundings: 7-9 – Development of 89 lots, construction of a 6 foot iron fence and 6 foot privacy wall along Olive Ranch Road, two gated entrances are visual impacts. Walls are not necessary for sound mitigation. This is a marketing tool.
2-37	Light and glare – 7-9 – Street lighting not compatible with area and would impact the rural setting.

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Letter 2
Cont'd.

2-38 Traffic Impacts – 8-3 – As stated previously, residents trying to access Sierra College Boulevard via Cavitt Stallman (the main route for many in the area) are impacted by Bayside traffic. In addition, Bayside wants to add another 100,000+ sq. ft. of buildings, there will be a Catholic Church at the east end of Cavitt-Stallman, and there is a Mormon Church in between. All this traffic has a cumulative impact on the area where this project seeks to double the density.

2-39 Land Use – Base Zoning Alternative – 15-6 – According to the DEIR text, the implementation of the Base Zoning Alternative would result in fewer impacts to land use, would be consistent with GBCP Land Use Element Policies, would be consistent with existing GBCP designations, would be similar to residential uses to the east and would remain consistent with residential uses to the south and west. The 40 lots would be a minimum 2.3 acres (similar to Carolinda) and include 2 open space parcels along Miners Ravine and southwestern portion of the site.

2-40 The argument that the Base Zoning Alternative would result in greater impacts to biological resources, as compared to the Proposed Project, does not compute – Carolinda as an example.

2-41 The Base Zoning alternative would mitigate many of the impacts and be more in keeping with the GBCP goals and policies.

2-42 In summary, all the impacts will be doubled by this project if developed as submitted. A mitigation measure would be to lower the density and develop the project at the Base Zoning..

Submitted by,

Sandra K Harris, Secretary

Board of Directors
Granite Bay Community Association

5

LETTER 2: SANDRA HARRIS, GRANITE BAY COMMUNITY ASSOCIATION

Response to Comment 2-1

The comment presents concerns regarding noticing and distribution of the Draft EIR, but does not address the adequacy of the Draft EIR. Per CEQA Guidelines Section 15087(a) the County mailed a Notice of Availability (NOA) of the Rancho Del Oro Draft EIR to those who previously commented on the Notice of Preparation (NOP) or requested the receipt of notices concerning the project. CEQA Guidelines does not require that an actual copy of the Draft EIR be mailed to the aforementioned individuals. Rather, Section 15087(a) requires a lead agency, in this case, Placer County, to make copies of the Draft EIR available to the public via the local library and offices of the lead agency. As indicated in the NOA for Rancho Del Oro Draft EIR, the County made hard copies of the Draft EIR available at the Granite Bay Library and public counter of the Community Development Resource Agency. Though not required to provide actual copies of the Draft EIR, be they in hard copy or electronic format, the County, as an additional courtesy, provided CD copies to the above-mentioned individuals, including the commenter.

Response to Comment 2-2

The comment introduces the comments to follow, and does not address the adequacy of the Draft EIR.

Response to Comment 2-3

The Visual Resources discussion referenced in the comment (page 1-2 of the Draft EIR) only pertains to impacts to a designated scenic vista or within a State scenic highway. As noted in the discussion on page 1-2 of the Draft EIR, "neither the project site nor any surrounding areas have been designated as a scenic vista" and "the project is not located within a scenic highway corridor."

With regard to the six-foot privacy wall, the Draft EIR addressed visual impacts associated with the privacy wall in the *Visual Resources* chapter on page 7-9, Impact Discussion 7-2. The proposed wall is setback 50 feet from the right-of-way which is consistent with the Placer County Rural Design Guidelines for roadways such as Olive Ranch Road. Because the proposed wall would adhere to the *Placer County Rural Design Guidelines*, the impact was determined to be less-than-significant.

Response to Comment 2-4

Please refer to Response to Comment 2-6.

Response to Comment 2-5

Growth-inducing impacts from the proposed project are addressed in Section 16.4, Growth-Inducting Impacts of the Proposed Project, on page 16-40 of the Draft EIR. As stated on page 16-41 of the Draft EIR, "the proposed project includes 10 fewer lots than would be allowable under the existing land use designation." The existing Granite Bay Community Plan designation for the

project site is Rural Low Density Residential, and the project is proposed at a density less than or equal to the density of residential lots on three sides of the proposed project. In addition, it should be noted that the adjacent property owner to the north would be required to go through the County's planning and CEQA environmental review processes should they pursue residential development of their property. The impacts that could not be reduced to a less-than-significant level through implementation of mitigation measures are presented in Section 16.3, Significant Environmental Effects Which Cannot be Avoided, on page 16-39 of the Draft EIR, which includes only cumulative impacts to biological resources.

Response to Comment 2-6

Although the proposed rezone for the project, which includes elimination of the current "–AG" (Combining Agricultural) zone would preclude some of the animal raising activities allowed under the AG zone, the proposed zone of RS-B-42 DL 0.83 (Residential Single-Family, Combining Minimum Building Site of 42,000 square feet, Density Limitation of 0.83 units per acre) would still allow certain animal raising activities. Furthermore, the residential uses proposed for the project site are consistent with the current Rural Low Density Residential Granite Bay Community Plan designation for the project site. Impact Statement 4-1 in the Land Use chapter of the Draft EIR addresses project consistency with the Granite Bay Community Plan. The Draft EIR determined that the proposed project is generally consistent with the Granite Bay Community Plan, for the purposes of environmental analysis.

As noted in Response to Comment 2-3, the proposed privacy wall would adhere to the *Placer County Rural Design Guidelines* for County Roadways, and was therefore determined to result in a less-than-significant impact. In addition, the inclusion of the proposed gates is addressed in Table 4-2, Discussion of Relevant GBCP Policies, on page 4-23 of the Draft EIR. The density of the proposed project is at or less than properties to the east and west of the project on the north side of Olive Ranch Road, and provides a transition from the smaller lots to the south and southeast. The proposed gated community, besides privacy and security for the project's residents, will limit the general public access to cultural resource sites within the Rancho Del Oro project boundaries as well as to sensitive biological resources being preserved on site in the Miners Ravine corridor. In addition, all other stretches of Miners Ravine east of Sierra College Boulevard up to Shelbourne Estates are on private property, not public. Without the privacy wall, the lots would front on Olive Ranch Road, a collector road, with driveways to access the fronts of homes, which is contrary to County policy regarding driveway onto collector roads. It should also be noted that two other "walled" residential projects occur on Olive Ranch Road, Douglas Ranch and Winterhawk, the latter of which is gated. The Draft EIR determined that the proposed project is generally consistent with the Granite Bay Community Plan, for the purposes of environmental analysis.

One of the alternatives to the proposed project analyzed in the Draft EIR, Chapter 15 – *Alternatives*, is the Base Zoning Alternative. Table 15-1 on page 15-16 of the Draft EIR (as revised in Response to Comment 2-40 in this FEIR) presents how the Base Zoning Alternative compares to the proposed project in terms of each environmental issue addressed in the Draft EIR. As noted in Table 15-1, the project site, developed pursuant to base zoning, would result in impacts equal to the proposed project concerning Cultural Resources; Visual Resources; Geology and Soils; Hydrology, Water Quality, and Drainage; and Hazards and Hazardous Materials; and roughly equal to the proposed

project concerning Biological Resources. However, development of the project site pursuant to base zoning would result in fewer anticipated impacts than the proposed project concerning Land Use, Transportation and Circulation, Air Quality, Noise, and Public Services and Utilities. It should be noted that the Base Zoning Alternative is not identified as the Environmentally Superior Alternative.

Response to Comment 2-7

As noted by the commenter, a sound barrier is not required for noise abatement. See Response to Comment 2-6. The comment presents an opinion regarding the community's support of the proposed privacy wall and gates, which does not question the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 2-8

As noted in the Draft EIR on page 4-24:

> "Although rezoning of the site would increase the allowable density and number of units on the site (the current zoning would only allow up to 42 residential lots on the project site, or up to 63 residential lots if developed as a Planned Development), the resultant project density would be within the range allowed for the GBCP RLDR land use designation for the site."

The Granite Bay Community Plan allows up to 99 lots on the project site; therefore, the proposed project is generating less population than anticipated for the site in the Granite Bay Community Plan.

Response to Comment 2-9

The comment states the commenter's understanding of the Base Zoning Alternative and presents an example neighborhood, which does not specifically address the adequacy of the Draft EIR. It should be noted that the comment has been forwarded to the decision-makers for their consideration. With regard to base zoning mitigating impacts, the commenter is referred to Response to Comment 2-6.

Response to Comment 2-6 states that the project site developed pursuant to base zoning would result in impacts equal to the proposed project concerning Cultural Resources; Visual Resources; Geology and Soils; Hydrology, Water Quality, and Drainage; and Hazards and Hazardous Materials; and roughly equal to the proposed project concerning Biological Resources. However, development of the project site pursuant to base zoning would result in fewer impacts than the proposed project concerning Land Use, Transportation and Circulation, Air Quality, Noise, and Public Services and Utilities. The commenter notes that in the example neighborhood of Carolinda, natural amenities are still abundant. The Draft EIR states, on page 18-6, that the Base Zoning Alternative is anticipated to include the same amount of open space and tree loss as the proposed project. It should be noted that the Base Zoning Alternative is not identified as the Environmentally Superior Alternative.

Response to Comment 2-10

The commenter does not present a specific enough comment to provide a response. However, the commenter appears to disagree with the less-than-significant conclusion of Impacts 4-1 and 4-3 presented in Draft EIR, Table 2-1, Summary of Impacts and Mitigation Measures. Discussion supporting the conclusions of Impacts 4-1 and 4-3 can be found in the *Land Use* chapter (Chapter 4) of the Draft EIR, as well as Response to Comment 2-6.

Response to Comment 2-11

The commenter only presents the second portion of Draft EIR Mitigation Measure 5-9(b) regarding oak woodland mitigation. The first portion of Mitigation Measure 5-9(b) concerns subdivision improvements and requires the applicant to plant replacement oak trees on-site. More specifically, mitigation tree planting shall occur in two open space areas specified on the project site. These planting areas on-site, once planted with replacement oak trees, will also serve as replacement habitat for oak woodland values lost on the project site. Mitigation tree planting shall be installed by the applicant and inspected and approved by the DRC prior to acceptance of improvements by the Engineering and Surveying Department. Therefore, payment of in-lieu fees for oak woodland impacts is not the only form of mitigation required in the Draft EIR for oak woodland impacts.

The proposed mitigation is consistent with County oak woodland mitigation policies. Changes to the oak woodland mitigation measures in the Draft EIR are a policy matter that may be considered by the decision-makers.

Response to Comment 2-12

The mitigation measure referenced by the comment, 5-10(c), requires the mitigation of impacts to 1.67 acres of jurisdictional wetlands or other waters of the United States. Impacts related to the existing visual character or quality of the site and surroundings are addressed in Impact 7-2 on page 7-9 of the Draft EIR. The proposed project includes minimization of grading as part of the project description, as noted in the Draft EIR on page 3-13, where it states, “Construction of the proposed project would require grading of the site for proposed roads and a select number of building pads” and “the proposed project intends to minimize grading, when possible, in order to preserve natural resources”.

Response to Comment 2-13

As noted in the Draft EIR, page 3-4, the project site is designated as Rural Low Density Residential in the Granite Bay Community Plan. The proposed project does not include an amendment to change this designation. Therefore, the project does not qualify as high density, nor is it in conflict with the Granite Bay Community Plan. In addition, the rezone requested as part of the proposed project includes the same density limitation as the current zoning. Please refer to Response to Comment 2-6 regarding the gate-related concerns.

Response to Comment 2-14

A survey of the project site was conducted and an assessment of the identified archeological sites was performed by experts in the field. In addition, mitigation measures are presented in the Draft EIR to reduce any impacts to cultural resources. It should be noted that Mitigation Measure 6-4 provides measures to reduce impacts to any previously unknown resources found during construction.

Response to Comment 2-15

As noted in Responses to Comments 2-3, 2-6 and 2-13, the proposed project density, gates, and privacy wall do not conflict with the Granite Bay Community Plan.

Response to Comment 2-16

The traffic impacts related to Bayside Church are addressed in the Draft EIR on page 8-30, under Impact 8-3. Cumulative traffic impacts are addressed in the Draft EIR beginning on page 16-5, under the Transportation and Circulation header. The Bayside Church and proposed church expansion trip generation is included in the cumulative traffic volumes used in the cumulative traffic analysis. Both under the project-level and cumulative-level scenarios, traffic impacts were either determined to be less-than-significant or would be reduced to a less-than-significant level with implementation of mitigation measures.

Response to Comment 2-17

Pursuant to the County's Zoning Code, lot size alone does not dictate allowable animal activities on any given property. In addition, as stated in Response to Comment 2-6, certain animal raising activities are still allowed under the proposed project zoning. Furthermore, as stated in Response to Comment 2-13, the project site is designated as Rural Low Density Residential in the Granite Bay Community Plan, which is not high density as asserted by the commenter, and the proposed project does not include an amendment to change this designation.

Response to Comment 2-18

Please refer to Responses to Comments 2-5 and 2-8.

Response to Comment 2-19

Please refer to Response to Comment 2-3 and Response to Comment 2-6 regarding the proposed privacy wall.

Response to Comment 2-20

The purposes of the open space lots are to preserve specific areas from development in order to reduce impacts to biological resources; for use as setbacks/landscape areas; and in some cases, to protect identified cultural resources. The commenter's opinions regarding the value of the

proposed open space lots and the benefit of the project to the community do not address the adequacy of the Draft EIR, but have been forwarded to the decision-makers for their consideration. Please also refer to Response to Comment 2-6.

Response to Comment 2-21

The comment presents a request to the County and does not address the adequacy of the Draft EIR. However, the comment has been forwarded to the decision-makers for their consideration.

Response to Comment 2-22

Please refer to Responses to Comments 2-5 and 2-8.

Response to Comment 2-23

The comment does not specifically address the adequacy of the Draft EIR, but has been forwarded to the decision-makers for their consideration. See Response to Comment 2-8 regarding the density and Response to Comment 2-9 regarding the base zoning.

Response to Comment 2-24

As stated in Response to Comment 2-13, the project site is designated as Rural Low Density Residential in the Granite Bay Community Plan, which is not high density. Table 4-2 of the Draft EIR, beginning on page 4-16, provides a discussion of the relevant Granite Bay Community Plan policies.

Response to Comment 2-25

The project is seeking a rezone to RS-B-42 DL 0.83 to allow 89 residential lots. The density proposed would be consistent with the current Rural Low Density Residential Granite Bay Community Plan land use designation for the project site. The existing "PD" combining zone district is proposed to be eliminated.

Response to Comment 2-26

Please refer to Response to Comment 2-6.

Response to Comment 2-27

The comment does not address the adequacy of the Draft EIR. However, the comment has been forwarded to the decision-makers for consideration.

Response to Comment 2-28

The comment presents features of the Carolinda development, and does not address the adequacy of the Draft EIR. Please refer to Responses to Comments 2-6 and 2-9. The proposed project

includes retention of open spaces, a 100-foot setback from centerline of Miners Ravine, setbacks from other minor tributaries, and a 50-foot landscape setback along Olive Ranch Road.

Response to Comment 2-29

Please refer to Responses to Comments 2-5 and 2-8.

Response to Comment 2-30

Please refer to the relevant discussions in Table 4-2 of the Draft EIR, beginning on page 4-16, particularly Land Use Element Policy 4 on page 4-16, Preservation Policy 3 on page 4-18, and Conservation Element policies on pages 4-20 and 4-21.

Response to Comment 2-31

The proposed project includes a 100-foot setback from centerline of Miners Ravine for all structures. All lots are located outside of the 100-year flood plain of Miners Ravine. In addition, Mitigation Measure 12-4(d) requires that all finished house pad elevations be two feet above the 100-year floodplain line for lots located along Miners Ravine. Please also refer to Response to Comment 2-6 regarding the fact that no public access is provided to Miners Ravine east of Sierra College Boulevard until Shelbourne Estates.

Response to Comment 2-32

The Draft EIR states on page 8-34, under Impact 8-6, "The proposed project would not create barriers or hazards to bicyclists or pedestrians…" The project gates and privacy wall will not prohibit bicycle and pedestrian traffic coming to/from the proposed project, as pedestrian and bicycle access will be gated, with a key or code provided to project residents. Impact Statement 8-6 describes that the proposed project would widen Olive Ranch Road to its ultimate County-required width of 40 feet of pavement and would include a new pathway along the north side of Olive Ranch Road for pedestrian access. The comment regarding community support has been forwarded to the decision-makers for consideration.

Response to Comment 2-33

The Draft EIR has identified impacts to trees and other limited natural resources that would result due to the proposed project. Mitigation Measures 5-9 and 5-10 have been required in the Draft EIR to reduce the impacts to a less-than-significant level for trees and wetlands, respectively.

Response to Comment 2-34

Please refer to Response to Comment 2-6.

Response to Comment 2-35

Please refer to Response to Comment 2-16.

Response to Comment 2-36

Please refer to Responses to Comments 2-3, 2-6, and 2-7.

Response to Comment 2-37

The comment does not specifically address the adequacy of the Draft EIR. However, as noted by the comment, impacts associated with new sources of light and glare are identified as potentially significant in the Draft EIR for Impact 7-3, but would be reduced to a less-than-significant level with implementation of Mitigation Measure 7-3. In addition, it should be noted that streetlights would only be provided at the project entrances.

Response to Comment 2-38

Please refer to Response to Comment 2-16. The Catholic Church and Mormon Church mentioned in the comment were also included in the cumulative impact analysis.

Response to Comment 2-39

The comment presents a recital of the Draft EIR text, and does not address the adequacy of the Draft EIR.

Response to Comment 2-40

Upon further review, an inadvertent inconsistency has been detected between the conclusion in Table 15-1 and the text discussion on page 15-6 of the Draft EIR concerning biological resource impacts resulting from the Base Zoning Alternative. As a result, Chapter 15, under the Biological Resources header, page 15-6, is hereby revised as follows in order to be consistent with Table 15-1 of the Draft EIR:

> In addition, similar to the proposed project, the Base Zoning Alternative would require removal of trees and habitat that would impact special-status species and jurisdictional wetlands. ~~However, significant oak tree losses on individual residential lots could be greater than the Proposed Project. Therefore, the Base Zoning Alternative would result in greater impacts related to biological resources, as compared to the Proposed Project.~~ **Both the Base Zoning Alternative and the proposed project would include similar lot-specific grading as the units are developed. Though somewhat speculative, the possibility exists that some homeowners would preserve a greater number of trees under the Base Zoning Alternative simply because their lots will be 1.3 acres larger than those proposed for the project, thereby allowing more trees to be retained. However, the extent to which each property owner would preserve trees on their property is speculative and for purposes of this analysis it is assumed that the level of biological impacts would be roughly equal for the proposed project and the Base**

Zoning Alternative. However, it should be noted that similar to the Proposed Project, development of the Base Zoning Alternative would result in a significant and unavoidable cumulative impact to biological resources.

In addition, based upon the above minor revisions to the Biological Resources write-up for the Base Zoning Alternative, Table 15-1 on page 15-16 of the DEIR is hereby clarified as follows:

Table 15-1
Environmental Impacts of the Proposed Project and Project Alternatives

Impact	Proposed Project	No Project – No Build Alternative	Base Zoning Alternative	Planned Development Alternative
Land Use	Potentially Significant	None	Less	Less
Biological Resources	Significant and Unavoidable	None	Roughly Equal	Equal

The above changes are to correct the Draft EIR text in order to be consistent with the conclusion in Table 15-1 and the presented conclusions regarding the Environmentally Superior Alternative. Therefore, the text correct does not result in any significant new information or changes to the ultimate alternatives analysis conclusion.

Response to Comment 2-41

Please refer to Response to Comment 2-9.

Response to Comment 2-42

The comment provides a summary of the commenter's understanding of project impacts and suggested mitigation. The comment does not address the adequacy of the Draft EIR.

Letter 3

SIERRA CLUB
FOUNDED 1892

PLACER GROUP
P.O. BOX 7167, AUBURN, CA 95604

January 21, 2010

Sent via email: [redacted]

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

Ladies and Gentlemen:

RE: Comments on Draft Environmental Impact Report for the Proposed Rancho Del Oro Estates Project

3-1 We appreciate the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Rancho Del Oro Estates project (RDO). We also applaud staff responsible for the organization of the DEIR on the website. For the most part, the various chapters were kept to electronically manageable sizes, which is very much appreciated when downloading.

3-2 We recommend that the project request for rezoning be denied and that the tentative map as currently proposed be rejected. With the necessary modifications to the proposed project, a new or revised DEIR should be re-circulated.

Infill Issues

3-3 We respectfully take exception to the notion that this proposal can in any way be construed and labeled as an "infill" project. Infill normally and traditionally refers to "closing gaps" within existing development and has an element of "consistency"; it assumes the proposal has existing services, such as stormwater and wastewater conveyances. To state that it is "Surrounded by existing or approved residential development" does not translate into the kind of density that is being proposed—the zoning is still agriculture and is surrounded by ag zoning on three sides. It is no more infill than an isolated sprawling development proposal is.

3-4 However, even if we could accept the "infill" argument, RDO's impacts to protected wetlands, drainages, swales, or any of the fragile ecological properties of the project would still be unacceptable and not in keeping with the surrounding land use.

3-5 Please explain how this project fits the "infill" definition and/or concept as defined in most all jurisdictional definitions.[1]

Alternatives

3-6 A statement in the Executive Summary is misleading. "The No Project-No Build alternative would not meet any of the proposed project objectives," could just as easily be worded as, "The No Project-No Build alternative would meet all existing county zoning objectives, remain consistent with

[1] Not all new housing construction need occur on raw land. A significant amount of new housing can, and indeed, many would make the argument, should, occur as "infill" in existing urban cores. Infill projects take three forms: (i) vacant parcel development, consisting of new projects built on previously undeveloped parcels; (ii) redevelopment or reuse, consisting of new projects built on previously developed sites; and, (iii) the rehabilitation and upgrading of existing residential buildings. (State of California: http://www.hcd.ca.gov/hpd/hpcbhr/dsp1r.htm.)

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available infrastructure and community services, preserve valuable contiguous oak woodlands, and not negatively impact the creeks/watershed, swales, drainage or other ecological features."

3-6 Cont'd. Applicant desires (aka "proposed objectives") are merely requests of an applicant-developer; they are not grounds for county governance, zoning changes, or green-light entitlement approvals. Please explain how an applicant's wish list ("proposed objectives") should be considered either as a governing principle or as a legitimate argument for consideration in an Environmental Impact Report.

3-7 When the applicant purchased the property, was he/she informed of the zoning/development restrictions or did it come as a surprise? Was the applicant's purchase of the property, with full disclosure of its zoning restrictions, conditioned upon rezoning? Is the applicant obligated to comply with county ordinances?

