



FORESTHILL DIVIDE CHAMBER OF COMMERCE

P. O. Box 346 • Foresthill, CA 95631 • (916) 367-2474

**Economic Development/Coalition
Draft of Community Plan additions/changes
Dec. 27, 2007, Rev. Jan. 3, 2008**

The downtown historic district (DHD), considered that area which begins at Mosquito Ridge Road and goes east to Foresthill Elementary School, north to include contiguous properties along Harrison Street (south side), the south side of Race track, and the north side of Lowe Street, is the area of concern for this community plan revision request.

Note: Above designation is general and might or might not be of concern. Sites like LeRoy E. Botts Memorial Park, the Little League baseball and softball fields, the mill sites immediately east and west of the above outlined area, etc.

In accordance with the Community Plan draft written to replace the 1981 plan, the vision statement states in part (1-6):
“The historic downtown district will remain as a cherished focal point of the Plan area and will be a source of pride for the community. The traditionally industrial areas near the historic Foresthill town site will be redeveloped to provide new employment opportunities for residents of the Divide. Expanded tourist and outdoor