Because the project would require a rezone to accommodate the proposed uses, that in and of itself is problematic. Because of the significant environmental impacts brought about primarily because of the rezoning, any rezone must be rejected. Does the county have an obligation to enforce existing zoning?

3-8 The comparison of alternatives should provide citizens with consistent information in order to make comparisons. How many oaks will be preserved and/or destroyed with each alternative? How many acres of open space will each alternative provide and where will those open space acres be located? How many acres of wetlands and jurisdictional waters will each alternative infringe upon or have the potential to impact? Which alternative provides most protection of Miners Ravine, swales, and drainages? Please provide the necessary information to facilitate comparisons and recirculate.

2—Executive Summary

3-9 The Executive Summary, Land Use section (page 2), states, "Furthermore, the project would require a rezone to accommodate the uses proposed for the project; should the County approve the proposed rezone, the proposed project would be consistent with the Zoning Ordinance." This tail-chasing statement seems to be an attempt to justify the claim that the cumulative land use impacts will be less than significant. Please explain the logic of this conclusion in the context that the current zoning does not allow the proposal, and therefore it is inconsistent, and should not be allowed to proceed.

3-10 Also, please explain how consistency with a zoning ordinance (changed or not), a Community Plan, or a General Plan, etc., can somehow relieve the applicant from mitigating the cumulative land use impacts and/or the lead agency from requiring mitigation, as is implied in the Executive Summary. Please explain how, or if, a jurisdictional "Plan" can excuse a project from mitigating environmental impacts, or relegate them to less than significant merely by adhering to a "Plan" (General, Specific, or other).

4-Land Use

3-11 The very first and "major" goal of the Granite Bay Community Plan (GBCP, revised 01/06) is to preserve "...the unique character of the Granite Bay area...general rural environment, mix of land uses...." Other Goals of the GBCP support preserving the rural-residential quality of the area, maintaining a balance of rural (relating to the country, openness, at least 2 ½ acre lots), and to maintain producing agricultural uses (Goal 5).

Goal 6 goes further with a directive to safeguard and maintain natural waterways, riparian areas, and floodplains; Goal 8 directs that the land be managed as a resource and not as a commodity, to the benefit of the community [not private parties]; compliance with Goal 10 includes an assurance that development will minimize destruction to natural terrain and vegetation and maximize preservation of natural beauty and open space. Goal 11 provides for clustering of residential buildings

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3-11 Cont'd. to preserve natural resources or open space "...without generally increasing the intensity of develo0pment otherwise possible."

3-12 We submit that this RDO proposal violates both the intent as well as the letter of GBCP Goals (especially those listed above) as well as the Policies by which the Goals are to be implemented. The predominant tone throughout the entire GBCP, Goals, and Policies document is one of preservation of natural resources, conservation of open space preserves for watershed protection, scenic enjoyment, agricultural pursuits, and population density patterns that will be limited by natural or other constraints. Granite Bay's role is specifically spelled out as a "transition area" between urban densities and ag communities/open space uses. This project neither supports the transition role, nor the policies of the GBCP. Please explain how this proposal is in compliance with the aforementioned Goals and Policies of the GBCP as well as many others in the GBCP document.

3-13 The Conservation Element in the GBCP is one of the most ignored elements in this proposed RDO project. The Goals are set with the expressed purpose to allow for the preservation and enhancement of natural resources in the area. This RDO proposal does not fully support any of the Conservation Element Goals (protect natural features, maintain rural quality, minimum adverse impact on natural resources, protect/preserve ALL outstanding areas of natural vegetation, etc.). Please explain how this project can be allowed to proceed with such flagrant disregard of the County's own GBCP, Goals and Policies.

3-14 In the GBCP's Community Plan Policy, Policy 15 specifically disallows "Gated subdivisions" unless there are significant extenuating circumstances. The DEIR discussion seems to justify the gated project based on RDO's claims of being a "high end" home community, an expressed need for privacy and security, and somehow a nexus of those claims with a gated community. Granite Bay is a "community," and there are not too many better ways to destroy a sense of community than by fragmenting it with barriers that discourage neighborly interaction or suggest that some "higher end citizens" are more deserving of a gated community exception to the GBCP than others.

If privacy and security are such a dire concern for the "high end" citizens, they can just as easily meet their needs on an individual basis which does NOT reduce citizen interaction on a community level or violate the GBCP. Social paranoia should not be condoned by allowing bars and gates on the entire project. Since they are identified as "high end," they, more than the "low end," can most likely easily assume the costs of providing additional individual residential security and privacy. Please examine the disadvantages of allowing a gated community when the GBCP specifically prefers non-allowance. Please examine the mind set of "high end" and discuss the paranoid reasoning and non-compliance issues that a gated community will create.

3-15 Another environmental impact of this gated community deals with the parts of the Miners Ravine watershed and its perennial, seasonal, or ephemeral drainages that are within the RDO's boundaries. All these areas should be accessible to the public and not be "privatized" via gates. Citizens have a right and a responsibility to "police" sources of pollution to Miners Ravine and any other waterways of the U.S. A gated community prevents such public assistance at a time when County enforcement is not at levels it was in the past (and all indications are that enforcement will be further reduced). To allow a gated community of this scale flaunts and dooms any potential sense of community and neighborhood watch over the natural resources. Please explain why or how privacy and security will be so much more at risk in RDO than it is in any of the other residences in the Granite Bay area and therefore require the gates. Please discuss the environmental impacts that will occur from a lack of public access to enable monitoring of the natural resources.

3-16 Please justify and discuss the "extenuating circumstances" that allow the proposed RDO to become a gated community.

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3-17 As stated, the current "Rural-Low Density Residential" designation was created in order to reduce the uncertainty connected with the use of the Low Density Residential category, and the designation represents a transition zone between clearly rural areas and large lot suburban projects. We submit that this project (1) does not adhere to the intent of that transition land-use designation, and (2) creates uncertainty by attempting to skirt the letter of the land-use designation. Please explain why/how this project can abandon the land-use designation that was created to provide certainty when logic would suggest otherwise. Please identify how the project complies with the stated purpose of the current land-use designation to "represent a transition zone between clearly rural areas and large lot suburban projects." (4-Land Use, pg 4-2). Please discuss future uncertainty that will occur within the GB community and any neighbors to yet-undeveloped land when seemingly any proposal can come along and change the land-use designation.

3-18 If as stated, the planned unit development (PUD) allows for flexibility in terms of lot sizes, we submit that flexibility was not intended to apply to rezoning property to accommodate densities that were not intended or anticipated. This project appears to be taking advantage of "flexibility" in order to circumvent the stated "...goal of retaining/protecting natural feature on the site...." (4-Land Use-pg 4-4).

3-19 As stated, "The purpose of the Residential-Agricultural (RA) zone district is to stabilize and protect the rural residential characteristics of the area to which it is applied and to promote/encourage a suitable environment for family life, including agricultural uses." (p 4-9) The area is still very rural in character with Ag zoning acceptable and appropriate. Please explain the rationale used to support the abandonment of the Agricultural (Ag) aspect, <u>especially</u> in light of the project's being surrounded on three sides by Ag zoned parcels.

3-20 Possibly, one of the most misleading aspects of this proposal is the oft mentioned nine open space (OS) lots. In most proposals, the OS element is indeed land set aside, unbuilt, for aesthetics, natural landscape preservation, and/or passive recreation. However, this project appears to have identified a number of fragmented and unbuildable spots and is attempting to label them as OS. To claim a strip of land, a set back from the Olive Ranch Road up to what is a most offensive sound wall (which in itself is not in keeping with the area), can hardly be lauded as OS. This land strip (OS labeled A, B, and C) would be unbuildable in any land-use designation, will not meet any aesthetic OS criteria and will not be utilized in any manner for a "best fit" of the natural landscape.

Other OS lots are primarily isolated "postage stamps" in what appears to be land that would otherwise be included in mandatory buffer/set backs from creek areas, swales, and/or critical drainages. In Table 4-2, "Discussion of Relevant GBCP Policies," Policy 4 states, "the project would preserve natural resources to the extent feasible, through the incorporation of nine open space lots for a total of 19.8 acres of open space." Please explain the nexus between that statement and actual Community Plan Policy of designing project which best fit the natural landscape. Please divulge how the fragmented, small and unbuildable OS lots are viable and justifiable efforts to preserve the natural resources on this project's site.

3-21 The GBCP Policy 13 reiterates the importance of retaining OS, yet the project's OS designation, of land that may not even meet the intent of OS designations, is only around 16% of the total project acreage. Although time constraints prohibit research into either County policy on what constitutes a reasonable OS portion in a rural ag residential area, common sense dictates that the current OS designation in the RDO is unacceptable. Please discuss RDO's OS designation in relationship and comparison to common County practice with other projects with similar natural resources and land use designations.

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Cont'd.

3-22 Last, with regard to misleading OS information, on one map (Vesting Tentative Map), reference is made to "Open Space G" parcel, yet in the Chapter 3, Project Description, that Open Space parcel is referenced as "Common Lot G" and is designated as a proposed sewer lift station and chemical building. Please explain the discrepancy. This does not engender confidence or faith in the accuracy of this DEIR.

3-23 Policy 6 encourages Ag operations by striving to minimize negative impacts of development on existing Ag operations, yet the discussion claims Ag operations would not occur adjacent to the project site. According to County maps, all parcels adjacent to the project site to the west, north, and east of the RDO site are indeed zoned Ag.[2] Please explain how compliance with CP Policy 6 will be attained with other parcels in the vicinity that do contain Ag zoning.

5—Biological Resources

3-24 Reference is made to locations of special-status species recorded in the CNDDB within five miles of the site. However, we see no survey to determine the existence of Black Rails within the project site even though Black Rails were found in Clover Valley, less than five miles away.[3] Black Rail is a fully-protected threatened species, known to occupy freshwater marsh lands as well as other habitat found in and on the RDO proposed site.[4] As a fully protected species, it has special meaning in CESA in that CDFG cannot issue incidental take permits for any impacts to black rails and all impacts shall be avoided.

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[2] (APN 046-090-013-000, 37.3 acres at 4580 Cavitt Stallman Rd. and APN 046-080-010-000, 29 acres also off Cavitt Stallman Rd)

[3] June 2006, in Clover Valley, Rocklin, CA. Google Map shows 4.7 mile distance "by car." We assume that "as the crow flies," the distance would be less than five miles. Also, from Sierra Vista DEIR (Roseville) website: http://www.roseville.ca.us/civicue/filebank/blobdload.asp?BlobID=15696 : ***California black rail*** is a state-listed threatened species. Until recently, the current range of this species was thought to be restricted mainly to coastal marshes. In the 1990's populations were discovered in freshwater marshes in Yuba County. Recently the black rail was detected in the City of Rocklin in Clover Valley and along Yankee Slough southeast of Sheridan. The black rail typically inhabits marshes dominated by bulrushes and cattails. A relatively narrow range of conditions is required for occupancy and successful breeding. Too much water will prevent nesting and too little water will lead to abandonment of the site. Because of its continuing range expansion, it is possible that it might occupy the emergent marsh of the project site. (page 4.8) Black Rails were also acknowledged in the region in Rocklin's DEIR for Rocklin Crossing http://www.ci.rocklin.ca.us/civicue/filebank/blobdload.asp?BlobID=8523 : "Several special-status species that are known to occur in the region require specific habitats for foraging and reproduction that are not present within the project site and are therefore not likely to occur. These species include: Central Valley steelhead trout (Oncorhynchus mykiss), Central Valley fall/late fall-run Chinook salmon (Oncorhynchus tshawytscha), delta smelt (Hypomesus transpacificus), winter-run Chinook salmon, Sacramento River and Central Valley spring-run Chinook salmon (Oncorhynchus tshawytscha), western spadefoot (Scaphiopus hammondii), giant garter snake (Thamnophis gigas), double-crested cormorant (Phalacrocorax auritus), bald eagle (Haliaeetus leucocephalus), bank swallow (Riparia riparia), tricolored blackbird (Agelaius tricolor), California black rail (Laterallus jamaicensis coturniculus), Townsend's big-eared bat (Corynorhinus townsendii), and red bat (Lasiurus blossevillii).

California black rail was identified within the Clover Valley area of Rocklin during 2006 surveys conducted for the Clover Valley EIR (City of Rocklin 2007). The typical habitat for California black rail includes coastal saltmarsh, delta emergent marsh and interior freshwater emergent marsh.

[4] Black Rails occur in predominately "semi-permanently flooded and saturated/semipermanent/seasonal wetlands, and in marshes with shallow (<3cm), stable water levels and gentle sloping shorelines (Repking and Ohmart 1977, Flores and Eddleman 1995) and use sites with shallower water than other North American rails. Averaged over the 2002-2006 period, saturated mud was present at 92% of marshes with Black Rails, flowing water was present at 74%, standing water was present at 72% and only 1% of marshes were completely dry (Richmond et al. in prep). Black Rails may occur in other "palustrine emergent persistent wetlands types" including, temporarily flooded, saturated, seasonally flooded, seasonally flooded/saturated, intermittently exposed and permanently flooded wetlands. (from "The Black Rail Project," Orian M. Richmond, UC, Berkeley, Jerry Tecklin, Sierra Foothill research and Extension Center, and Steven Beissinger, UC, Berkeley.)

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3-24 Cont'd. Black Rails are extremely secretive and if the applicants claim to have conducted a survey for Black Rail, please describe exactly what, how, and when the survey(s) was (were) conducted. The standard protocols for Black Rail surveys are very specific with regard to broadcasting taped Black Rail calls only at specific times of the day and seasons of the year. To be valid, the surveys must be conducted only by experienced and highly qualified individuals.

Please explain what type of survey was conducted to detect the presence of Black Rails. If no "specialized" Black Rail Survey(s) was(were) conducted, please have such surveys performed by qualified persons and circulate the findings.

Mitigation Monitoring Plan (MMP)

Although noble in its intent, the MMP is lacking in a number of areas.

3-25 The cost of implementing the mitigation measures (MM) are stated as, "...shall be funded by the applicant." With so many insolvent project applicants and developers, with and/or without entitlements (some currently with debts to Placer County), what guarantees are there as to the capacity of the applicant to fulfill the MMP obligations? Please require a bond to cover the MMP costs should the applicant default to the County, and require that bond to cover a period of the life of the project or, at a minimum, not less than ten years.

3-26 As stated, the County will assign an inspector who will be responsible for field monitoring and report to the County Planning Department. This sounds good so far, until the words, "...and will be thoroughly familiar with...." Couldn't this wording just as effectively read, "...will be thoroughly knowledgeable of..."? The requirement of the term "familiar with" carries an entirely different and somewhat unenforceable connotation than, "knowledgeable of."

Additionally, "maintaining a log of all significant...violations...corrective measures...." is admirable, but what are the consequences? Corrective measures are next-to-useless after the damage has been done. For true deterrence and vigilance by the applicant, an upfront penalty and strong consequences (monetary fines, pulling of permits, revision of entitlements, etc.) must be in effect. Please provide substantial, enforceable, and ample consequences and penalties for violations.

Please address concerns regarding the following Impacts and their MM:

3-27 **5-3b**: From the public's point of view, the words, "Mitigation could include, but would not be limited to,...." tells us nothing. Will the MM be 3:1 ratio as it should be? With vernal pools being reduced and wetlands being filled at an alarming rate in Placer County, on-site preservation is the only acceptable MM. The "creation of seasonal wetlands" (or vernal pools) has not proven to be as positive a preservation MM as touted. Cannot the applicant reduce the scope of the development, either with a reduction in lot sizes or number of units, to preserve existing natural resources?

3-28 **5-4**: Please explain why replanting of elderberry shrubs is not being required, in the event any need to be removed. Please provide replanting and protection on site for any removal of elderberry shrubs.

3-29 **5-5(b)**: Consultation with CDFG is appreciated, but is no guarantee of compliance of "current guidelines and methods." Only a qualified biologist or otherwise certified consultant, proficient with burrowing owl habitat and habits, should undertake the relocation or the suggested installation of one-way doors at burrow entrances. What is to prevent the heavy equipment operator, with no knowledge of the species, to simply proceed with blocking entrances?

3-30 **5.6**: Somewhat disturbing is MM wording that states, "...buffer could be prescribed," and "...vegetation removal could be scheduled...." The vagueness of the word "could" renders this MM

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3-30 Cont'd. unenforceable. Please consider changing "could" to "shall" and apply appropriate penalties for non-compliance.

3-31 **5.9**: Please see Oak Tree Mitigation section below.

Oak Tree Mitigation:

3-32 There is a possibility we have missed it, but no where can we find a consideration of greenhouse gas (GHG) emissions. This project has greater ramifications on GHG emissions than just the oak tree removal, but tree removal is the aspect we wish to address. The governor's Office of Planning and Research (OPR) has found that analysis-mitigation of carbon biological emissions due to oak woodlands conversion and the California Air Resources Board Forest Protocols are integral to CEQA review.[5] Have GHG emissions, especially with regard to oak tree removal, been addressed in this DEIR? Please examine and discus the protocols in light of the excessive number of oaks slated for removal on this project site.

3-33 Another possible overlook on our part is no finding in this DEIR of how many oaks total of each species are on the project site, how many will be removed, and how many will be protected/preserved. We are told in Chpt 5-Biological Resources that there are 378 on-site oak trees that qualify as significant trees. However, the DEIR switches to "acres of oak woodlands" and total inches of significant trees and apparently expects the public to extrapolate from the acreage any ratio and tree count, which is impossible. How is the public to grasp the impacts of oak removal without specific inventory totals? Please provide a consistent common denominator of total number of oak trees and other tree species and recirculate that information.

3-34 In one of the MM, we are told that 2,131 inches total of significant oak trees could be potentially impacted by lot development. How was the 2,131 arrived at? How many heritage oaks are included in these figures? A payment of $100 per inch at breast height is not acceptable. Even one oak tree at 24" dbh would probably bring in more than $2,400 in fire wood sales. Any developer will see a greater profit in taking out the oak trees than saving them at $100 per inch at breast height. Please explain the rationale for arriving at such a figure. Please revise the amount to a more realistic mitigation figure of $1,000 per inch at breast height and require it for lot development oak tree and other tree losses.

3-35 Even more egregious is the total in-lieu payments will be deferred and paid on a per lot basis upon issuance of the building permit. Thus, the County will have the funds trickle in or may never see full in-lieu amounts and cannot plan conservation easement purchases accordingly. The applicant must pay all in-lieu fees up front, BEFORE any entitlements are granted. The applicant can then be reimbursed as the building permits are issued and the "fair share of costs" are collected. Why should the County finance this MM? Doesn't the applicant understand the value of oak trees and the standard operating procedures that require MM payments? If this arrangement is allowed to stand, the County will not have the funds in hand to purchase in-kind oak woodlands. How will this mitigation be effective?

3-36 The DEIR implies that "significant" oak trees are all that are being mitigated for. We submit that snags and less healthy trees are also valuable, provide habitat, carbon sequestration, and must be either preserved and/or fully mitigated for their removal. Unless we overlooked this section, please provide a full examination of the value of all trees and not just "significant" oaks as determined by a rather arbitrary number of "greater than 24" dbh. We do not use the word "arbitrary" in a pejorative

[5] Consistent with section 15126.4(a), a lead agency must support its choice of, and its determination of the effectiveness of, any reduction measures with substantial evidence. Substantial evidence in the record must demonstrate that any mitigation program or measure is reasonably likely to result in actual emissions reductions.

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3-36 Cont'd. manner; each jurisdiction and lead agency seem to use different criteria. Without a state or county standard, we ask for an explanation and justification for (1) settling on the "significant" oak definition by the County for the applicant and (2) an apparent disregard for all other trees treatment in the MM for this project.[6]

3-37 Figure 5-3, which is supposed to inform the public as to the significant tree locations, may so inform; but less than half the oaks on the project site are specified. We don't know the conditions of any of the other trees, but even a novice to aerial oak woodland photograph viewing can deduct that there are probably more valuable oaks or other tree species to be found interspersed with those "counted" on the west side. Just a casual observation of the vast number of oaks on the east side with obvious tree canopies clearly in view, would indicate that there are valuable oaks that may be destroyed and NOT mitigated with this project.

3-38 Please provide an accurate tree inventory with each species clearly accounted for. Please indicate how many oaks and which ones will be removed by the project. Please revise for appropriate mitigation and recirculate for public comment.

3-39 To couch the tree inventory in terms of "acres of oak woodlands" may be appropriate for in-lieu negotiations, but it is a hindrance to any solid public information as to how many, what kind, what size, and location of trees to be taken out. This type of juxtaposition between tree count for significant oaks and acreage amounts (or total inches on just significant trees) discourages meaningful public participation. The DEIR states that there are 69 "significant" oak trees (24 inches dbh or greater). Figure 5-3 and -4 deal with acreage. Fig 5-4 does have total number of significant oak trees (69) and some other description which is illegible ("Canopy....") that appears to be 42. The only way the public can gain knowledge of the impacts of this project and meaningfully participate is to have an accurate tree count.

3-40 However, if one is to read Fig 5-4 correctly, which appears to be a depiction of significant trees on the tentative lot map, we still do not have a clue as to what trees will be left remaining. We must know which trees are to be taken out due to roads, infrastructure, residence foundations, and/or any other known tree removal activities. The seemingly simplistic dismissal that some trees are not in good health is too subjective and does not account for their value—to cavity nesting birds, for example. Please provide a complete inventory, as stated above, and include value of various states of condition to diverse species.

3-41 In addition to the stated in-lieu amount for the two separate components requiring the payment for the fair market value of a conservation easement, (and the conservation and in perpetuity management components), an additional clause should be imposed in this MMP: If "in-kind" oak woodlands are not purchased within one year of the first payment, then an inflationary clause should be inserted to increase the in-lieu payment in the event the cost of "in-kind" Placer County oak woodlands costs increase substantially. Placer County's ability to purchase a conservation easement in a timely manner must have flexibility, especially if the applicant is allowed to have payments made when building permits are pulled. The burden is on the County to purchase the in-lieu woodlands, but the applicant has created that burden by taking out valuable oak woodlands.

[6] Doug McCreary, who heads the UC Cooperative Extension's Integrated Hardwood Range Management Program, explains that the problem is more complicated than the number of oaks lost. Oaks are wind pollinated, and their "pollen doesn't travel all that far," says McCreary. So even trees left standing, if they are in fragmented habitat, may not be able to reproduce.

Letter 3
Cont'd.

3-42 The in-lieu amount cannot be based solely on acreage. Total dbh in inches of all the oaks and other species to be removed must be calculated as well. Otherwise, we will never know the true extent of the oak removal. Please consider the in-lieu amount in relations to total dbh losses.

3-43 **Impact 5.9(b)1**: We do not see a connection between 24-inch boxes and 24" dbh. Please explain how a 24-inch box may approach the number of dbh inches of significant oaks being removed from the site. The use of gallons and pot sizes for MM is simply unacceptable (fraudulent practices are well known with this method). Any twig/cutting/start or seedling can be placed in any size container. Please provide more realistic, honest, and enforceable MM planting requirements.

3-44 Planting the replacement oaks all on the same two open space areas is a recipe for disaster; subsequent counting them as replacement habitat for oak woodland values lost on the project site appears to be a "double dipping." Please explain the advantage of this MM. Please discuss having separate and additional planting sites for each of the trees and values lost.

3-45 With the above, no mention is made of mitigation monitoring to insure the planted oaks will survive. A period of ten years of monitoring and a bond to coincide for any losses or unsuccessful planting must be required. One only has to observe what happened to the re-planted oaks at Bickford Ranch to understand how this is not an acceptable mitigation.

3-46 **12-1**: Drainage and surface runoff will be critical, especially with Miners Ravine being habitat for salmon and Central Valley Steelhead migration. However, 12-1 (a) and (b) are problematic. BMP's should be mandatory and not couched with the loophole verbiage, "...to the maximum extent practicable." The only way to ensure compliance is to have mandatory requirements for water quality protection. To state that the drainage facilities will be maintained by the Homeowner's Association (HOA) is a recipe for failure and non compliance. For one thing, the public will not be able to scrutinize (gates). For another, HOA's are notorious for overlooking stormwater violations. They also have a conflict of interest with discovery of violations since they will have to carry the cost of correction to arrive at compliance. The facilities must be inspected on a regular basis by either the county or a disinterested third-party, qualified consultant, and the applicant must provide a bond to cover the cost of such monitoring. Please discuss the possibility and viability of this suggested arrangement and compare its attributes to having the HOA police itself.

3-47 **12-3(c)** is absolutely meaningless without enforcement methods and penalties for noncompliance included in the language. Signage is slated to be posted at "public access" points, but where will the public enter the gated community to read the signs? Again, how eager will the HOA be to pay for maintaining the legibility of stamped messages and signs? How will this MM be enforced?

3-48 Placing lots and building in the Riverine Wetlands (Perennial Marsh) areas must not be allowed. Lots 8 (esp)[7], 9 (esp), 10 (esp), 11, 42 (esp), 45, 46, 48, 56, 55, 54, 53 (esp), 52, 89 (esp) 88, 86 (esp), 78 (esp), 81 (esp), 82 (esp), 72 (esp), 74 (esp)69 (esp) 70 (esp) and 26, must not be allowed to have an structure construction within 100 feet of the march outer limit or delineation.

3-49 Additionally, flood plain considerations or not, no homes or structures should be allowed on any lots north of what is designated as Road A. Lots 5, 6, 7, 8, 9, 10, and 11 should all be designated as open space. In addition, lots 33, 34, and 35 should be eliminated and be designated as an oak preserve and open space.

3-50 The Dry Creek Greenway is a viable plan and has potential for Miners Ravine, especially in the section where it is in the project boundary. Unless we missed it, we see no reference to this important project. Please address and require as mitigation for runoff into Miners Ravine, a dedication of land

[7] (esp) to mean "especially."

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Letter 3
Cont'd.

3-50 Cont'd. 150' from the center of the Miners Ravine for future Dry Creek Greenway acquisition for conservation easement).

3-51 **13-2**: If we understand this correctly, the project proposes to construct its own sanitary sewer system, including a lift station. Such a proposal must be denied if for no other reason than for the overwhelming numbers of small wastewater facilities' failures to comply with the California Regional Water Quality Control Board. The smaller wastewater treatment facilities end up polluting vital creeks and streams in the most egregious manners, and usually do NOT have the resources to bring their systems into compliance. Cease and Desist Orders become the norm, but the creeks, wildlife, and public health and safety are either victims or vulnerable, with little to no recourse.

The very fact that homeowners "shall" be notified of unwanted elements associated with lift stations, such as "odors," is testimony to and indicative of the high degree and history of consistent failures and noncompliance of similar small sewage treatment facilities.

3-52 Please explain why this project should not be required to, and/or cannot, hook up to existing regional sewage facilities. An excuse that may be claimed is the old "economic infeasible" argument. We submit that the economic price tag to our creeks and our health and safety with pollution of any kind, but especially of wastewater discharge, is far higher than having the applicant do it right from the beginning. Please require hook up to a regional wastewater facility

3-53 Please explain how lift stations will operate during power outages.

3-54 Who will monitor and enforce the homeowner planting and structure construction restrictions within the sewer easements? If the answer is "County personnel," who will pay for that service on a regular basis?

3-55 The public services section appears to make no mention of parks or recreation areas. Since we see none in the project itself, can it be assumed that residents will utilize county parks and recreation areas? Where is the compensation for the impacts that the approximately 230 residents will have on county park and recreational facilities?

3-56 Due to time constraints, we cannot complete a full review of this project proposal and the DEIR. Because of this proposed project's negative impacts on an important creek (including drainages), its unacceptable removal of contiguous oak woodlands, and significant other environmental impacts, we submit that it is the wrong project for the wrong place. Additionally, the increase in units from the base-line project is unnecessary and violates county zoning ordinances.

Thank you for considering our views.

Cordially

Marilyn Jasper, Chair

marilyn.jasper@mlc.sierraclub.org

Letter 3
Cont'd.

SIERRA CLUB
FOUNDED 1892

PLACER GROUP
P.O. BOX 7167, AUBURN, CA 95604

January 21, 2010

Sent via email: rdraecs@placer.ca.gov

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

Ladies and Gentlemen:

RE: **Follow Up Comment on Draft Environmental Impact Report for the Proposed Rancho Del Oro Estates Project**

We wish to bring to your attention a matter which should require a complete recirculation of the entire Biological chapter and associated appendices, if not the complete Draft Environmental Impact Report (DEIR), for the proposed Rancho Del Oro Estates project.

3-57 We, the public, and the regulatory agencies have to trust the accuracy of the consultants' research, facts, figures and surveys when reviewing and commenting on DEIR's. We are not certified to conduct surveys ourselves nor would we want to be trespassing on private property in order to validate the information provided by the consultants and circulated by the County for public and regulatory agency review.

3-58 However, after a disturbing discovery in Chapter 5—Biological Resources—that the Black Rail was neither listed in the DEIR nor shown on the CNDDB Special-Status Species map (Figure 5-2, page 5-14), which many rely heavily upon, we contacted the Department of Fish and Game. They concurred that the occurrence of the Black Rail was reported and mapped in June, 2006, and is shown on their CNDDB.

3-59 Possibly the DEIR is presenting old, out-of-date, or erroneous data as this omission suggests. Nevertheless, the lack of accuracy casts serious doubt on the validity of the entire Biological section, if not other sections in the DEIR, and should not and cannot be relied upon to make intelligent and informed decisions relating to this project. It becomes an exercise in futility for the public to wade through volumes of inaccurate data for commenting purposes.

We request that a new DEIR be circulated with up-to-date, accurate information, and that all facts and figures presented in any Rancho Del Oro Estates DEIR be reviewed for accuracy and validated before such circulation.

Cordially

Marilyn Jasper, Chair

marilyn.jasper@mlc.sierraclub.org

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Letter 3: Marilyn Jasper, Chair, Sierra Club

Response to Comment 3-1

The comment includes an introductory statement and complements County staff, but does not address the adequacy of the Draft EIR.

Response to Comment 3-2

The comment expresses an opinion regarding project approval and recirculation of the Draft EIR. The comment does not present specific comments regarding the adequacy of the Draft EIR and has been forwarded to the decision-makers for their consideration.

Response to Comment 3-3

The comment disagrees with the project applicant's characterization of the project site as "infill" in the list of project objectives included on pages 3-1 and 3-4 of the Draft EIR. The technical analysis of the Draft EIR is based upon the proposed project's potential impacts and does not rely on the definition of the project as "infill". The Draft EIR objectively considered the type and intensity of existing surrounding uses and the potential for the project to be inconsistent with these uses.

Response to Comment 3-4

As presented in Chapter 5, *Biological Resources*, of the Draft EIR, all impacts to sensitive habitat, wetlands and other waters of the United States can be reduced to a less-than-significant level with the implementation of the mitigation measures presented. The Draft EIR, however, concluded that the cumulative impact to biological resources would be significant and unavoidable. In addition, impacts related to compatibility with surrounding land uses are addressed in the *Land Use* chapter of the Draft EIR.

Response to Comment 3-5

Please refer to Response to Comment 3-3.

Response to Comment 3-6

As noted in the *Alternatives* chapter of the Draft EIR, page 15-1, in the first paragraph and the first bullet, CEQA Guidelines Section 15125.6(a) states, "An EIR shall describe a range of reasonable alternatives to the project […] which would feasibly attain most of the basic objectives of the project". In addition, as noted in the third bullet on page 15-1, CEQA Guidelines Section 15126.6(c)(i) includes an alternative's failure to meet most of the basic project objectives as a factor that may be used to eliminate an alternative from detailed consideration in the Draft EIR.

As further evidence, in *California Native Plant Society v. City of Santa Cruz* (Filed 8/20/09, published 9/18/09) Sixth District, H032502, the court upheld the City's substantive decision to reject the evaluated alternatives in favor of the proposed project. The City's findings stated that each of the analyzed alternatives failed to meet certain project objectives, and was "undesirable from a policy standpoint." The court also upheld that an alternative involving only one component of a project is not required to be analyzed (i.e., an alternative that does not meet most of the basic objectives of a project). Therefore, pursuant to CEQA, project objectives are required to be considered when determining and evaluating project alternatives.

Response to Comment 3-7

The comment presents questions for the applicant and the County, but does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 3-8

As noted on page 15-2 of the Draft EIR, an EIR need only include enough information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project (CEQA Guidelines Section 15126.6[d]). The information provided in the Draft EIR Alternatives chapter is sufficient to evaluate each alternative as they compare to the proposed project. Each alternative is described on pages 15-5 and 15-10 of the Draft EIR and are followed by conceptual site plans of the alternatives. The commenter is directed to review the conceptual site plans that accompany each of the project alternatives as well as the plans provided for the proposed project. In reviewing the proposed project plans (Figures 3-3 through 3-6 in the Draft EIR) and the alternatives' site plans (Figures 15-1 and 15-2 in the Draft EIR) in conjunction with the text descriptions, the comparative impacts for the issues questioned in the comment can be ascertained by reviewing the identified open space and setbacks from Miners Ravine, drainage swales, and drainage channels. Moreover, the text analysis of the Base Zoning Alternative and Planned Development Alternative in Chapter 15, and as revised in Responses to Comments 2-40 and 12-14, does include much of the specific information the commenter alleges as being absent, including the following:

	Open Space Preserved	**Waters of the U.S. Preserved**	**Trees Preserved**
Base Zoning Alternative	16.2 acres	2.06 acres	Same as Project[1]
Planned Development Alternative	64.6 acres	3.55 acres	38 blue oak woodland trees

[1] As stated on page 5-41 of the Draft EIR, the mitigation proposed by the project for significant oak tree impacts from lot development is overestimated (and, therefore, over-mitigated), because while 100 percent of significant oak trees within building setbacks are assumed removed for mitigation purposes, many trees may be retained by individual homeowners.

Response to Comment 3-9

The physical project-level and cumulative impacts of the proposed project are addressed in Draft EIR, Chapters 5 through 14, 16, and Appendix C. The *Land Use* chapter identifies the need for a rezone to accommodate the project as proposed (Draft EIR page 4-24, Impact 4-2, Compliance with the Placer County Zoning Ordinance), but notes that even with the rezone the proposed project would be allowed under the current land use designation of Rural Low Density Residential and would thus be considered rural residential, per the Granite Bay Community Plan. Therefore, the Draft EIR concludes that the project would result in a less-than-significant impact. Please refer to Table 4-2, beginning on page 4-16 of the Draft EIR, for an extensive policy analysis.

Response to Comment 3-10

The *Executive Summary* does not imply that the applicant is relieved from mitigation of cumulative impacts or the County is relieved of requiring mitigation. In fact, the entire technical analysis contained in the Draft EIR in the chapters following the *Executive Summary* serve the express purpose of identifying impacts and mitigation needed to address both project-level and cumulative impacts from the proposed project. Cumulative impacts from the proposed project and associated mitigation measures are addressed in the Draft EIR under Chapter 16, *Cumulative Impacts and Other CEQA Sections*. In addition, the Draft EIR contains a Mitigation Monitoring Plan (MMP) pursuant to CEQA Guidelines Section 15097, which (as noted on page 1 of the MMP) states that the intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The primary importance in a proposed rezone is the physical impacts that may result should the site be developed pursuant to the proposed zone rather than the existing zone. This analysis of physical impacts resulting from the proposed rezone and subsequent development of the project site is what is analyzed in the Draft EIR.

Response to Comment 3-11

The comment recites Granite Bay Community Plan goals and does not pertain to the adequacy of the Draft EIR.

Response to Comment 3-12

The proposed project is consistent with the current Granite Bay Community Plan Rural Low Density Residential land use designation for the project site which maintains the "transition role" of the community as planned in the Granite Bay Community Plan. The proposed project includes a rezone, not an amendment to the land use designation. Therefore, the project is considered rural residential (as defined in the Granite Bay Community Plan), which is in compliance with the "'major' goal" and "other goals" as cited by the comment. In addition, as discussed on page 4-25 of the Draft EIR, the County's Right to Farm ordinance allows existing agricultural operations on adjacent agricultural properties to continue. Therefore, the project does not inhibit the maintenance of producing agricultural uses. Furthermore, the Draft EIR concludes that the proposed project would result in less-than-significant project-level impacts

(with implementation of mitigation where appropriate) to Biological Resources, Hydrology and Water Quality, Visual Resources, and Land Use (including agricultural pursuits). It should be noted the cumulative biological impacts were identified as significant and unavoidable. The Draft EIR includes a discussion on consistency with the Granite Bay Community Plan policies in the Land Use chapter, Table 4-2. The Draft EIR, Impact 4-1, identifies a less-than-significant impact with regard to Granite Bay Community Plan consistency. Please also refer to Response to Comment 2-6 for a discussion regarding current lack of public access to Miners Ravine in the vicinity of the project site.

Response to Comment 3-13

The Draft EIR, in Table 4-2 on pages 4-20 and 4-21, provides a discussion of the Granite Bay Community Plan Conservation Element policies. Please also refer to Response to Comment 2-28.

Response to Comment 3-14

Please refer to Response to Comment 2-6.

Response to Comment 3-15

Please refer to Response to Comment 2-20.

Response to Comment 3-16

Please refer to Response to Comment 2-6.

Response to Comment 3-17

Please refer to Response to Comment 3-12. In addition, it should be noted that any application would be required to go through the County's planning process and a project-specific CEQA environmental review should the proponent seek a change to the land use designation.

Response to Comment 3-18

Please refer to Responses to Comments 2-25 and 3-9.

Response to Comment 3-19

Please refer to Responses to Comments 2-5 and 2-6.

Response to Comment 3-20

Please refer to Response to Comment 2-20. The proposed privacy wall is not needed to attenuate noise as discussed in the Draft EIR in Impact Statement 10-2 on page 10-15.

Response to Comment 3-21

The commenter appears to be confused between the proposed Open Space lots of the project and the Open Space land use designation in the Granite Bay Community Plan. The proposed Open Space lots are part of the proposed project that would remain undeveloped for a variety of reasons (landscaping, natural resource preservation/buffer, utilities, etc.). On the other hand, the Granite Bay Community Plan designates areas as Open Space. The project site is not designated as Open Space in the Granite Bay Community Plan. In addition, the proposed project does not include development within an existing open space easement.

Response to Comment 3-22

An earlier version of the Vesting Tentative Map for the proposed project included a lot entitled "Open Space Lot G;" however, in response to County Staff comments, this lot was re-labeled on the Vesting Tentative Map as "Common Lot G", prior to releasing the DEIR for public review. The re-labeling was made in recognition of the fact that Lot G will contain a sewer pump station, standby generator, a storage building, and vehicle access and maintenance parking. Inadvertently, Lot G is still shown in the legend list of "Open Space" lots on Figure 3-3, Vesting Tentative Map, of the DEIR Project Description. In addition, Figures 3-4 through 3-6 of the *Project Description* chapter of the DEIR, and Figures 10-2, 12-1, and 13-1 of the DEIR require similar modifications to clarify Lot G as a "Common Lot" in the legend list. As a result, Figures 3-3 through 3-6, 10-2, 12-1, and 13-1 of the DEIR are hereby revised as follows for clarification:

Figure 3-3 (and Figure 10-2)
Vesting Tentative Map

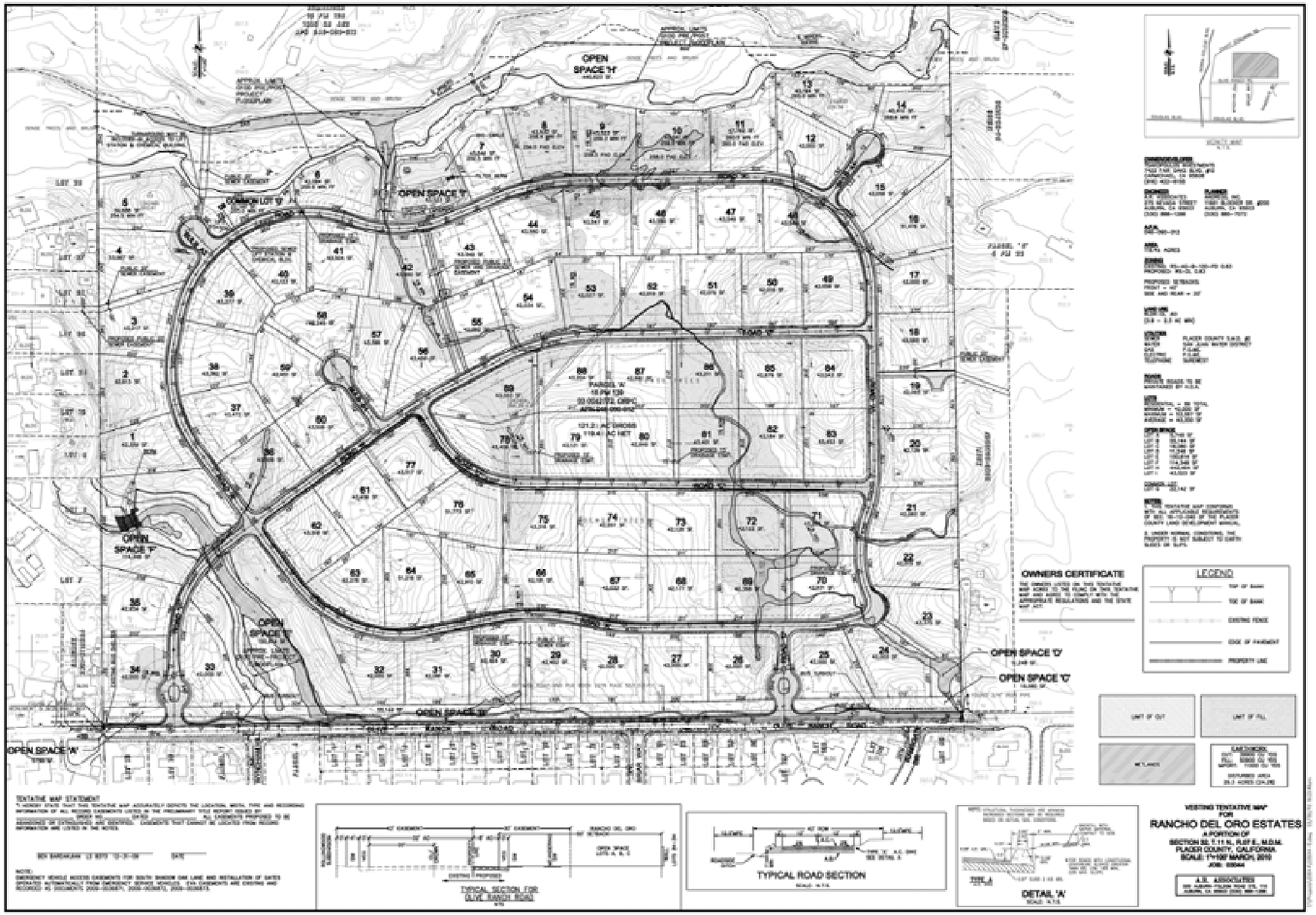


Figure 3-4 (and Figure 13-1)
Water Master Plan

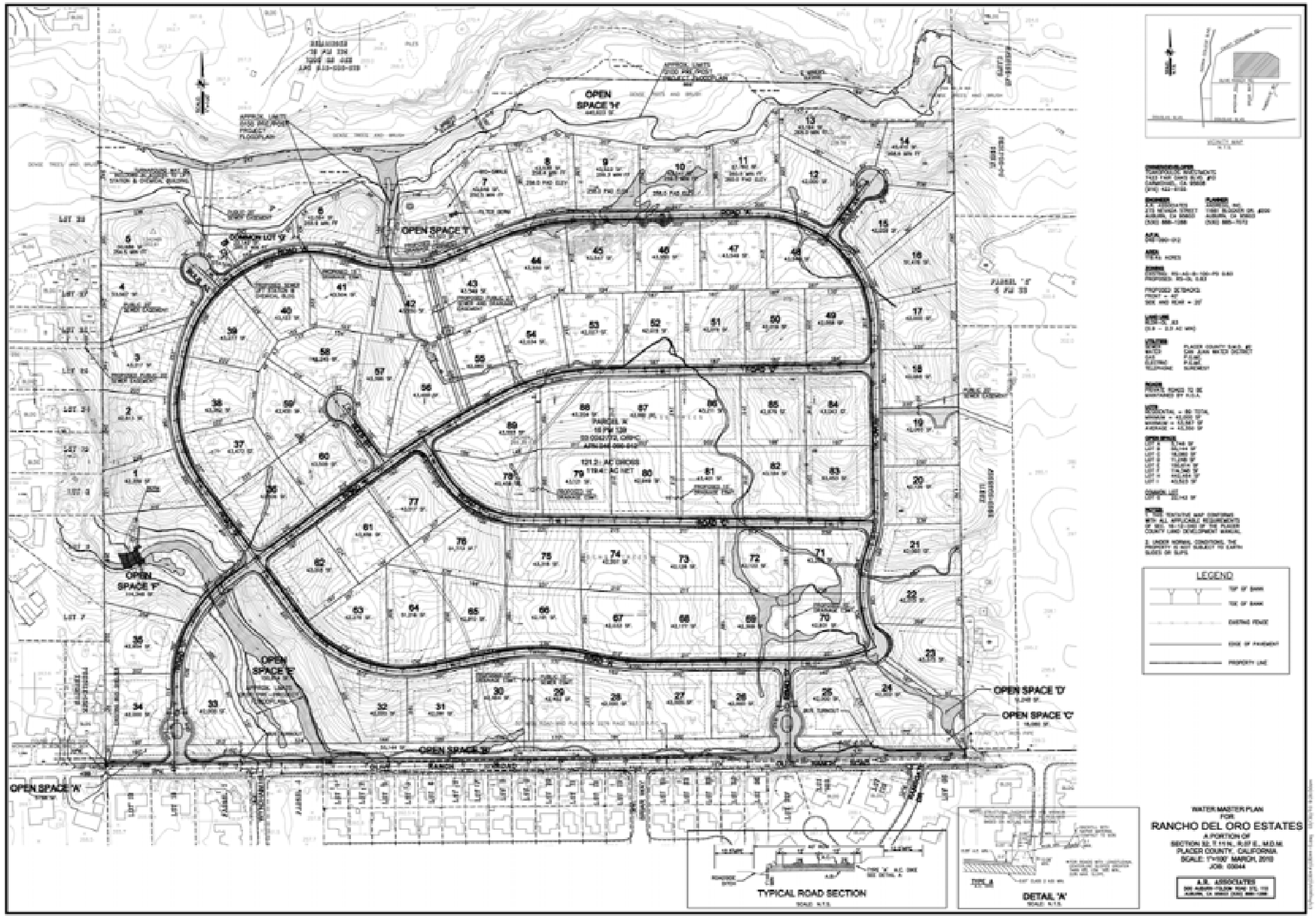


Figure 3-5
Sewer Master Plan

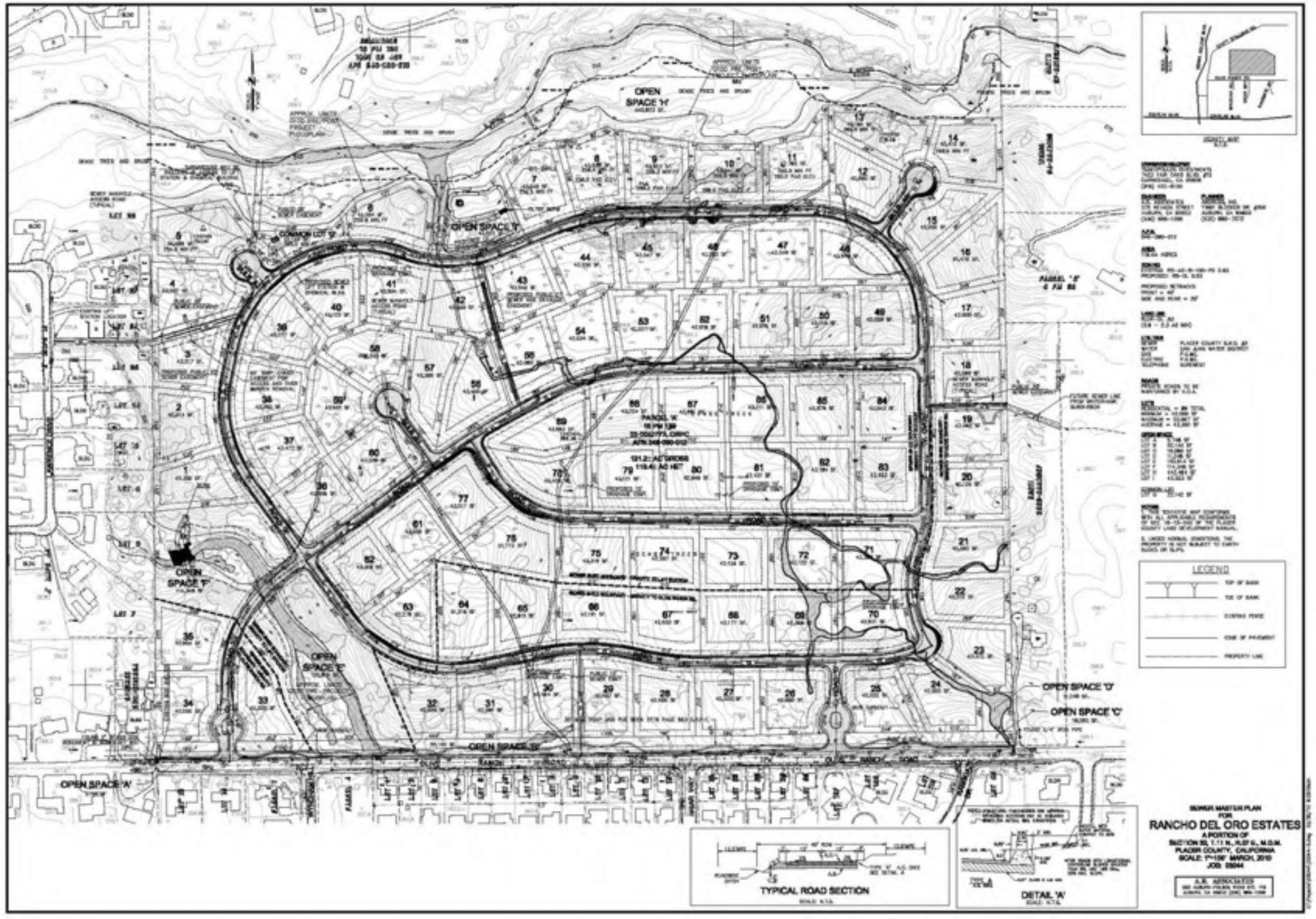
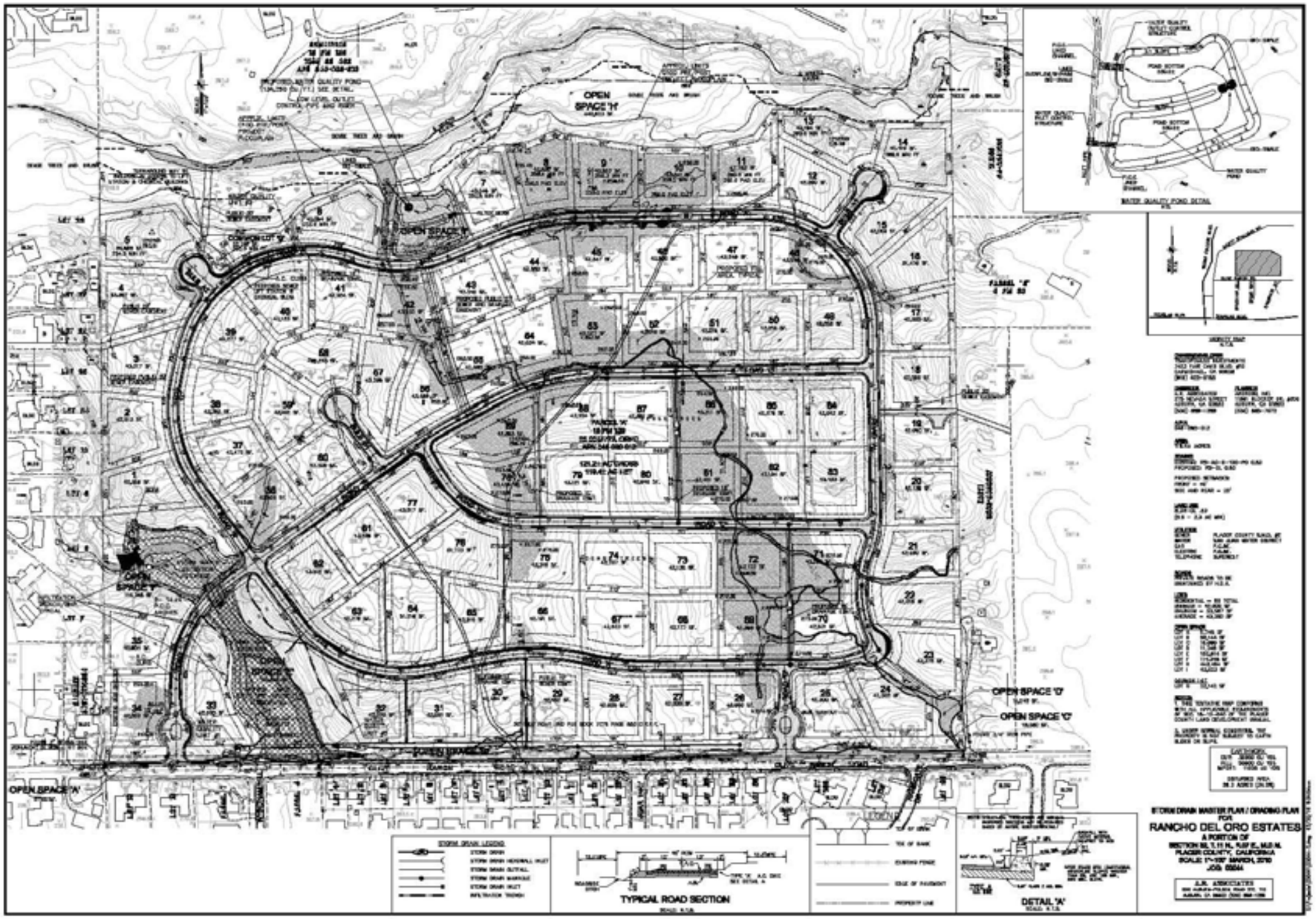


Figure 3-6 (and Figure 12-1)
Storm Drain Master Plan / Grading Plan



Response to Comment 3-23

As noted in Response to Comment 3-12 and discussed on page 4-25 of the Draft EIR, the County's Right to Farm ordinance allows existing agricultural operation to continue. The Draft EIR, page 4-25, states, "a condition of approval will be required for the project informing future residents that small-scale agricultural and farming operations may take place on nearby/surrounding parcels, and that the approval of the proposed project shall not impact the ability of existing/future small-scale agricultural and/or farming operations to continue in a manner consistent with the underlying zoning regulations. It should be noted that a mitigation measure requiring this condition of approval was included in the Rancho Del Oro Estates Initial Study, and implementation of the mitigation measure would reduce any potential impacts to a less-than-significant level."

Response to Comment 3-24

The known occurrence of the California black rail at Clover Valley, as reported in the CNDDB, is more than five miles away from the Rancho Del Oro project site. Foothill Associates' CNDDB graphic utilized a ten-mile radius for Swainson's hawk and a five-mile radius for all other species. Specific surveys for black rail were not conducted during biological surveys of the property, although biologists were on the site during the black rail nesting season. Black rails were not observed on the property.

The marsh habitat on the Rancho Del Oro site is supported by summer irrigation runoff from adjacent residential development to the south. All portions of the marsh habitat are within a few hundred feet of residential development. The marsh originates from flows derived from urban areas and as it leaves the Ranch Del Oro project site the flows then go into and beside additional residential lots. The marsh, while encompassing about 0.96-acre, is only about 50 feet wide at its widest point.

Given the relative rarity of the California black rail and the urban setting of the marsh habitat on the Rancho Del Oro site, the project would not be expected to impact this species. However, given that avian species are mobile, the Draft EIR does include a mitigation measure to conduct pre-construction surveys for nesting birds protected by the federal Migratory Bird Treaty Act (Mitigation Measure 5-6). The California black rail is covered under this Act.

In addition, the marsh habitat is being preserved as part of the project's open space component. The post-project condition of the marsh will not differ significantly from the pre-project condition of the marsh, given the current water source and environmental setting of this aquatic feature.

Response to Comment 3-25

The comment suggests a bond to cover project mitigation measure costs. The comment does not specifically question the adequacy of the Draft EIR analyses or conclusions. The applicant is required by law to comply with and fund, unless otherwise noted, all mitigation measures

identified in the EIR through implementation of the Mitigation Monitoring Program. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 3-26

The comment is unclear how "knowledgeable of" can be more enforceable than "familiar with". The commenter does not propose a test or other means of supporting the enforceability gained by changing the text. Furthermore, the comment does not address the adequacy of the Draft EIR.

Response to Comment 3-27

The mitigation ratio will be that identified by the United States Fish and Wildlife Service (USFWS) at the time coordination occurs during 404 permit negotiations with the Corps of Engineers, which will be prior to issuance of grading permit (as identified in Mitigation Measure 5-3(b)). As noted in the mitigation measure, the typical mitigation ratio is 3:1. In addition, the measure includes flexibility for USFWS to require measures in addition to those listed (on-site or off-site preservation, etc.) if deemed necessary by the USFWS. The Draft EIR concludes under Impact 5-3, that impacts to freshwater invertebrates would be reduced to a less-than-significant level with implementation of the mitigation measures presented. Therefore, additional mitigation is not warranted.

Response to Comment 3-28

Elderberry shrubs are only afforded protection under the federal Endangered Species Act if they are occupied by the federally listed Valley Elderberry Longhorn Beetle. Impacts to elderberry shrubs without beetles wound not constitute a significant impact.

The Draft EIR requires that a determination of beetle occupancy be made if any of the shrubs will be impacted by project development and that would require coordination with the U.S. Fish and Wildlife Service. Should occupied shrubs need to be impacted, U.S. Fish and Wildlife Service typically requires relocation of elderberry shrubs, if such relocation is feasible.

Response to Comment 3-29

Mitigation Measure 5-5(b) is meant as a follow up to Mitigation Measure 5-5(a) – as implied by the statement at the end of Mitigation Measure 5-5(a) that says, "If burrowing owls are detected, […] implement Mitigation Measure 5-5(b)." Mitigation Measure 5-5(a) requires pre-construction surveys by a qualified biologist, and thus the work required in Mitigation Measure 5-5(b) is meant to be performed by a qualified biologist as well. Therefore, for clarification purposes, Mitigation Measure 5-5(b), on page 5-36 of the Draft EIR, is hereby revised as follows:

5-5(b) *Prior to initiation of any construction activities, a 250-foot buffer zone shall be established around each burrow with an active nest until the young have fledged and are able to exit the burrow. In the case of occupied burrows without active nesting, active burrows after the young*

> *have fledged, or if development commences after the breeding season (February 1 to August 31), passive relocation, which involves installing a one-way door at the burrow entrance to encourage the owls to move from the occupied burrow, shall be performed* ***by a qualified biologist****. The CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site.*

The above change to the Draft EIR text is for clarification purposes only and does not change the conclusions of the Draft EIR.

Response to Comment 3-30

The comment references "5.6" and discusses "MM wording." The comment appears to be referencing the second paragraph of Mitigation Measure 5-6(c). The first paragraph of Mitigation Measure 5-6(c) includes clear text stating, "If active migratory bird nests are found on-site, disturbance or removal of the nest shall be avoided until the young have fledged and the nest is not active any longer." Therefore, the mitigation measure is not vague or unenforceable as avoidance would result in a less-than-significant impact, as identified in the Draft EIR.

The second paragraph of the mitigation, which contains the text referred to by the comment, notes that a buffer or schedule adjustment could be utilized as an alternative to the measure required in the first paragraph. Because of the unknown variables at this point in time (e.g., the type of Migratory Bird Treaty Act protected bird species, site conditions at the time of survey, and the proposed construction activities near an active nest), the size of buffer needed to ensure a less-than-significant impact shall be determined by the qualified biologist. In addition, the mitigation measure provides an alternative of scheduling vegetation removal to occur between September 1 and January 31, which would also mitigate the potential impacts identified.

Response to Comment 3-31

The comment introduces the following section of the letter and does not address the adequacy of the Draft EIR.

Response to Comment 3-32

The commenter believes that various California policies suggest the need to separately analyze biological emissions associated with oak woodland conversion in the Draft EIR. The comment specifically identifies the Office of Planning and Research's (OPR) recent amendments to the CEQA Guidelines to support the argument that California requires analysis of biological emissions of GHGs, and that the CARB Forest Protocol must be used for this analysis. It is important to note these amendments have not been officially adopted at this time. Therefore, the amendments are not yet effective, and will not become effective until after the Office of Administrative Law completes its review of the amendments and transmits them to the Secretary of State for inclusion in the California Code of Regulations.

The proposed Guideline Amendments do not indicate that forest conservation or carbon sequestration characterizing analysis and mitigation of carbon biological emissions due to the conversion of oak woodlands to non-forest is "integral" to CEQA review. Appendix G of the Guideline Amendments, Section II, suggest evaluating potential impacts by considering whether a project would result in the loss or conversion of forest land. In addition, although Appendix G of the Guideline Amendments does state that Lead Agencies may refer to "the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board," the Guideline Amendments do not mandate use of this methodology for determining GHG impacts from a project. CARB adopted the Forest Project Protocol (FPP) in October 2007 for greenhouse gas accounting for voluntary forest projects to generate credits for use in a voluntary market. More specifically, the FPP provides requirements and guidance for quantifying the net climate benefits of activities that sequester carbon on forestland. The protocol provides project eligibility rules; methods to calculate a project's net effects on greenhouse gas (GHG) emissions and removals of CO_2 from the atmosphere ("removals"); procedures for assessing the risk that carbon sequestered by a project may be reversed (i.e. released back to the atmosphere); and approaches for long term project monitoring and reporting. The goal of this protocol is to ensure that the net GHG reductions and removals caused by a project are accounted for in a complete, consistent, transparent, accurate, and conservative manner and may therefore be reported to the Climate Action Reserve (Reserve) as the basis for issuing carbon offset credits (called Climate Reserve Tonnes, or CRTs). In summary, the CARB FPP referred to by the commenter is intended to be used for greenhouse gas accounting for voluntary forest projects. While the FPP could be used to calculate the theoretical biomass of the trees on the Rancho Del Oro Estates project site, it cannot be overlooked, as noted above, that the Guideline Amendments do not mandate use of this methodology for determining GHG impacts from a project. Even if the theoretical biomass of the on-site trees was calculated, the CARB has not issued any guidance on quantitative thresholds by which one could attempt to determine whether a significant impact would result from the proposed removal of biomass and the subsequent biological emissions.

In its draft CEQA Guidelines Amendments, OPR does not identify a threshold of significance for greenhouse gas emissions, nor does it prescribe assessment methodologies or specific mitigation measures. Instead, it calls for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The draft amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. Consistent with the proposed Amendments, the Draft EIR addresses greenhouse gas emissions from the project on pages 16-17 to 16-33, which quantified greenhouse emissions resulting from area source and operational source emissions generated by the project, including vehicle source emissions. Additional GHG emissions calculated for the project include emissions from the energy used to create materials used for development of the proposed project, as well as utility usage associated with the operation of the project. As indicated on page 16-33 of the Draft EIR, the proposed project would include measures aimed at reducing the potential for CO_2 emissions through project design details. The proposed project would include the following:

1. All homes within the proposed subdivision will utilize AC units that are two points above the Seasonal Energy Efficient Ratio (SEER) energy efficiency rating in effect at

the time of the approval of the Tentative Subdivision Map. Any plans submitted to the Building Division must clearly show that this condition is being met.

2. All homes within the subdivision will include "whole house fans." Any plans submitted to the Building Division must clearly show that this condition is being met.

3. All homes within the subdivision will include, at the builder's discretion, one of the following: a) a "tankless" water heater, or b) upgraded insulation in all walls and ceilings to exceed the Title 24 requirements in place at the time of building permit issuance. Any plans submitted to the Building Division must clearly show that this condition is being met.

Therefore, in light of the proposed project's inclusion of GHG reduction strategies and the speculative nature of determining "new" GHG emissions from the project on a global scale, the proposed project is considered to have a *less-than-significant* incremental contribution to the cumulative production of GHG emissions, resulting in the cumulative impact of global climate change.

Notwithstanding the above, the following background information regarding carbon pools/biomass and associated biological processes, such as sequestration, has been provided. The *Forest Sector Protocol* defines sequestration as follows: "The process of increasing the carbon content of a carbon reservoir other than the atmosphere. Biological approaches to sequestration include direct removal of CO_2 from the atmosphere through land-use changes and changes in forest management." Forests have the capacity to both emit and sequester carbon dioxide. Trees, through the process of photosynthesis, naturally absorb CO_2 from the atmosphere and store the gas as carbon in its biomass, i.e., trunk (bole), leaves, branches, and roots. Carbon is also stored in the soils that support the forest (i.e. forest soil), as well as the understory plants and litter on the forest floor.

When trees are disturbed, through events like fire, disease or harvest, they emit stored carbon as CO_2 into the atmosphere. The quantity of CO_2 that is emitted over time may vary, depending on the particular circumstances of the disturbance. Thus, depending on how forests are treated, they may be a net source or a net reservoir of CO_2.

As discussed in Impact 5-9 of the Draft EIR, the proposed project would result in the removal of the majority of on-site oak trees, though the precise extent to which oak trees would be removed is in part dictated by future lot improvements made by individual property owners. It is true that in the short-term, the proposed project would result in the generation of biological emissions through the removal of much of the on-site oak woodlands and the resultant inability for these oak trees to continue to sequester carbon from the atmosphere. However, Mitigation Measure 5-9 of the Draft EIR is clear in that both impacts to oak woodland and "significant" oak trees are required to be mitigated. Furthermore, page 5-41 of the Draft EIR, below the header entitled, "Mitigation Measure(s)", states:

> To mitigate for impacts to both oak woodland and "significant" oak trees (24 inches dbh or greater) from development of the project, a comprehensive, multi-pronged approach is proposed, which addresses both oak woodland values and individual significant oak trees.

Therefore, in the long-term, through oak replanting efforts and purchase of conservation easements within the County where existing oak woodlands that form a contiguous habitat can be permanently set aside, as required by Mitigation Measure 5-9, the short-term loss of sequestration on-site will be offset, albeit partially off-site. This method of conservation is consistent with the provisions of Senate Bill 1334 and with requirements of the CEQA Guidelines Section 21083.4. It should also be noted, as stated on page 5-41 of the DEIR, that "…the mitigation proposed by the project for significant oak tree impacts from lot development is overestimated (and, therefore, over-mitigated), because while 100 percent of significant oak trees within building setbacks are assumed removed for mitigation purposes, many trees may be retained by individual homeowners."

Response to Comment 3-33

As noted on page 3 of Appendix F of the Draft EIR, Oak Woodland Analysis, Foothill Associates inventoried more than 5,000 trees on the project in 2005. This additional tree data has been provided as Appendix A to this Final EIR. However, it is important to note that Per County policy, oak woodland mitigation fees are based on acreage rather than individual trees, with the exception of "significant" oak trees, which have been clearly enumerated in Appendix A of Appendix F of the Draft EIR.

Response to Comment 3-34

For "significant oaks," the mitigation fee of $100 per inch at breast height set forth in Draft EIR Mitigation Measure 5-9(b) is consistent with the value that the County is currently applying to such impacts. Given the County's long-standing policies requiring mitigation for loss of its valuable oak woodland resources, the County has the experience needed to determine appropriate mitigation fees and other mechanisms to ensure that impacts to oak woodlands are successfully mitigated for the long-term in the County. In the case for the Rancho Del Oro Estates project, the County has used a combination of in-lieu fees and direct replacement to fully mitigate impacts to oak woodlands. Per County policy, oak woodland mitigation fees are based on acreage rather than individual trees, with the exception of "significant" oak trees, which have been clearly enumerated in Appendix A of Appendix F of the Draft EIR.

Response to Comment 3-35

The applicant is required to pay in-lieu fees for direct impacts to 5.27 acres of oak woodland resulting from initial subdivision improvements. This fee must be paid "*at the time of approval of Improvement Plans*." All other in-lieu fees are required to be paid by individual lot owners prior to issuance of Building Permits, when actual impacts to trees would be expected and more definitively known.

Response to Comment 3-36

The commenter is incorrect. Mitigation Measure 5-9 is clear in that both impacts to oak woodland and "significant" oak trees are required to be mitigated. Furthermore, page 5-41 of the Draft EIR, below the header entitled, "Mitigation Measure(s)", states:

> To mitigate for impacts to both oak woodland and "significant" oak trees (24 inches dbh or greater) from development of the project, a comprehensive, multi-pronged approach is proposed, which addresses both oak woodland values and individual significant oak trees.

Response to Comment 3-37

Please refer to Response to Comment 3-36 and Appendix F of the Draft EIR.

Response to Comment 3-38

The Oak Woodland Analysis is provided in Appendix F of the Draft EIR.

Response to Comment 3-39

Page 3 of Appendix F to the Draft EIR indicates that in 2005 Foothill Associates inventoried more than 5,000 trees on-site.

Response to Comment 3-40

Please refer to Response to Comments 3-35 and 3-39.

Response to Comment 3-41

The proposed mitigation is consistent with County oak woodland mitigation policies and has been deemed satisfactory by the County. Changes to the proposed mitigations are a policy matter to be considered by the decision-makers.

Response to Comment 3-42

Please refer to Response to Comment 3-34.

Response to Comment 3-43

Please refer to Response to Comment 3-34.

Response to Comment 3-44

As stated in Mitigation Measure 5-9(a), to mitigate oak woodland losses within the development footprint and to account for habitat fragmentation, the project applicant shall make an in-lieu payment to the County consisting of two separate components, one for the higher value blue oak

woodland (37.34 acres), and one lower per-acre payment for the poor quality live oak woodland (40.24 acres) on the project site, along with the very small amounts of valley oak woodland (0.06 acres) and mixed oak woodland (1.27 acres). These funds will be used by the County to purchase conservation easements to other in-kind oak woodlands in the County.

In addition, per Mitigation Measure 5-9(b), for the 69 "significant" oak trees to be removed because of subdivision improvements, the project shall include mitigation tree planting in two open space areas specified on the project site. Therefore, these on-site replacement plantings are not intended to also (i.e., "double") count toward mitigating the loss of oak woodlands; the loss of oak woodlands would require additional mitigation measures by the applicant (i.e., MM 5-9(a)).

Response to Comment 3-45

Please refer to Response to Comment 3-34.

Response to Comment 3-46

The National Pollutant Discharge Elimination System (NPDES) State General Permit requires that permitted projects adhere to Effluent Limitations. As stated on page 55 of the County of Placer Stormwater Management Plan, under the State General Permit Requirements discussion, "the Effluent Limitations require the implementation of BMPs [Best Management Practices] that reduce pollutants to the MEP (maximum extent practicable). The MEP standard is an ever-evolving, flexible, and advancing concept, which considers technical and economic feasibility, and its application may vary by community." Therefore, the MEP requirement of the mitigation measures cited in the comment is acceptable and required in the NPDES General Permit.

The proposed water quality BMPs for project post-development stormwater runoff include infiltration trenches, water quality vaults, and a water quality treatment pond. The maintenance of drainage facilities is required within the Draft EIR. The responsibility for a Homeowners' Association (HOA) to perform maintenance duties is not a new concept and has been implemented throughout California. However, the comments regarding maintenance of facilities by the HOA versus County or other third party with the applicant providing a bond for funding has been forwarded to the decision-makers for their consideration.

Response to Comment 3-47

As stated in Mitigation Measure 12-3(c), the signage details, placement, and locations will be included on the Improvement Plans for review by the County. The mitigation measure is enforceable because the Improvement Plans will not be approved until the County is satisfied with the proposed signage. Project residents, their guests, and anyone within the subdivision are members of the general public. Speculation regarding the eagerness of the HOA to perform their duties is beyond the scope of the EIR.

Response to Comment 3-48

As shown in Figure 5-5, page 5-44 of the Draft EIR, all on-site Perennial Marsh is contained within Open Space Lots F and E. Therefore, building/structure construction is not proposed within any delineated Perennial Marsh area.

Response to Comment 3-49

The comment presents project design suggestions and does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 3-50

Consistent with the requirements in the Granite Bay Community Plan, the proposed project includes a 100-foot setback from the centerline of Miners Ravine in which all types of structures are prohibited. The comment does not provide an impact nexus to require an additional 50 feet of setback from Miners Ravine, nor has the County required this of the project during its review of the application.

Response to Comment 3-51

As stated on page 13-2 of the Draft EIR, "The project is within the boundaries of Placer County Sewer Maintenance District No. 2 (SMD2)." Page 13-17 of the Draft EIR further states, "Wastewater treatment would be provided by the City of Roseville pursuant to the SPWA Operations Agreement for properties with the SPWA service area boundary SAB. Rancho Del Oro Estates is located within the SMD No. 2 service area…" The on-site lift station's purpose is to pump wastewater to the gravity system that conveys wastewater to the treatment plant. Therefore, the commenter is mistaken as the project does not propose on-site wastewater treatment.

Response to Comment 3-52

Please refer to Response to Comment 3-51. The proposed project would be connected to a regional wastewater treatment facility.

Response to Comment 3-53

The comment does not address the adequacy of the Draft EIR. However, it should be noted that the proposed pump station facility would include a backup generator, similar to all other pump facilities in the County.

Response to Comment 3-54

The comment does not address the adequacy of the Draft EIR. However, the HOA typically enforces planting and construction restrictions under ultimate authority of the County and County Code.

Response to Comment 3-55

As noted on page 1-5 of the Draft EIR, impacts to recreational facilities would be less-than-significant. The applicant would be required to pay in-lieu park fees, as required by Placer County.

Response to Comment 3-56

The comment summarizes the commenter's objections to the project. Responses to the issues summarized are included in the responses to comments above.

Response to Comment 3-57

The comment is introductory and sets up the following two comments. This letter is the commenter's second letter submitted on the Draft EIR.

Response to Comment 3-58

Please refer to Response to Comment 3-24.

Response to Comment 3-59

As shown in the above responses to comments, the Draft EIR includes information, which is accurate and adequate under CEQA. Therefore, the conclusions of the Draft EIR are not changed and significant new information is not presented, which does not warrant recirculation of the Draft EIR.

Letter 4

From: Jim C
To: Placer County Environmental Coordination Services;
Subject: Rancho Del Oro Estates
Date: Thursday, January 21, 2010 12:48:17 PM

Hi Maywan,

4-1 We wanted to let the county know that we do NOT support the Ranch Del Oro Estates project as proposed with 89 lots on 119.4 acres. It's simply too many homes per the acreage. We believe that the environmental impact would be very significant to surrounding areas.

Thank you,

Jim & Kim Cassidy
4457 Olive Ranch Rd
Granite Bay

Letter 4: Jim and Kim Cassidy, Residents

Response to Comment 4-1

The comment expresses the commenters' opinion on the project and does not address the adequacy of the Draft EIR. It should be noted that the environmental impacts from development of the proposed project, which includes 89 units on 119.4 acres, are addressed in the Draft EIR, Chapters 4 through 14, and Chapter 16.

Letter 5

From: johnc96178@aol.com
To: Placer County Environmental Coordination Services;
Subject: Project: PEIR T20070164/State Clearinghouse #2006092101
Date: Tuesday, January 19, 2010 12:02:45 PM

Addressed to: Maywan Krach

5-1 In reference to the above Proposed Project on parcel APN # 046-090-012, I would like you to be aware of the following issues:

5-2 1. I am concerned about the impact of the land movement on our Miners Ravine stream. We have suffered upstream flooding and hope the movement of land down stream will not increase our flood risk.

5-3 2. The Shadow Oaks suggested easement should be made available for traffic in both directions in the event of emergency. My property on Ashby is trapped without ingress or egress when the bridge on Shadow Oaks floods in heavy rains. If an easement is established, properties between the Shadow Oaks over Miners Ravine bridge and Olive Ranch road should have a emergency exit by way of that easement. The way it is in your plans, it only allows fire and emergency equipment into the area while preventing home owners from using the easement for exiting and returning to their property during emergencies such as flooding of the bridge.

I can be reached at, 916.768.2622.

Best wishes,

John Costa
5454 Ashby Lane
Granite Bay, CA 95746

Letter 5: John Costa, Resident

Response to Comment 5-1

The comment is introductory and does not address the adequacy of the Draft EIR.

Response to Comment 5-2

The proposed project includes a 100-foot setback from the centerline of Miners Ravine. Impacts to Miners Ravine and potential flooding risks are addressed in the *Hydrology and Water Quality* chapter and the *Cumulative Impacts and Other CEQA Sections* chapter (page 16-36) of the Draft EIR. The proposed project does not include improvements within the floodplain. All potential flooding impacts identified are able to be reduced to a less-than-significant level with the implementation of the mitigation measures presented in the Draft EIR.

Response to Comment 5-3

Primary emergency response to the project site is provided by the South Placer Fire District (SPFD) fire station located ¼ mile to the east of the project site, at 5300 Olive Ranch Road. The project developer has included the proposed off-site emergency vehicle access (EVA) route in the project description as requested by SPFD to provide improved overall emergency response to properties on Shadow Oaks Lane and Cavitt-Stallman Road, as well as a more direct route to the project site for utilization by secondary emergency vehicle responders. The request by the commenter to allow additional access to private property owners over the emergency access easement does not pertain to the adequacy of the Draft EIR; however, the comment has been forwarded to the decision-makers for their consideration.

Letter 6

From: Jayashree Doyle
To: Placer County Environmental Coordination Services;
Subject: Rancho Del Oro Estates proposed project
Date: Thursday, January 21, 2010 11:16:17 PM

Paul Thompson
Placer County Planning Dept
Auburn, CA

Dear Mr. Thompson,

6-1 My family and I live on Ashby Lane, northeast of the proposed project. We are concerned about the impact on the flow of water along Miners Ravine as this affects both our property and the bridge across Shadow Oaks Lane. It is not clear from the EIR whether this impact has been considered or studied, and what may be the possible changes to the water level due to the proposed project. We would appreciate your response to this and the results of studies related to impact of flow of water in Miners Ravine from this proposed project.

Thank you for the opportunity to provide comments regarding this project.

Sincerely,

Jay Doyle
5435 Ashby Lane
Granite Bay
(916) 759-6118

Letter 6: Jay Doyle, Resident

Response to Comment 6-1

Potential for downstream flooding on Miners Ravine from increased peak flows resulting from the proposed project is addressed in Impact 12-1, beginning on page 12-9 of the Draft EIR. As stated on page 12-10 of the Draft EIR, "the project would have an insignificant impact on peak flow runoff within the main stem of Miners Ravine; therefore on-site stormwater detention is only recommended for the portion of the project site that drains to Swale A". However, because specific construction plans and a final drainage report are not yet available, the Draft EIR includes mitigation measures to ensure the final design is consistent with County standards for drainage facilities, include adequate sizing of detention, which would result in a less-than-significant impact to both downstream and upstream reaches of Miners Ravine.

Letter 7

From: Michael Goshey
To: Placer County Environmental Coordination Services;
cc: Michael Goshey;
Subject: Del Oro Estates - Granite Bay - Planning Question
Date: Tuesday, January 05, 2010 9:56:43 PM

Hello –

7-1 I am the current HOA President for Grosvenor Downs in Granite Bay and have been reviewing the updated documents for the planned Del Oro Estates (http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EIR/RanchoDelOro/drafteir.aspx).

7-2 There seems to be some inconsistencies in the location of the secondary gated entrance to the planned project. Originally it lined up with Ramsgate Dr (which is the main road in my neighborhood that connects Douglas to Olive Ranch Rd.). Concerns were raised that this would create too much "cut-through" traffic in our neighborhood and from what I understand the decision was made to move the secondary entrance down 100 yards or so to help alleviate the problem.

Unfortunately not all of the documents in the latest report show that this secondary entrance has been moved. I would like to ask your department to reivew the documentation and ensure those that still show the original location are updated to reflect the new agreement and location. I realize there is a planned meeting about the Del Oro project on the 14th. I and many of my neighbors are planning to attend and object to this project if the secondary entrance is not properly adjusted in all documents as we believe that could easily lead to the builder putting it in the wrong location – thus negatively affecting our neighborhood and the safety of our families.

7-3

7-4 I would appreciate your assistance in making these corrections.

Can you get back to me before the 14th with the updated documentation?

Regards,
Michael Goshey
916-791-8619
mgoshey@surewest.net

Letter 7: Michael Goshey, Resident

Response to Comment 7-1

The comment is an introductory comment and does not address the adequacy of the Draft EIR.

Response to Comment 7-2

As shown in Chapter 3, *Project Description*, Figure 3-3 (Vesting Tentative Map) on page 3-5 of the Draft EIR, the proposed project includes the access point at Road D located approximately 400 feet west of Ramsgate Drive on Olive Ranch Road. Therefore, the proposed project does indeed include an entrance offset from Ramsgate Drive. Furthermore, if approved, the project would be conditioned to construct this access as shown on the Vesting Tentative Map.

Response to Comment 7-3

Please refer to Response to Comment 7-2.

Response to Comment 7-4

The comment is a concluding comment that does not address the adequacy of the Draft EIR.

Letter 8

Frank B. Gullum II
Sue M. Gullum
4762 Olive Ranch Rd.
Granite Bay, CA 95746

PLACER COUNTY
DATE RECEIVED
JAN 14 2010
PLANNING
Frank & Sue Gullum

January 14, 2010

Maywan Krach
Environmental Coordination Service
PC Community Development Resource Agency
3091 County Center Drive,Ste. 190
Auburn, CA 95603

Rancho Del Oro DEIR Response

We live directly across from the proposed development, and have lived there since 1985. We suffered through the last "20 year plan," and felt that Mr. Tsakopoulos got more than a "fair shake" when he was allowed to rezone from 20 acre agricultural to the current zoning for his property.

8-1 We are totally against the current push to rezone, which will be followed by the mowing down of as many trees as they dare, with the promise to plant three trees for every one removed, and pack the property with double the houses allowed in the current zoning. The street was named OLIVE RANCH for a reason, olive trees and ranches.

The surrounding properties on the Ranch Del Oro side of the street are also zoned agricultural, to allow for horses if the residents want. Mr. Tsakopoulos agreed with that distinct zoning for the past 20 years. What has changed on the street since then? Nothing.

8-2 We are opposed to any type of sound wall. The entire length of Olive Ranch Rd. is rural in nature. As we read the last paragraph on p7-1, Frank and I were puzzled. It reads, "Views in the area vary from those of low spreading residences, partially concealed by dense vegetations, to views of residential areas characterized by sound walls and large residences." In reality, there is only one sound wall on Olive Ranch Rd., and it is set back from the road and concealed by the mature olive trees that were on the property when it was constructed and left in place at the time of development.

8-3 Policy 8 of the GBMP states, "Where possible, preserve the native trees and support the use of native drought tolerant plant material."

8-4 We question the conclusion reached in 7-2 that states the location of the privacy wall would be consistent with the GBMP policies pertaining to country roadways, resulting in a less than significant impact. Both the PCGP and the GBMP suggest using vegetation for screening, not sound walls. We could live with and support this alternative.

8-5 Frank and I currently experience car fumes as cars and trucks slow to a stop one house away. Then we experience more exhaust fumes as the cars take off down Olive Ranch. It is not enjoyable and it is difficult to have the windows open in the summer. Under the current Rancho Del Oro proposal the development of 89 lots would mean a considerable number of vehicles and delivery vehicles exiting and entering. Adding gates and stop signs will slow the process down and allow for additional air pollution to be absorbed by residents, pets, wildlife and vegetation.

8-6 We are not against progress and we realize every owner has the right to develop the land they own.

Sincerely submitted,

Sue M. Gullum

Frank B. Gullum II
Sue M. Gullum

LETTER 8: FRANK AND SUE GULLUM, RESIDENTS

Response to Comment 8-1

The comment presents the commenter's opinion regarding the planning history of the site, the proposed rezone, and tree removal. However, the comment does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 8-2

Future traffic noise along Olive Ranch Road does not warrant a sound wall as determined in the *Noise* Chapter of the Draft EIR. The proposed wall along Olive Ranch Road is considered a "privacy wall". Please see Response to Comment 2-3.

Response to Comment 8-3

The comment reiterates Granite Bay Community Plan, Community Design Element, Policy 8, and does not address the adequacy of the Draft EIR. Table 4-2 of the Draft EIR on page 4-18 addresses Policy 8.

Response to Comment 8-4

As noted on page 7-9 of the Draft EIR, "Guideline 7 [of the Placer County Rural Design Guidelines] requires solid walls to be fully concealed by existing or added vegetation and set back at a minimum of 50 feet from the edge of pavement. The proposed project conceptual landscape plan and Vesting Tentative Map indicate that the privacy wall would be setback from the edge of pavement by a four-foot wide meandering concrete path surrounded by trees and vegetation and […] would be set back 50 feet from the edge of pavement." The Granite Bay Community Plan requires developments along Olive Ranch Road to comply with the Placer County Rural Design Guidelines, as noted on page 7-9. Therefore, consistent with the conclusion in the Draft EIR, the proposed privacy wall is consistent with the Placer County Rural Design Guidelines and therefore the Granite Bay Community Plan, which would result in a less-than-significant impact.

Response to Comment 8-5

Air quality impacts resulting from development of the proposed project and resulting traffic volume increase are addressed in Impact 9-4, on page 9-17 of the Draft EIR. The resulting pollutant levels are presented and the Draft EIR concludes that a less-than-significant impact would result because the pollutant levels are below the Placer County Air Pollution Control District thresholds of significance.

Response to Comment 8-6

The comment expresses the commenter's opinion on progress and understanding of private property rights. The comment does not address the adequacy of the Draft EIR.

Letter 9

From: hollyjesq@aol.com
To: Maywan Krach;
Subject: Rancho Del Oro - Draft Environmental Impact Report - Public Comment
Date: Friday, January 15, 2010 11:38:19 AM

January 15, 2010

Maywan Krach
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn, California 95603
e-mail: mkrach@placer.ca.gov

Re: Rancho Del Oro - Draft Environmental Impact Report - Public Comment

Dear Ms. Krach:

9-1 The purpose of this correspondence is to provide public comment on the Rancho Del Oro project, in particular the Draft Environmental Impact Report ("DEIR"). Based upon the representations made at the Planning Commission meeting on January 14, 2010, the DEIR found that there will be **significant and unavoidable impacts** and negative affects to the biological resources in the area due to this proposed project. Namely, there will be significant and unavoidable impacts to the freshwater shrimp, elderberry beetle, oak woodlands and jurisdictional waters of the United States. *I am hereby requesting that the proposed project to rezone this division be denied.*

It is my understanding that approximately twenty years ago, this parcel was originally divided as approximately 20 acre agricultural lots and at that time was rezoned to 2.3 acre lots. The current proposal requests a rezoning to 1.0 acre lots, with the affect of **adding 89 homes, an additional 40 more homes than are alloted per the current zoning rules to this parcel of land on Olive Ranch Road.**

9-2 Olive Ranch Road is a rural area and the affect of adding this number of homes is not justifiable. 9-3 The DEIR provides that there are significant and unavoidable affects from this proposal that cannot be mitigated. So, in effect, authorizing this subdivision will destroy biological aspects of this land and the area. One of the arguments utilized to advance this subdivison and the request to increase the zoning is the increase in taxes. However, 9-4 money alone is and should not be a basis to authorize a request for rezoning. I submit to you that the argument of the increase in taxes as a basis to support this project is a red-herring. With the increased amount of homes also comes the increased need for services, such

Letter 9
Cont'd.

9-4 Cont'd. as utilities, police and fire services. *This argument also does not take into*
9-5 *account that the rezoning of this subdivision will destroy the uniqueness of the*
9-6 *area and the natural lay of the land. Significant oak and pine trees will be*
9-7 *destroyed. Hawks nesting on the property and burrowing owls will lose their*
9-8 *habitat. Elderberry shrubs and beetles, although federally threatened species,*
9-9 *would be allowed to be moved under this project. There will be significant*
increase in traffic on a rural road. It abuts a protected salmon area, and there is
the potential of having Native American artifacts on the land.

9-10 I am requesting that you maintain the current zoning of this land. I have not heard one person from our community who is in favor of this zoning revision. It is not a benefit to our community. There are a large number of homes currently available for sale in our area, and there are areas which have been graded and still sit for years as empty lots.

9-11 My concern on this project is twofold. One, it is the project itself which will have negative lasting impact on the surrounding area and two, the domino affect of the subdivisions, building and destroying the uniqueness of our area.

9-12 I do not live adjacent to this property. I will not see it on a daily occurrence. However, I am a resident of this community and I feel it will set a bad precedent to proceed with this subdivision. I cannot emphasize enough that our community, Granite Bay, is known for the beauty and uniqueness of the area. The oaks. The land and open spaces. The natural contours of the land. The wildlife. There are only so many homes, subdivisions and buildings that are created before the area becomes just like any other town, and the very nature of the area that we all enjoy and treasure is destroyed. I believe that we have an obligation to protect our natural resources.

9-13 If you have not seen the area, please do so. I encourage you to travel past that area, down Barton Road and the side roads. Realize that building 89 homes, 40 more homes than are allotted, in that area on Olive Ranch Road is not in accordance with the surrounding community, and is not in our best long-term interests.

9-14 Lest you think that I am opposed to any building, please consider that the owner of the property currently has the right to build that which the property is zoned for under the law. There is no reason why the density should be increased for short term financial gain for a limited few that will have the affect of destroying the natural resources. The ongoing request to urbanize our area can be denied, which is what I respectfully request that you do in this case.

Thank you in advance for your consideration in this matter.

Letter 9
Cont'd.

Sincerely,
Holly Johnson
8277 Cantershire Way
Granite Bay, California 95746

Letter 9
Cont'd.

Sincerely,

Kellie Malamatenios
5525 Cavitt Stallman Road
Granite Bay, CA 95746

LETTER 9: HOLLY JOHNSON AND KELLIE MALAMATENIOS, RESIDENTS

The comment letters received from Holly Johnson and Kellie Malamatenios were identical letters from the date at the top to the conclusion at the end. The only differences between the two comment letters are the signature at the end (as identified in the bracketed letter above) and the date that the letters were emailed to the County. Therefore, the letters have been combined in Comment Letter 9.

Response to Comment 9-1

The comment expresses the commenters' understanding of the proposed project, conclusions in the Draft EIR, and planning background of the project site. In addition, the comment provides a request regarding denial of the proposed rezone. The comment does not address the adequacy of the Draft EIR; however, it has been forwarded to the decision-makers for their consideration.

Response to Comment 9-2

The comment pertains to justification for the project, but does not specifically address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 9-3

The Draft EIR concludes that the project-level biological resource impacts are reduced to a less-than-significant level with the implementation of mitigation measures. Both the Placer County General Plan EIR and the Granite Bay Community Plan EIR identified the cumulative impacts to biological resources to be significant and unavoidable. The proposed project impacts would contribute to the cumulative biological resource impacts and also result in a significant and unavoidable impact.

Response to Comment 9-4

The comment addresses tax revenue to the County and does not specifically call into question the adequacy of the Draft EIR. However, the comment has been forwarded to the decision-makers for their consideration. It should be noted that the proposed project impacts to public services (including utilities, police and fire services) are addressed in Chapter 13, *Public Services and Utilities*, of the Draft EIR. As identified in the Draft EIR, all potential impacts regarding public services and utilities were reduced to a less-than-significant with implementation of the mitigation measures presented.

Response to Comment 9-5

The comment presents the commenters' opinion regarding the proposed project impact to uniqueness and natural lay of the land. However, the comment does not specifically address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration.

Response to Comment 9-6

Please refer to Response to Comment 2-33.

Response to Comment 9-7

The comment presents the commenters' concerns regarding the proposed project impacts to hawks, burrowing owl, and valley elderberry beetle. Mitigation measures have been included in the Draft EIR for raptors and migratory birds (Mitigation Measure 5-6), burrowing owl (Mitigation Measure 5-5), and valley elderberry longhorn beetle (Mitigation Measure 5-4).

Response to Comment 9-8

The comment appears to be referring to Olive Ranch Road in the statement, "a rural road." Although traffic would be increased on Olive Ranch Road, and surrounding roadways, the Draft EIR, Chapter 8, *Transportation and Circulation*, concludes that no significant traffic impacts would be generated by the proposed project.

Response to Comment 9-9

The comment presents the commenters' concern regarding salmonid utilization of Miners Ravine and the potential impacts to cultural resources. Page 5-33 of the Draft EIR states that special-status fish species have been known to utilize Miners Ravine for spawning; however, the drainage improvements associated with the proposed project would not result in an impact to the special-status fish species. In addition, mitigation measures have been incorporated into the proposed project to ensure that cultural resources are protected and impacts reduced to a less-than-significant level.

Response to Comment 9-10

The comment states an opinion regarding the proposed project and does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 9-11

Project-level impacts from the proposed project are addressed in Chapters 4 through 14 of the Draft EIR. All potential project-level impacts identified in the Draft EIR would be reduced to a less-than-significant level with the implementation of the mitigation measures provided. In addition, cumulative impacts are addressed in Chapter 16 of the Draft EIR. All cumulative impacts identified in the Draft EIR would be reduced to a less-than-significant level with the implementation of the mitigation measures provided except for the cumulative loss of biological resources in Placer County. It should be noted that the project site has been designated for development of up to 99 lots for over 20 years in the Granite Bay Community Plan, and surrounding areas are identified for development in the Granite Bay Community Plan.

Response to Comment 9-12

Please refer to Responses to Comments 2-28 and 3-35.

Response to Comment 9-13

The comment does not specifically address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration. The project density is consistent with that allowed under the site's current Granite Bay Community Plan land use designation of Rural Low Density Residential.

Response to Comment 9-14

The comment concludes the comment letter and requests denial of the project as proposed. The comment does not address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration.

Letter 10

EASEMENT

10-1 Is the area between the Olive Ranch Road and the fence on the subject's property protected by an easement?

10-2 There is a school bus stop shelter on the southwestern corner of the property. Is it going to be protected or is the property owner going to build a new one?

There are several bus stops on Olive Ranch Road that is in juxtaposition with the property in question. However, the stop mentioned above is the only stop that is sheltered.

10-3 The school bus stops support many schools in the immediate area with pickups in the mornings and drop-offs in the afternoon.

What are the owners plan to support the school children with bus stops?

Richard Langowski
8044 Wyndham Hill
Granite Bay

PLACER COUNTY
DATE RECEIVED
JAN 14 2010
PLANNING DEPARTMENT

Richard Langowski

Letter 10: Richard Langowski, Resident

Response to Comment 10-1

As shown on Figure 3-3, Vesting Tentative Map, on page 3-5 of the DEIR, there will be 50 feet (from edge of pavement on Olive Ranch Road) to the wall and within this area there will be a four-foot wide meandering concrete path surrounded by trees and vegetation. "The area between Olive Ranch Road and the fence" would be partially within a County road easement and partially within Open Space Lots A, B, and C maintained by the homeowners association.

Response to Comment 10-2

As shown on Figure 3-3, Vesting Tentative Map, on page 3-5 of the Draft EIR, the project will construct a bus turnout near each of the project entrances (two total). The project will be required by condition of approval to provide school bus/turnouts to the satisfaction of the CHP and local bus service provider. A letter from the local bus service provider shall be provided to the County ESD prior to Improvement Plan approval.

Response to Comment 10-3

Please refer to Response to Comment 10-2.

Letter 11

From: rbmclean@aol.com
To: Maywan Krach;
Subject: Rencho Del Oro Project Draft EIR Report
Date: Monday, January 18, 2010 12:05:35 PM

January 18, 2010

Maywan Krach
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn California 95603

Re Rancho Del Oro – Draft environmental Inpact Report – Public Comment

Dear Ms. Krach,

11-1 The purpose of this correspondence is to outline concerns with this project and make recommendations regarding it's modification.

Let me say the draft report is comprehensive and touches on many important factors. The principal areas of concern include the following

11-2 1. **Impact on Growth** - By doubling the number of residences called for by the proposed development, the changes would increase the growth potential for this section of Granite Bay far beyond the rate established by the current plan. This would adversely affect many of the physical aspects of the surrounding areas in that it would double all the services estimated in the plan thus forcing unanticipated lifestyle changes. Implementation of this project, as proposed, would lead to further unintended development, resulting in long term compromise of the plan.

11-3 2. **Transportation Concerns** - As outlined in the draft report, extensive modifications to the surrounding transportation system would be required. Although it is not mentioned in the report, the expansion of the Bayside church will compound the transportation density on Cavitt-Stallman road and especially since there is no

Letter 11 Cont'd.

11-3 Cont'd. access to Sierra College Boulevard through the Bayside property, backups will become the norm. Additional traffic through the secondary streets and on an already busy Douglas boulevard will undoubtedly cause additional delays.

11-4 3. **Physical Environmental Problems** - The changes proposed to the environmental nature of the property are also disturbing. With the originally planned density of the property, environmental changes could be largely avoided. The streams, trees and habitat could be minimally affected. The proposed development obliterates much of this environment and reduces the rural character of the area, to say nothing of the damage done to the flora and fauna now there.

11-5 4. **Affects on Granite Bay Plan** - The Granite Bay plan, as is currently conceived, envisioned the town as being a pleasant rural area of relatively moderate growth and uncrowded streets, melding into a natural setting. Accelerated growth, citified streets, dense settlement was not what the plan was meant to do. Unless I'm mistaken most of the citizenry backs the current plan. A departure of this magnitude is totally unwelcome.

11-6 I am not wedded to the concept of having 2 acre lots in this area, as there are many areas in Granite Bay with smaller more manageable parcels. What I recommend is developing fewer lots and providing more open space to mitigate environmental damage, reduce traffic impact and minimize future growth effects, resulting in plan deviations. In other words, adhere to the Granite Bay plan as closely as possible without sacrificing anyone's economic wellbeing.

Sincerely,

Robert B. and Priscilla A. McLean
8278 Cantershire Way
Granite Bay CA 95746

Letter 11: Robert and Priscilla McLean, Residents

Response to Comment 11-1

The comment is introductory and does not address the adequacy of the Draft EIR.

Response to Comment 11-2

As noted in the Draft EIR, page 3-4, the project site is designated as Rural Low Density Residential in the Granite Bay Community Plan. The proposed project does not include an amendment to change this designation. In addition, although rezoning of the site would increase the allowable density and number of units on the site (the current zoning would only allow up to 42 residential lots on the project site, or up to 63 residential lots if developed as a Planned Development), the resultant project density would be within the range allowed for the GBCP RLDR land use designation for the site. Growth-inducing impacts from the proposed project are addressed in Section 16.4, Growth-Inducting Impacts of the Proposed Project, on page 16-40 of the Draft EIR. As stated on page 16-41 of the Draft EIR, "the proposed project includes 10 fewer lots than would be allowable under the existing land use designation." Therefore, the proposed project does not increase the growth planned for the area beyond what was anticipated in the Granite Bay Community Plan. It should be noted that physical impacts resulting from implementation of the proposed project (including public services) are addressed in Chapters 4 through 14, and Chapter 16.

Response to Comment 11-3

Traffic impacts related to Bayside Church are addressed in the Draft EIR on page 8-13, under Impact 8-3. In addition, the Transportation Impact Analysis (Appendix J of the Draft EIR) addressed traffic from the Bayside Church expansion on page 20. Therefore, the traffic generated by the Bayside Church was included in the impact analysis of the Draft EIR and it was determined that no impacts would result from the project in combination with other short-term projects, including the Bayside Church expansion.

Response to Comment 11-4

As noted on pages 5-33 through 5-45 of the Draft EIR, all potential project-level impacts to existing streams, trees, habitat, flora, and fauna would be reduced to a less-than-significant level through the implementation of the mitigation measures provided in the Draft EIR. In addition, the project site is designated as Rural Low Density Residential and the proposed project is consistent with this designation. Therefore, the project would still be considered rural.

Response to Comment 11-5

As noted in Response to Comment 11-2, the proposed project is consistent with the site's land use designation in the Granite Bay Community Plan.

Response to Comment 11-6

The comment presents project alterations, and does not address the adequacy of the Draft EIR. However, the comment recommendations have been forwarded to the decision-makers for their consideration. It should be noted that the *Alternatives* Chapter included consideration of other designs, including a No Project – No Build Alternative, a Base Zoning Alternative, and a Planned Development Alternative.

Letter 12

Letter 12

Jane Negri
4502 Olive Ranch Rd.
Granite Bay, Ca. 95746

Jan. 18, 2010

RECEIVED
JAN 20 2010
PLANNING DEPT.

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

Rancho Del Oro Response

12-1 I spoke at the Placer County Planning Commission meeting on Jan. 14, 2010. I did not have time for all of my comments so I'm sending the additional ones by mail.

12-2 As an infill project this development is supposed to reflect the surrounding community. It is significantly different than anything in our neighborhood. I live in the Whispering Oaks Development. When our homes were built in the 70's the developer sought to maintain as much of the natural habitat and terrain as possible. At that time it was considered an asset to have oak trees on your property. If you view the Vicinity Map Attachment 2, in the packet handed out at the hearing, you will notice that all surrounding developments with the exception of Rollingwood and parts of Grosvenor Downs maintain the native oak trees. If this property is developed as Figure 15-1 Base Zoning Alternative suggests then the aerial view, when completed, will reflect the surrounding community. If the proposed 89 homes are built it will look as if a small city were dropped down into our community, this is definitely not a reflection of our neighborhood.

12-3 I would ask you to carefully study Chapter 16, especially 16.2 Significant Irreversible Changes and 16.3 Significant Environmental Effects Which Cannot Be Avoided. I disagree with the air quality conclusion that states this proposed development would not create any "new drivers", maybe not in the global sense but certainly in the local sense, as the report did state that 934 new daily trips would be added to Olive Ranch Rd. There is no need for a study to tell us that the CO2 emissions and GHG will greatly increase when that many cars are added to our rural road. I would like to have had a chart reflecting how the tremendous loss of trees and vegetation will effect global warming, GHG, and CO2 emissions.

12-4

12-5

12-6 In 16.4 Growth Inducing Impacts I do not understand the second paragraph on page 16-41 . The property is currently zoned for 40 houses so I don't understand how the conclusion is reached that the proposed project is less than the current amount allowed. Please explain this to me when you reply to my comments. Also the statement that this is not a growth inducing project is not totally correct. The granting of this proposal will set precedent for the adjacent Tanner property to be rezoned at a higher density. This request is already a reality.

12-7

Letter 12
Cont'd.

12-8 There are many large oak and pine trees that border Olive Ranch Rd. and they will be cut down if the proposed landscaping and sound wall are approved. I ask the developer to leave these trees and construct the meandering walkway out of natural material around these trees and thus preserve the rural nature of our street and honor the GBMP.

12-9 I included some pictures with my Jan.14th talk and they show some of the magnificent oaks that will be destroyed. As has been stated numerous times before there is no need for a sound wall and it is not in keeping with the neighborhood. It would be a significant impact to me and the other neighbors who will live across from it.

12-10 The Proposed two gated entrances are also not in keeping with our neighborhood.

12-11 The open spaces in the development will not be accessible to the community and will only benefit the people inside the gates.

12-12 The addition of two more streets emptying onto Olive Ranch Rd. will further increase our traffic and air pollution.

12-13 The road that comes out on the west end of the property crosses Swale A with the designation of a Riverine Perennial Marsh. This is an environmental sensitive area where many types of wildlife live. Every year we enjoy great blue heron, egrets, and ducks in these wetlands. The compaction from development and the car exhaust will eliminate this natural feature that should be preserved.

12-14 This road is only necessary in the proposed rezoning of the property. If the original zoning is maintained these natural wetlands will really be preserved and there will be no road in this area.

12-15 At the very least I would suggest eliminating lots 33, 34, & 35 and thus the need for this road over a swale and in a designated open space area. Also I would ask that there be only one entrance across from an existing street and not across from someone's front yard. I do commend the developer for listening to the request of the residents of Grosvenor Downs subdivision and moving the entrance across from Rams Gate. I would ask for the same consideration for the rest of us and only add one new entrance to our already busy road.

12-16 Many concerned residents were unable to attend the Jan. 14th meeting due to the 10:05am time coming during their work day. The 30 residents that signed the petition in Sept. 2009 still stand together supporting the current zoning on the property. We want to maintain the rural atmosphere of our neighborhood. We want to maintain the Agricultural zoning so we can enjoy country living. We live here because we enjoy the natural habitat and all the benefits it brings to our lives. We ask that you stand with the local community and deny the rezone request.

Thank You,

Jane Negri

Jane Negri 916 -791- 0846

Letter 12
Cont'd.

PLACER COUNTY
DATE RECEIVED
JAN 14 2010
PLANNING COM...
Jane Negri

Jane Negri
4502 Olive Ranch Rd.
Granite Bay, CA 95746

January 12, 2010

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

Rancho Del Oro DEIR Response

12-17 I did have a difficult time reviewing this DEIR project due to the manner in which the information was presented. I could not view the disk of the project and it was very difficult to take notes from the internet as I wanted to compare sections of the proposal. The timeline was also a major hindrance as it was during two major family holidays. I was not able to read the whole report and I had questions about the traffic survey but no time to find the answers.

12-18 I would request that 2 of the charts be revised so they are legible. I could not read the key and notes on either Figure 5-3 or Figure 5-4 on pages 5-39 and 5-40, even with a magnifying glass. These are two important charts on the Oak Woodlands Significant Trees and we need to be able to read them.

12-19 I live directly across from the proposed development. I am asking you to retain the existing zoning of Agricultural Residential with 2.3 acre minimum and provision for a PUD at the same density. This would protect the unique natural features of this property. I did not read one letter from our community in support of increased density nor have I talked to any residents of Olive Ranch Rd. who think this proposed project will benefit our neighborhood. There are currently about 180 large homes for sale in Granite Bay with this much housing available I do not see any justification for rezoning the property and adding an additional 49 extra homes to the market.

12-20 The rezone on this property allowing greatly increased density will have a major impact on increasing light and glare in our neighborhood. We currently do not have street lights and do not want them. The Visual Resources analysis stated that impacts associated with the new sources of light and glare would be potentially significant however this would be reduced to

Letter 12
Cont'd.

12-20 Cont'd. less than significant by mitigations. It is very evident that 40 homes versus 89 homes would produce a significantly lower level of light and glare and thus be the best mitigation plan.

12-21 In the area of Visual Resources section, I would also like to draw your attention to the pictures Figures 7-2 through 7-5. Figure 7-5 View from the Southern Border of the Site, is not an acceptable representation of the homes to the south. I have included with my letter, pictures of other homes to the south that do represent the neighborhood. Also there are pictures of the mallard ducks in the wet lands by proposed lot 33.

12-22 The Biological Resources on this property are incredible. P15-3 states," Implementation of the Proposed Project would potentially disturb special-status plant species, freshwater invertebrate habitat, valley elderberry longhorn beetle habitat, western burrowing owl habitat, raptors and migratory bird nesting habitat, oak woodland, and impact jurisdictional wetlands." ..."The implementation would result in a cumulative loss of biological resources in Placer County and the effects of ongoing urbanization in the region. The impact would be significant and unavoidable." These statements alone should make us realize the importance of supporting the current zoning on this property. Why would we want to lose this valuable resource for an additional 49 houses granted to a developer that doesn't even live in our community?

12-23 I have repeatly mentioned the hawks that nest on that property. They fly over our neighborhood and hunt in my backyard. I have pictures of 4 juveniles sitting on my fence as they learn to hunt. According to their coloration and marking I believe they are Swainson's hawks, but I'm not sure. The one thing I know is that they have returned to that property for the last 34 years nested and raised their young. The tall old oak and pine trees that are being threatened are their homes. The mitigation measures only allow for protection of the nests during development. This is a short sighted protection, as what will happen when the hawks return to nest in those trees the next year and find they have been replaced by 24inch box trees? They will leave and we will lose another valuable natural resource. The same is true for the mitigations proposed for the burrowing owl. It is really only a temporary protection and then they are relocated.

12-24 It sounds like the elderberry shrubs and longhorn beetles are safe but there is a statement on p 5-4 that says,"should avoidance of one or more elderberry shrubs be infeasible, the applicant shall consult with the USFWS to determine if authorization is needed to remove the elderberry shrubs." So it seems that even the elderberry long horn beetle with Federal Threatened status can be moved if necessary for development. This need would be eliminated under the current zoning.

12-25 The oak woodlands are a major concern to all of the neighbors. We see the loss of 1,000s of trees if rezoning of the property is allowed. Yes, some of them are split and have holes in them

2

Letter 12
Cont'd.

but they are providing habitat for the numerous birds and animals mentioned on p.5-5 under Habitat Value and Woodland Function. In addition to the average oak tree removal the applicant is asking for removal of 69 significant oak trees. I don't understand how you can call it a subdivision improvement when a tree that is probably over a 100 years old is removed and replaced with smaller trees and 50% of replacement is with smaller plants in pots. I do understand that paying a fee to cut down these beautiful trees is not consistent with the PCGP and the GBMP. Goal 1 and 3 of the GBMP respectively state," To preserve and protect the natural features and resources of the community, which is essential to maintaining the rural quality of life within the community " and "To protect and preserve all outstanding areas of natural vegetation, wildlife and adequate resources. On page 16-40 I draw your attention to the paragraph under Biological Resources that states, " Increased development and population would occur due to the proposed project. The resulting increase in the human population and associated development would convert wildlife habitat and reduce the quality of the remaining habitat. Development of the proposed project would result in a substantial change in habitat types on-site. Despite implementation of mitigation for impacts to special-status plant species, special-status wildlife species, and oak woodlands, the project would still create a net decrease in open space, grasslands, and oak woodlands, and an increase in developed area. Therefore, the cumulative impact on biological resources is considered significant and unavoidable." It is very clear that maintaining the current zoning is the right thing to do for our community and Placer County. The natural resources that will be lost on this property will not be renewed in our lifetime.

12-25 Cont'd.

12-26

I do not have time to mention in detail all of the other parts of this proposal that will impact our quality of life. Traffic, noise and air quality are mitigated once again by paying fees but that will not take away the approximately 934 new daily trips adding congestion and pollutants to our rural road. The DEIR concluded on p16-16 "that in regard to air quality the cumulative impact associated with the project would be potentially significant". There will be an increase in peak storm water runoff and flooding related to this proposed project. Implementation would also directly impact known prehistoric sites and would disturb Native American artifacts. Grading required for a development of this magnitude will eliminate the natural rolling hills and depressions of this property and greatly disturb the soil structure. The loss of the agricultural designation is another aspect that is in opposition to the goals of the GBMP and should be protected by maintaining the current base zoning.

12-27

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12-31

In conclusion I would ask you to carefully consider how this proposed project will benefit our area versus how it will destroy irreplaceable natural resources and quality of life for the community of people, plants and animals in Granite Bay and Placer County. I would encourage you to drive down Olive Ranch Rd. and view the land and surrounding area yourself before

12-32

3

Letter 12
Cont'd.

12-32
Cont'd.

making any decisions. The mitigation measures for this proposed project may meet the legal requirements for development but they do not meet the moral obligation to safeguard the last large piece of natural habitat in the Granite Bay area. I would ask you to deny a rezone on this property.

4

Letter 12: Jane Negri, Resident

Response to Comment 12-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 12-2

Please see Responses to Comments 2-9 and 2-40.

Response to Comment 12-3

The comment requests careful study of Chapter 16, especially 16.2 Significant Irreversible Changes and 16.3 Significant Environmental Effects Which Cannot Be Avoided. Careful study was employed in preparing this Chapter, as well as all other chapters of the Draft EIR. The comment does not identify any specific concerns regarding subsections 16.2 and 16.3; thereby precluding the ability to provide a specific response.

Response to Comment 12-4

The reference to 934 net new weekday vehicle trips on page 9-17 of the Draft EIR, under Impact Statement 9-4, "Impacts related to long-term increases of criteria air pollutants," is within the context of the "region," which can be more or less considered as the Sacramento Valley Air Basin (SVAB). It is possible that some percentage of new project residents would be relocating from outside the SVAB, which in turn, would bring "new" vehicle trips, and subsequently emissions, into the SVAB (Note: as shown in Table 9-9 of the Draft EIR, the proposed project would not result in emissions of ROG, NO_X, or PM_{10} that would exceed PCAPCD's significance thresholds for these pollutants.

In contrast to the above, the context of climate change is necessarily on a global scale. Within this framework of analysis, it is true, as stated in the Draft EIR, that:

> The proposed project for the most part would not "create" GHG emissions. Instead, by adding residences to the area, the project would create conditions under which emissions would "move" from one area to another, as an existing driver moves from one area to the other. This fact is critically important, because the approval of the proposed project would not directly result in the creation of new drivers – the primary source of the proposed project's emissions. Thus, the use of models that measure overall emissions, without accounting for existing emissions, would overstate the proposed project's impact related to GHG emissions.

As demonstrated on page 16-33 of the Draft EIR, the proposed project would include a number of features that would reduce the project's contribution to greenhouse gas emissions. Therefore, in light of the proposed project's inclusion of GHG reduction strategies and the speculative nature of determining "new" GHG emissions from the project on a global scale, the County determined that the proposed project would have a *less-than-significant* incremental contribution to the cumulative production of GHG emissions.

Response to Comment 12-5

Please see Response to Comment 3-32.

Response to Comment 12-6

Please see Response to Comment 2-8.

Response to Comment 12-7

Please see Response to Comment 2-5.

Response to Comment 12-8

The commenter requests the preservation of certain trees along Olive Ranch Road that are within the on-site area proposed as a 50-foot landscape setback. These requests are design considerations not addressing the adequacy of the Draft EIR. Therefore, the request has been forwarded to the applicant and the decision-makers for consideration. It should be noted that the Draft EIR includes Mitigation Measure 5-9, which sets forth the measures that the applicant must comply with in order to sufficiently address the project's impacts to oak woodlands (see also Response to Comment 2-11).

Response to Comment 12-9

Please see Responses to Comments 2-3, 2-6, 2-11, and 8-2.

Response to Comment 12-10

Please see Responses to Comments 2-6.

Response to Comment 12-11

Please see Responses to Comments 2-6.

Response to Comment 12-12

As noted in Response to Comment 9-8, although traffic would be increased on Olive Ranch Road and surrounding roadways as a result of the project, the Draft EIR, Chapter 8, *Transportation and Circulation*, concludes that no significant traffic impacts would be generated by the proposed project.

As noted in Response to Comment 8-5, air quality impacts resulting from the project's traffic volume increase are addressed in Impact 9-4, on page 9-17 of the Draft EIR. The resulting pollutant levels are presented and the Draft EIR concludes that a less-than-significant impact would result because the pollutant levels are below the Placer County Air Pollution Control District thresholds of significance.

Response to Comment 12-13

Contrary to the comment, the Perennial Marsh designated within Swale A would not be eliminated by the proposed project. As shown in Figure 5-5, on page 5-44 of the Draft EIR, 0.78 acres of the 0.96 total acres of Perennial Marsh within the Open Space Lots surrounding Swale A would be preserved. As further noted in the Draft EIR, page 5-43, the proposed project would result in potentially significant impacts to 1.67 acres of jurisdictional wetlands (including the 0.18 acres of Perennial Marsh within the Open Space Lots surrounding Swale A). However, the potentially significant impact identified would be reduced to a less-than-significant level with implementation of the identified mitigation measures (Mitigation Measures 5-10[a, b, and c]).

Response to Comment 12-14

In response to the comment and upon further consideration, page 15-6 of the Draft EIR regarding the Base Zoning Alternative is hereby further revised to clarify the extent of possible impacts to biological resources resulting from implementation of the Base Zoning Alternative (the below text includes revisions already made to the "Biological Resources" discussion for the Base Zoning Alternative on page 15-6 – see Response to Comment 2-40):

> In addition, similar to the proposed project, the Base Zoning Alternative would require removal of trees and habitat that would impact special-status species and jurisdictional wetlands. ~~However, significant oak tree losses on individual residential lots could be greater than the Proposed Project. Therefore, the Base Zoning Alternative would result in greater impacts related to biological resources, as compared to the Proposed Project.~~ **Both the Base Zoning Alternative and the proposed project would include similar lot-specific grading as the units are developed. Though somewhat speculative, the possibility exists that some homeowners would preserve a greater number of trees under the Base Zoning Alternative simply because their lots will be 1.3 acres larger than those proposed for the project, thereby allowing more trees to be retained. However, the extent to which each property owner would preserve trees on their property is speculative and for purposes of this analysis it is assumed that the level of biological impacts would be roughly equal for the proposed project and the Base Zoning Alternative. Concerning impacts to waters of the U.S., as indicated in the conceptual plan for the Base Zoning Alternative, Figure 15-1 of the Draft EIR, a road would likely not be included in the southwest corner, thereby not requiring a bridge over Swale A. This would eliminate the potential impact resulting from the proposed project to 0.18 acres of perennial marsh. All other impacts to waters of the U.S. resulting from the proposed project would be expected to occur with implementation of the Base Zoning Alternative.** However, it should be noted that similar to the Proposed Project, development of the Base Zoning Alternative would result in a significant and unavoidable cumulative impact to biological resources.

The above change to the Draft EIR analysis of the Base Zoning Alternative serves to provide greater specificity regarding the extent to which the alternative may impact waters of the U.S. The additional specifics will be considered by the decision-makers as they review the alternatives evaluated in the Draft EIR.

Response to Comment 12-15

Please see Response to Comment 12-14 regarding recommendations concerning the proposed road over Swale A. Regarding entrance points, it is not feasible to include only one entrance to the proposed subdivision as the Fire District requires a minimum of two entrance points for safety reasons.

Response to Comment 12-16

The comment presents the commenter's opinion regarding the proposed project, and does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

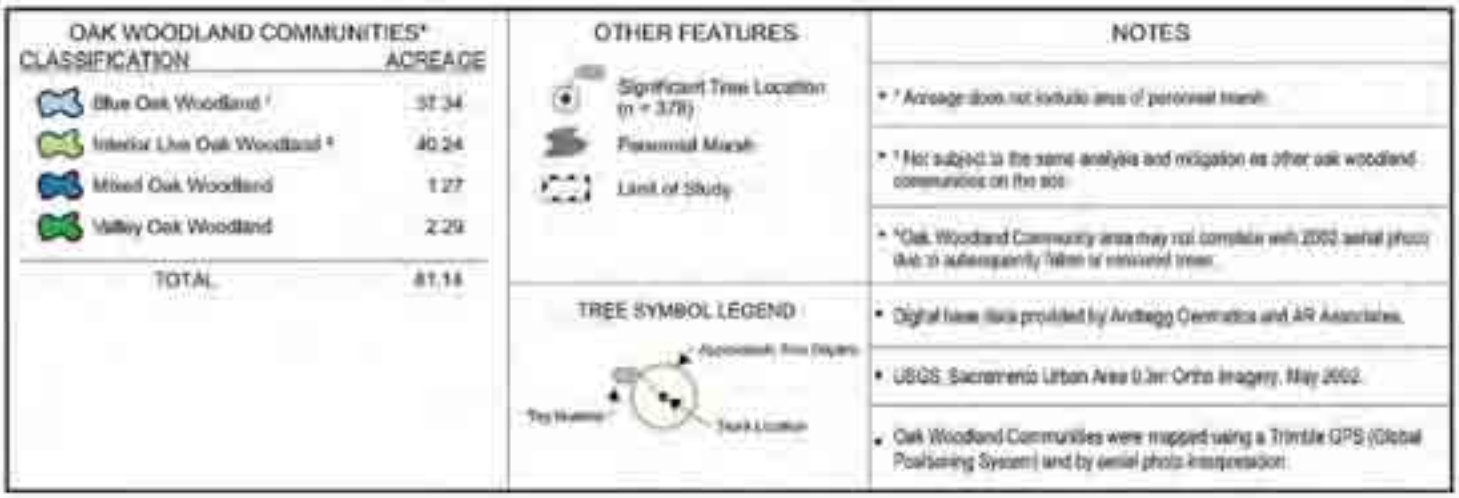
Response to Comment 12-17

Please see Response to Comment 2-1.

Response to Comment 12-18

The Key and Notes of Figures 5-3 and 5-4 are reflected in the text of discussion under Impact 5-9. However, for the benefit of the commenter, expanded Key and Notes are included below for review.

Figure 5-3 Legend



OAK WOODLAND COMMUNITIES* CLASSIFICATION	ACREAGE
Blue Oak Woodland [1]	37.34
Interior Live Oak Woodland [2]	40.24
Mixed Oak Woodland	1.27
Valley Oak Woodland	2.29
TOTAL	81.14

OTHER FEATURES

- Significant Tree Location (n = 378)
- Perennial Marsh
- Limit of Study

TREE SYMBOL LEGEND

NOTES

- * Acreage does not include area of perennial marsh.
- [1] Not subject to the same analysis and mitigation as other oak woodland communities on the site.
- *Oak Woodland Community area may not correlate with 2002 aerial photo due to subsequently fallen or removed trees.
- Digital base data provided by Andregg Geomatics and AR Associates.
- USGS, Sacramento Urban Area 0.3m Ortho Imagery, May 2002.
- Oak Woodland Communities were mapped using a Trimble GPS (Global Positioning System) and by aerial photo interpretation.

Figure 5-4 Legend

Response to Comment 12-19

The comment does not address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration.

Response to Comment 12-20

Impacts resulting from light and glare would be adequately mitigated by Mitigation Measure 7-3, which states:

7-3 *Prior to the issuance of building permits, the developer shall submit a lighting plan for the review and approval of the Placer County Building Official. The lighting plan shall include shielding on all light fixtures and shall address limiting light trespass and glare through the use of shielding and directional lighting methods, including but not limited to, fixture location and height. The lighting plan shall comply with the Placer County Design Guidelines for lighting, including, but not limited to, the following:*

- *Maximum height for building and freestanding lighting should not exceed 14 feet.*
- *If property is adjacent to a residential area or residentially zoned property, the lighting should not interfere with these areas.*
- *Lighting shall be directed away from adjacent roadways and shall not interfere with traffic or create a traffic hazard.*
- *Upward lighting shall be minimized to the greatest extent possible.*

Mitigation Measure 7-3 of the Draft EIR is the typical means by which light and glare impacts are

successfully minimized consistent with the County's Design Guidelines.

Response to Comment 12-21

Figure 7-5 of the Draft EIR shows the view from the project site facing south, which represents approximately 51 percent of the Olive Ranch Road frontage view of the neighborhood across from the project site. The additional pictures submitted by the commenter are included as Appendix B to this Final EIR. The additional photos show surrounding uses consistent with the surrounding land use description included in Impact 7-2 of Chapter 7, *Visual Resources*, of the Draft EIR, which states in part:

> The proposed project is primarily surrounded by existing or approved residential development. However, the change of the site from a rural undeveloped setting to a rural residentially developed environment would constitute a permanent alteration of the existing visual character, impacting surrounding properties.
>
> The proposed project includes the construction of an ornamental six-foot iron fence and six-foot privacy wall along Olive Ranch Road. The proposed privacy wall is located 50 feet from the edge of pavement of Olive Ranch Road. Developments along GBCP designated country collector roads, which includes Olive Ranch Road, are required to comply with the Placer County Rural Design Guidelines (PCRDG). Guideline 6 of the PCRDG requires development of a meandering path and Guideline 7 requires solid walls to be fully concealed by existing or added vegetation and set back at a minimum of 50 feet from the edge of pavement. The proposed project conceptual landscape plan and Vesting Tentative Map indicate that the privacy wall would be setback from the edge of pavement by a four-foot wide meandering concrete path surrounded by trees and vegetation and, as indicated above, the privacy wall would be set back 50 feet from the edge of pavement. Therefore, the location of the privacy wall would be consistent with the GBCP policies pertaining to country roadways, resulting in a ***less-than-significant*** aesthetic impact.

In addition, mallards are a common waterfowl species, which is protected under the Migratory Bird Treaty Act. The Draft EIR includes the following mitigation measures to ensure that no adverse impacts occur to migratory birds as a result of project implementation:

> *5-6(c)* *Prior to issuance of a grading permit, if any vegetation removal is expected to occur as a result of the project during the typical avian nesting season (February 1 to August 31), a pre-construction survey shall be performed to determine if active migratory bird nests are present on-site. The survey shall be conducted by a qualified biologist not more than two weeks prior to the onset of vegetation removal. If active migratory bird nests are found on-site, disturbance or removal of the nest shall be avoided until the young have fledged and the nest is not active any longer.*
>
> *It should be noted that extensive buffers, such as those recommended for nesting raptors, are not necessary for nesting avian species protected solely by the Migratory Bird Treaty Act. However, depending on the bird species, site conditions, and the proposed construction activities near an active nest, a small buffer could be prescribed, as determined by the biologist. Alternatively, vegetation removal could be scheduled to avoid all potential impacts. Vegetation*

removal conducted between September 1 and January 31 will prevent impacts to nesting birds and unfledged young.

Response to Comment 12-22

The comment reiterates Draft EIR conclusions and presents the commenter's opinion regarding the proposed project. The comment does not address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration.

Response to Comment 12-23

Mitigation Measure 5-6 of the Draft EIR does require protection of nesting raptors should they be detected on-site prior to initiation of construction activities. While, the majority of the habitat on-site that could provide nest sites for raptors would be removed, habitat for raptors that could occur on this project site is not expressly protected by any State or federal regulations. Rather, the Migratory Bird Treaty Act requires protection of the birds themselves. However, much of the potential nesting habitat that would be removed on-site consists of mature oak trees, which are required to be mitigated by the applicant per the County's oak woodland mitigation policies. This includes but is not limited to payment of fees, which will be utilized by the County to purchase conservation easements to other in-kind oak woodlands in the County.

Response to Comment 12-24

Please see Response to Comment 3-28.

Response to Comment 12-25

While the Granite Bay Community Plan and Placer County General Plan do contain policies focusing on the preservation of oak stands, as can be seen from the Draft EIR policy analysis contained in Table 4-2, the County has also established policies for those situations when loss oak woodlands would occur. This is in recognition of the fact that the County, while placing a high value on its oak woodlands, has also identified a certain amount of development in its General Plan and Community Plans, which would, in some cases, require the removal of oak woodlands.

Given the County's long-standing policies requiring mitigation for loss of its valuable oak woodland resources, the County has the experience needed to determine appropriate mitigation fees and other mechanisms to ensure that impacts to oak woodlands are successfully mitigated for the long-term in the County. In the case for the Rancho Del Oro Estates project, the County has used a combination of in-lieu fees and direct replacement to fully mitigate impacts to oak woodlands. Per County policy, oak woodland mitigation fees are based on acreage rather than individual trees, with the exception of "significant" oak trees, which have been clearly enumerated in Appendix A of Appendix F of the Draft EIR.

The County's Oak Woodland policy recommends payment of in-lieu fees to be deposited into the Placer County Tree Preservation Fund. The Fund is used for the purchase of conservation easements

within the County where existing oak woodlands that form a contiguous habitat can be permanently set aside. This method of conservation is consistent with the provisions of Senate Bill 1334 and with requirements of the CEQA Guidelines Section 21083.4.

Response to Comment 12-26

The comment presents the commenter's opinion regarding the proposed rezone. The comment does not address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration.

Response to Comment 12-27

The proposed project would result in increased traffic volumes, and the potential impacts from the additional trips to the local roadway network, air quality, and noise are addressed in Chapters 8, 9, 10 of the Draft EIR, respectively. Cumulative impacts for these topics are addressed in Chapter 16 of the Draft EIR. As noted by the commenter, the Draft EIR concludes that the proposed project would contribute towards a potentially significant cumulative impact to air quality given that the project's emissions would slightly exceed the Air District's cumulative emission threshold for reactive organic gases (ROG). However, consistent with the Air District's policy, implementation of Mitigation Measure 16-6 of the Draft EIR would ensure that the project's incremental contribution to the cumulative air quality impact would be reduced to a less-than-significant level. Further, it should be emphasized that the project would not result in any significant traffic impacts. However, the project would contribute to a significant cumulative traffic impact, for which mitigation has been incorporated into the DEIR (cf. MM 16-5). In addition, as demonstrated in Impact 16-8, cumulative impacts to noise would be less-than-significant.

Response to Comment 12-28

As stated on page 12-10 of the Draft EIR, "the proposed project including the on-site detention basin would slightly decrease peak flows for Swale A during the 100-year storm event" and "the project would have an insignificant impact on peak flow runoff within the main stem of Miners Ravine". Therefore, contrary to the comment, the project would not increase peak flows.

Response to Comment 12-29

As noted in Chapter 6 of the Draft EIR, impact discussions 6-1 through 6-3, the proposed project would result in a less-than-significant impact to all known prehistoric sites, which includes Native American artifacts, with implementation of the mitigation measures presented in the chapter.

Response to Comment 12-30

The proposed project includes minimization of grading as part of the project description, as noted in the Draft EIR on page 3-13, where it states, "Construction of the proposed project would require grading of the site for proposed roads and a select number of building pads" and "the proposed project intends to minimize grading, when possible, in order to preserve natural resources".

Response to Comment 12-31

Impact Statement 4-1 in the *Land Use* chapter of the Draft EIR addresses project consistency with the Granite Bay Community Plan. The Draft EIR determined that the proposed project is generally consistent with the Granite Bay Community Plan, for the purposes of environmental analysis.

Response to Comment 12-32

The comment presents the conclusion to the comment letter and states the commenter's opinion regarding the proposed project. See above responses to this letter regarding specific concerns expressed by the commenter.

Letter 13

From: Judith Stickney
To: Placer County Environmental Coordination Services;
Subject: Rancho Del Oro Estates Project - Comments
Date: Thursday, January 21, 2010 6:56:27 PM

Dear Sirs:

I am a resident at 5275 Ashby Ln in Granite Bay, Ca. I have reviewed this project and have discussed at length with several neighbors the apparent impact this project would have on me and my family. We have lived here for almost 16 years and have until recently had limited access to South Shadow Oaks Ln for emergencies, mostly to get to work when the bridge was flooded (perhaps 4-5 times since we have lived here) or in case of fire or medical emergency. Several years before we arrived, the community group purchased and erected a gate across Shadow Oaks Lane a little south of where it turns South , after Ashby Ln begins. The purpose of the gate was to avoid through traffic between Shadow Oaks Lane and S. Shadow Oaks Lane (or Cavitt-Stallman and Olive Ranch) on our privately maintained road. This decision for the gate was made by our community group at the time. A key was made available to each household and to the emergency responders.

When the lots were recently purchased below our gate, the original owner became hostile about the possibility of us driving between his lots. This was followed by the two families that moved into homes on these two lots that he developed.

13-1 Hostilities included chaining the gate, Dumping rocks across the opening after we removed the gate, and placing a tack strip and glass in the roadway(actually beyond his property line and on the easement between two of our community homes (properties). Representatives of our community group have tried to reach an agreement with these "neighbors" to no avail. Now we have learned that these hostile neighbors and the Fire Chief and the Developer of Rancho Del Oro Estates have agreed to have one- way access going North on Shadow Oaks through this area, erecting fences and two gates- one to their development turning left and one to our community at the north side where Shadow Oaks (North) and Ashby Ln. connect. We have not been approached by the Fire Chief, or Developer concerning this plan for a road and gate that would be placed on the property of two of our residents. This action would basically trap all or some of us if their were to be a fire anywhere from Cavitt-Stallman / Shadow Oaks intersection to the far end of

13-2 Ashby Ln. Likewise if there is any roadwork , fallen lines, or flooding of the stream- many of which have happened since we have lived here. This plan has completely disregarded our safety rights.

13-3 We purchased our homes with the understanding that we would have this egress. The appraisal maps show that there is a road going through to Shadow Oaks South. Many of the maps (including the one the sheriffs use and most of the GPS

Letter 13
Cont'd.

13-3 Cont'd. maps) have this marked as a road. There seems to be a variation in what our grant deed property descriptions and maps have listed from lot to lot and through time. However, we have found reference to a road easement on some. We continue to search.

13-4 Another concern that I have is that the run-off from the development would increase the level of water in Miner's Ravine that passes through our neighborhood and under (hopefully) our bridge. Since we have not been considered in the above discussed decisions that have been made, I feel uneasy about this as well, and would like an assurance that this has been considered and the results of that consideration.

Sincerely Yours,

Mrs. Dwight Stickney

5275 Ashby Ln.
Granite Bay, CA-95746
jsculpt@surewest.net
916-791-5964

Letter 13: Judith Stickney, Resident

Response to Comment 13-1

The comment presents background information setting up the comments to follow. The comment does not address the adequacy of the Draft EIR.

Response to Comment 13-2

Primary emergency response to the project site is provided by the South Placer Fire District (SPFD) fire station located ¼ mile to the east of the project site, at 5300 Olive Ranch Road. The project developer has included the proposed off-site emergency vehicle access (EVA) route in the project description as requested by SPFD to provide improved overall emergency response to properties on Shadow Oaks Lane and Cavitt-Stallman Road, as well as a more direct route to the project site for utilization by secondary emergency vehicle responders. The request by the commenter to allow additional access to private property owners over the emergency access easement does not pertain to the adequacy of the Draft EIR; however, the comment has been forwarded to the decision-makers for their consideration.

Response to Comment 13-3

Please see Response to Comment 13-2.

Response to Comment 13-4

Please see Response to Comment 6-1.

Jan 21 10 10:35a mos 17910222 p.1

Letter 14

FAX: 530-745-3003

Maywan Krach
Environmental Coordination Servies
PC Community Development Resources Agency
3091 County Center Drive, Suite 190
Auburn, Ca. 95603

Subject: Rancho Del Oro Estates Draft EIR

14-1 This project as proposed does not meet the guide lines of the Granite Bay Community Plan, which has been supported by a majority of property taxpayers. Much of the development which has taken place under these guide lines have been profitable and they and the community have benefited.

The GBCP is currently in the process of a update review at a substantial cost to the taxpayers. As a infill project Del Oro should be required to develope according to the current plan guide lines especially in the following areas:

14-2 Densities, retain current 2.3-4.6 RR, maximum 47 units

Compatability, to the existing rural residential

14-3 No soundwalls

No gates

14-4 Lighting

Flooding, consider the history of Miners Ravine

14-5 Traffic issues, including future cumulative, on Olive Ranch, Barton Road, Cavitt-Stallman, Sierra College, Douglas Blvd.

14-6 This property received a rezone from RE 4.6-20 acres to RR 2.3-4.6, which allowed for increased density, as an infill project it should maintain current zoning, and develope within the guide lines which would benefit the developer and support the GBCP, that we encourage all to follow to retain the rural character.

Sincerely,

M.O. Stinson
January 11, 2010
5005 Shady Creek Lane
Granite Bay, Ca. 95746
Tele. 916-791-0022

Letter 14: M.O. Stinson, Resident

Response to Comment 14-1

As noted in the Draft EIR, Impact 4-1, page 4-24, and discussed in detail in Table 4-2, the proposed project is generally consistent with the policies set forth in the Granite Bay Community Plan. The commenter does not indicate specific "guidelines" of the Granite Bay Community Plan that the project does not meet. It should be noted that the Placer County Planning Commission will make the ultimate determination in regard to the proposed project's consistency with the County's plans and policies.

Response to Comment 14-2

Please see Response to Comment 2-8.

Response to Comment 14-3

Please see Response to Comment 8-2 regarding the fact that a sound wall is not included in the project design. See also Response to Comment 2-6 concerning the proposed gated access for the project.

Response to Comment 14-4

Please see Response to Comment 12-20 concerning impacts with regard to light and glare and Response to Comment 6-1 concerning flooding impacts.

Response to Comment 14-5

As demonstrated in Chapter 8 of the Draft EIR, *Transportation and Circulation*, the project would not result in any significant traffic impacts. However, the project would contribute to a significant cumulative traffic impact, for which mitigation has been incorporated into the DEIR (cf. MM 16-5).

Response to Comment 14-6

Though the proposed project includes a rezone, the project is consistent with the current Granite Bay Community Plan Rural Low Density Residential land use designation for the project site, and would thus be considered rural residential, per the Granite Bay Community Plan.

The primary importance in a proposed rezone is the physical impacts that may result should the site be developed pursuant to the proposed zone rather than the existing zone. This analysis of physical impacts resulting from the proposed rezone and subsequent development of the project site is what is analyzed in the Draft EIR. The Draft EIR determined that all impacts resulting from the project could be reduced to a less-than-significant level with implementation of those mitigation measures set forth in the Draft EIR, with the exception of cumulative impacts to biological resources.

Letter 15

From: "Steve Whitesides"
To: Placer County Environmental Coordination Services;
Subject: FW: Rancho Del Oro NOP 119.4 acre development APN 046-090-012
Date: Thursday, December 31, 2009 4:51:27 PM

From: Julie Brawn [mailto:jbrawn@surewest.net] **On Behalf Of** Whitesides Family
Sent: Thursday, December 31, 2009 4:51 PM
To: 'ejivaldi@placer.ca.gov'; 'cdraecs@placer.gov'
Cc: 'Steve Whitesides'
Subject: FW: Rancho Del Oro NOP 119.4 acre development APN 046-090-012

Mr. Ivaldi:

15-1 I attempted to contact you yesterday regarding the aforementioned project and we exchanged voicemails. Specifically, I am inquiring about Transportation Section 8.8 and Project Description section 3, pages 6-7 of the EIR. The EIR report and your previous notice states that the project developer has obtained permission and has an easement agreement with private property owners to establish an off-site EVA route that would provide north-south connectivity for the project. Please provide copies of these purported agreements.

15-2 First, the project developer has not procured permission from any private property owners located on *Shadow Oaks or Ashby Lane*. As you may know, we have ingress and egress easement rights to the subject area proposed for EVA and new pavement areas illustrated in figure 8-9 of the referenced sections of the EIR. As you may know, private property owner parcel #046-140-035 has attempted to egregiously block our easement rights however, we continue to use this route each year and have served legal notice to this property owner in prior years. (Please see letter contained in EIR dated Oct. 24 from neighbor Denny Jones at 7830 S. Shadow Oaks to confirm our continued use of this easement route) Therefore, we are not in agreement with the proposed gates along this route without our specific inclusion in the rights for ingress and egress. Perhaps, as a mitigation effort, we may consider a controlled access with remote gate control for the 7-8 residents that would be impacted by the proposed restriction. Moreover, there would only be a need for one gate along this route; not two. Finally, we are not prepared to be at the mercy of the property owner or Fire Dept. to open gates when the bridge over Miners Ravine on Shadow Oaks floods.

15-3 Second, I am unaware of any proposed connectivity between Shadow Oaks and the newly proposed development. Therefore, why is the proposed project seeking north-south connectivity? The proposed maps and illustrations that I have received and viewed in your notices and the EIR do not reference or illustrate any road

Letter 15
Cont'd.

15-3 Cont'd. connectivity between the two developments.

15-4 Third, I see no reference in the EIR regarding improvements or mitigation efforts for the undersized bridge over Miners Ravine at Shadow Oaks. Again, this bridge floods annually and further congestion downstream (proposed development parcel) will only increase the flooding and frequency thereof.

15-5 In the event these issues are easier discussed via telephone or meeting, please do not hesitate to contact me at (916) 826-5201 or (916) 789-1445.

Sincerely,

Steve Whitesides
Orion Development
916-789-8484

From: Julie Brawn [mailto:jbrawn@surewest.net]
Sent: Tuesday, October 14, 2008 9:33 PM
To: 'rodrose@realtyservice.net'
Cc: 'ejivaldi@placer.ca.gov'
Subject: RE: Rancho Del Oro NOP 119.4 acre development in our neighborhood

Rodney,

15-6 Thank you for bringing this to our attention. Mr. Ivaldi, byway of this email copy, please include these comments as part of the record for this project.

I would propose the following requirements for the County to strongly consider as conditions of approval for the proposed development:

15-7 1. The development is required to increase and improve the antiquated bridge and stream flow of Miners Ravine at Shadow Oaks. As you know, this bridge bottle-necks at this crossing and floods during winter rains due to poor downstream water flow. Additional site development, drainage, and natural run-off from new streets and homes downstream could negatively impact our subdivision further. This project should strongly consider the negative impact it could have on alienating the surrounding neighborhoods and (unimproved) infrastructure. Please be reminded, this neighborhood is primarily older, rural type properties with drainage swales and corrugated pipes under gravel driveways. The proposed development should be required to incorporate several offsite improvements to ensure these areas are not compromised from additional drainage congestion or restrictions to natural run-off.

15-8 2. Require that the development provide full connectivity and street improvements to Whisper Way and S. Shadow Oaks. (Not just an Emergency Vehicle Access as proposed). The subdivisions should be

Letter 15 Cont'd.

15-8 Cont'd. provided full connectivity with streets (perhaps controlled access), pedestrian paths, and trails to encourage pedestrian and bike travel through natural terrain.

15-9 3. Require that the development include a large park for both subdivisions and neighborhood enjoyment. I suspect this would require the reduction of a couple planned lots in addition to the unusable wetlands they are proposing to donate.

15-10 I support the proposed upscale, gated community with the inclusion of the aforementioned and offsite improvements providing full connectivity to the surrounding neighborhood. This project should not be the only beneficiary of using surrounding neighborhoods as their emergency vehicle access without providing the same, like improvements equivalent to today's development standards.

15-11 Please include us on all future notices and hearings involving this proposed development.

Regards,

Steve & Julie Brawn-Whitesides
5300 Ashby Lane
Granite Bay, CA 95746

Letter 15: Steve and Julie Brawn-Whitesides, Residents

Response to Comment 15-1

The comment provides background regarding the commenter's efforts to contact the County. The requested copies of the EVA agreements can be provided by the Community Development Resources Agency.

Response to Comment 15-2

As noted in Response to Comment 5-3, primary emergency response to the project site is provided by the South Placer Fire District (SPFD) fire station located ¼ mile to the east of the project site, at 5300 Olive Ranch Road. The project developer has included the proposed off-site emergency vehicle access (EVA) route in the project description as requested by SPFD to provide improved overall emergency response to properties on Shadow Oaks Lane and Cavitt-Stallman Road, as well as a more direct route to the project site for utilization by secondary emergency vehicle responders. The request by the commenter to allow additional access to private property owners over the emergency access easement does not pertain to the adequacy of the Draft EIR; however, the comment has been forwarded to the decision-makers for their consideration.

As indicated in previous County correspondence to the commenter outside of this EIR process, whether or not the developer needs to acquire any rights to install the proposed paving and gates will remain a matter between the developer and those who own the land over which the road passes. In the case of South Shadow Oaks Lane, over which the proposed paving and gates would be constructed, the developer has already obtained and recorded easements from the fronting property owners in favor of the South Placer Fire District. Since there is not a proposal to interfere with any public interest in any of these roads, it is the County's opinion that this matter is between the developer and involved property owners. It is the County's position that all of the "Shadow Oaks' roads that connect Cavitt-Stallman Road to Olive Ranch Road are private roads, maintained by the property owners. There is a small triangular area of Shadow Oaks Lane within the boundary of the Ashby Subdivision that has been dedicated to the public, but it is still privately maintained. The determination of any property owners' rights are a matter for a title company to investigate and insure and perhaps ultimately a court of law to decide. It is not within the County's authority to make any determination of access rights in the case of Shadow Oaks Lane or any other private road. Notwithstanding the above, these concerns regarding additional access to the easement have been forwarded to the decision-makers for their consideration.

Response to Comment 15-3

The comment correctly identifies that the proposed project does not include direct connection to Shadow Oaks Lane. As noted on page 8-35 of the Draft EIR as revised in this FEIR, because of the location of the closest fire station, "The South Placer Fire District has indicated that such an off-site EVA would not only provide secondary emergency access to the project site, but would also improve emergency response to neighborhoods along Shadow Oaks Lane and Cavitt-Stallman

Road, as well as improve the response times for existing and future developments in the project vicinity".

Response to Comment 15-4

The condition referenced in the comment is an existing condition. Flooding impacts (including Miners Ravine) are addressed in the *Hydrology and Water Quality* chapter of the Draft EIR. As stated on page 12-10 of the Draft EIR, "the project would have an insignificant impact on peak flow runoff within the main stem of Miners Ravine". Furthermore, mitigation measures are included to ensure impacts remain at a less-than-significant level with regard to drainage and flooding (including on Miners Ravine). Therefore, a nexus does not exist to require mitigation for the existing condition of the bridge over Miners Ravine at Shadow Oaks Lane.

Response to Comment 15-5

The comment provides contact information and does not address the adequacy of the Draft EIR.

Response to Comment 15-6

The comment is introductory and sets up the comments to follow. The comment does not address the adequacy of the Draft EIR.

Response to Comment 15-7

Please see Response to Comment 15-4.

Response to Comment 15-8

The comment suggests a condition of approval for the proposed project, and does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 15-9

The comment suggests a condition of approval for the proposed project, and does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 15-10

The comment presents the commenter's opinion regarding the proposed project, and does not address the adequacy of the Draft EIR. The comment has been forwarded to the decision-makers for their consideration.

Response to Comment 15-11

The comment requests future notices regarding the proposed project, which will be provided by the County Planning Department.

Letter 16

From: K Yee
To: Placer County Environmental Coordination Services;
Subject: Del Oro Estates project
Date: Thursday, January 14, 2010 12:45:59 PM

Dear Maywan Krach:

16-1 I was unable to attend today's meeting on the proposed Del Oro Estates project, but would like to voice my objection to the project being a gated community. I noticed in the EIR that one of Granite Bay's policies (#15, I believe) is to not allow gated communities unless there were extenuating circumstances. I'd like to know what, if any, extenuating circumstances exist for this project to remain gated. Our Granite Bay Community Plan has been touted as award-winning, but it doesn't do much good if it's not enforced.

16-2 Also, we were notified by the builder that the entrance to the project had been moved from being directly across from Ramsgate Drive, but I see that there is still mention of that entrance being across from Ramsgate Drive, even in the modified plan. Would you please tell me whether the entrance location has been relocated, and where?

Thank you for your help.

Sincerely,
Kim Yee
8010 Ramsgate Drive

Letter 16: Kim Yee, Resident

Response to Comment 16-1

Please see Response to Comment 2-6.

Response to Comment 16-2

As shown in Chapter 3, *Project Description*, Figure 3-3 (Vesting Tentative Map) on page 3-5 of the Draft EIR, the proposed project includes the eastern access point at Road D, located approximately 400 feet west of Ramsgate Drive on Olive Ranch Road. Therefore, the project does include an entrance offset from Ramsgate Drive.

Letter 17

Rancho Del Oro
Draft EIR Comment Hearing Summary

Date: January 14, 2010
Time: 10:05 a.m.
Location: Planning Commission Hearing Room

I. Draft EIR Overview Presentation by Nick Pappani, Environmental Consultant to County

II. Verbal Comments (arranged in order of "appearance" of commenter):

Richard Langowski, 8044 Wyndham Hill

17-1
- Commenter asked if area between Olive Ranch Road and the proposed fence is an easement. This is related to his concerns regarding whether or not the existing bus stop is going to be protected.

Jane Negri, 4502 Olive Ranch Road, Granite Bay, 95746

- Commenter expressed concerns regarding the public review period for the Draft EIR being over the holidays.
- Commenter noted that the legends on Figures 5-3 and 5-4 of the Draft EIR are not legible.
- Commenter requested that the current zoning for the project site be retained.
- Commenter expressed concerns regarding light and glare, and stated that building 40 homes, per existing zoning, would create less light and glare.
- Commenter indicated that she will be submitting pictures of the neighborhood south of the project site because the pictures contained in Chapter 7 of the Draft EIR are not representative of said neighborhood. 17-2
- Commenter noted the Draft EIR's conclusion that cumulative impacts to biological resources would be significant and unavoidable, which, according to the commenter, is further support to retain the site's existing zoning.
- Commenter expressed concerns regarding the project's impact to wildlife habitat and nesting hawks from the loss of the on-site native oak woodlands.
- Commenter expressed concern that the burrowing owl mitigation included in the Draft EIR is only temporary.
- Commenter stated that elderberry shrubs should not be impacted.
- Commenter expressed concerns regarding the loss of oak woodlands on the project site, including 69 significant oak trees.
- Commenter states that 934 new daily trips generated by the project would not be mitigated by payment of fees.
- Commenter expressed concerns that the project would have an impact on flooding in the area.

17-2 Cont'

- Commenter stated that the current project should not be changed from agriculture to residential zoning, but kept consistent with the Community Plan and rural feel of the existing neighborhood.
- Commenter stated that the mitigation measures set forth in the Draft EIR may meet the legal requirement, but not the moral obligation.

17-3

Sue Gollum, 4762 Olive Ranch Road

- Commenter expressed concern that the zone change would affect the rural feel of the area by not allowing horses on individual properties within the proposed project.
- Commenter is against the inclusion of a sound wall in the project.
- Commenter expressed disagreement that the proposed privacy wall is compatible with the Granite Bay Community Plan policies.
- Commenter expressed disagreement with the Draft EIR's description of the current aesthetic setting on page 7-1.
- Commenter expressed concern regarding loss of oak woodlands resulting from project.
- Commenter stated that car exhaust fumes are already an issue in the neighborhood surrounding the project site and the additional vehicles from the project would exacerbate this issue.

17-4

Annie Russell, 4399 Olive Ranch Road

- Commenter expressed concerns about her children being able to walk safely to Greenhill School given the increased traffic that will result from the project.
- Commenter expressed concerns regarding increased noise resulting from the project.
- Commenter expressed concerns that crime and litter would increase from the project.
- Commenter expressed concerns that the project would exacerbate the flooding that currently occurs on her property and asked where the project runoff is going.
- Commenter questioned why the rezone for the project is being pursued given the poor economy.

17-5

Madelaine Kiliany, 7495 Red Bud Road

- Commenter expressed concerns regarding the potential for this project to create a "domino" effect – that is, whether or not approval of the proposed rezone would enable other rezones in the area to be more easily approved.
- Commenter stated that the lots that back up to Miners Ravine will block public access to the creek, which should be provided.
- Commenter expressed concern that the proposed gated community will exclude the community from walking around the area.
- Commenter expressed concerns about the traffic and air impacts that would result from the project.

17-6

Jay Doyle, 5435 Ashby Lane

- Commenter expressed concerns regarding proposed off-site emergency vehicle access.
- Commenter requests that residents on Ashby Lane be provided access through the proposed emergency vehicle gates along the EVA route.

LETTER 17 SUMMARY OF JANUARY 14, 2010 PLACER COUNTY DRAFT EIR COMMENT HEARING

Response to Comment 17-1

Please see Response to Comment 10-2.

Response to Comment 17-2

Bullet #1

Please see Response to Comment 2-1.

Bullet #2

Please see Response to Comment 12-18.

Bullet #3

The comment expresses the commenter's opinion and does not address the adequacy of the Draft EIR.

Bullet #4

Please see Response to Comment 12-20.

Bullet #5

Please see Response to Comment 12-9.

Bullet #6

The comment reiterates Draft EIR conclusions and presents the commenter's opinion regarding the proposed project. The comment does not address the adequacy of the Draft EIR, and has been forwarded to the decision-makers for their consideration.

Bullet #7

Please see Response to Comment 12-23.

Bullet #8

As noted on page 5-35 of the Draft EIR, the western burrowing owl has not been recorded by CNDDB within five miles of the project site and was not observed on-site during reconnaissance surveys. However, according to the biological resources assessment prepared for the project, the large debris piles in the northern portion of the site provide suitable nesting habitat for burrowing

owl, and the on-site grassland provides suitable foraging habitat. As noted in Draft EIR Mitigation Measure 5-5(b), the CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site. Consultation with CDFG will ensure that the appropriate mitigation is implemented should burrowing owl be found on-site.

Bullet #9

Please see Response to Comment 3-28.

Bullet #10

Please see Response to Comment 12-25.

Bullet #11

Please see Response to Comment 12-4.

Bullet #12

Please see Response to Comment 6-1.

Bullet #13

Please see Response to Comment 2-6.

Bullet #14

The comment expresses the commenter's opinion and does not specifically address the adequacy of the Draft EIR.

Response to Comment 17-3

Bullet #1

Please see Response to Comment 2-6.

Bullet #2

Please see Response to Comment 8-2.

Bullet #3

Please see Response to Comment 2-6.

Bullet #4

The aesthetic description on page 7-1 of the Draft EIR states the following:

> The proposed project is located in the foothills of the Sierra Nevada in southern Placer County. The ridges of low to moderate length height and narrow foothills canyons are characterized by a mosaic of dark, dense mature trees and shrubs with openings of light annual grassland. The contrasts in form, color, and texture of this vegetation add visual variety and interest to foothill viewscape.
>
> Views in the area vary from those of low spreading residences, partially concealed by dense vegetation, to views of residential areas characterized by soundwalls and large residences. Commercial areas are located at major intersections in the area. The PCGP does not identify any roadways in the vicinity of the proposed project as scenic or requiring restrictions.

Though not entirely clear, it appears that the commenter takes issue with the part of the description referring to residential areas in the vicinity characterized by soundwalls. The above quoted language in the DEIR is based on the fact that two other "walled" residential projects occur on Olive Ranch Road, Douglas Ranch and Winterhawk, the latter of which is gated.

Bullet #5

Please see Response to Comment 12-25.

Bullet #6

Air quality impacts resulting from development of the proposed project and resulting traffic volume increase are addressed in Impact 9-4, on page 9-17 of the Draft EIR. The resulting pollutant levels are presented and the Draft EIR concludes that a less-than-significant impact would result because the pollutant levels are below the Placer County Air Pollution Control District thresholds of significance.

Response to Comment 17-4

Bullet #1

Please see Response to Comment 2-32 regarding the path that will be constructed along the project's Olive Ranch Road frontage and 9-8 regarding traffic.

Bullet #2

Please see Response to Comment 8-2.

Bullet #3

Estimating whether or not residents of the Rancho Del Oro Estates project would engage in illegal activities such as crime and littering is inherently speculative. The Draft EIR found in Impact 13-6 that:

> The proposed project is located within the jurisdiction of, and would be provided services by, the Placer County Sheriff's Office. Placer County has adopted a public safety policy that includes the provision of capital facilities and personnel sufficient to maintain an officer/population ratio of one deputy per 1,000 residents.
>
> The proposed project would add approximately 223 residents to Granite Bay. The Granite Bay Sheriff's substation is located at 4120 Douglas Boulevard, which is only approximately 0.75 miles from the proposed project site. Therefore, County law enforcement personnel would have ready access to the project site and, as a result, there would be a ***less-than-significant*** impact related to the development of Rancho Del Oro Estates.

Bullet #4

Please see Response to Comment 6-1.

Bullet #5

The Comment does not address the adequacy of the Draft EIR.

Response to Comment 17-5

Bullet #1

Please see Response to Comment 2-5.

Bullet #2

Please see Response to Comment 2-5.

Bullet #3

Please see Responses to Comments 2-6 and 2-20.

Bullet #4

Please see Response to Comment 12-12.

Response to Comment 17-6

Bullet #1

Please see Response to Comment 15-2.

Bullet #2

Please see Response to Comment 15-2.

-----Original Message-----
From: Reed Sato [mailto:RSato@waterboards.ca.gov]
Sent: Wednesday, January 20, 2010 3:34 PM
To: EJ Ivaldi
Subject: Rancho Del Oro Estates - Comment on Draft EIR

Letter 18

Dear Sir,

18-1 I have a concern about the evaluation of impacts of storm water and other water drainage from the project. In particular, I am concerned that the draft environmental impact report does not adequately evaluate the impacts to the unnamed waterway that goes from the southwest corner of the project, flows behind the lots on Lawrence Drive and enters Miners Ravine.

The Project will affect the ability of the site to absorb rainwater by creating newly impermeable surfaces. If that runoff is channelized into the unnamed tributary will it contribute to unmitigated erosion along the tributary and harmful sediment loading within the tributary and to Miner's Ravine.

Please have the project proponents address these impacts.

Thank you,

Reed Sato
4540 Lawrence Drive
Granite Bay, California 95746

Letter 18: Reed Sato, Resident

Response to Comment 18-1

Please refer to Response to Comment 6-1.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

January 26, 2010

Letter 19

Received
FEB 01 2010
CDRA - Admin

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

Subject: Rancho Del Oro Estates
SCH#: 2008092101

Dear Maywan Krach:

19-1 The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 21, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2008092101
Project Title Rancho Del Oro Estates
Lead Agency Placer County

Type EIR Draft EIR

Description The project proposes to subdivide the 119-acre site into 89 single-family lots nine common area lots, and associated road improvements.

Lead Agency Contact

Name Maywan Krach
Agency Placer County Community Development Resource Agency
Phone (530) 745-3132 ***Fax***
email
Address 3091 County Center Drive, Suite 190
City Auburn ***State*** CA ***Zip*** 95603

Project Location

County Placer
City
Region
Lat / Long 38° 45' 18.7" N / 121° 12' 54.0" W
Cross Streets Olive Ranch Road & Cavitt-Stallman Road
Parcel No. 046-090-012
Township 11N ***Range*** 7E ***Section*** 33 ***Base*** MDB&M

Proximity to:

Highways SR 65, I-80
Airports
Railways
Waterways Folsom Lake, Miners Ravine
Schools Eureka, Greenhills, Ridgeview, Sierra and Stoneridge Elementary
Land Use The proposed project includes the development of 89 residential single-family lots and nine common area lots on a total of 199.4 acres. The 89 lots would be a minimum of 42,000 square feet each. In addition, the project would include nine open space lots ranging in size from 3,525 square feet to 440,623 swuare feet. The project would include a rezone of the property from RS-AG-B-100 PD 0.83(Residential Single-Family, Combining Agricultural, Combining Minimum Building Site of 100,000 square feet, Planned Development 0.83 units per acre) to RS-B-42 DL 0.83 (Residential Single-Family, Combining Minimum Building Site of 42,000 square feet, Density Limitation 0.83 units per acre.

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse; Aesthetic/Visual; Cumulative Effects; Schools/Universities

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 12/08/2009 ***Start of Review*** 12/08/2009 ***End of Review*** 01/21/2010

Note: Blanks in data fields result from insufficient information provided by lead agency

LETTER 19: SCOTT MORGAN, GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE UNIT

Response to Comment 19-1

The comment merely notes the Clearinghouse's distribution of the Draft EIR to State agencies for review; and that CEQA review requirements have been met for the Rancho Del Oro Estates Draft EIR.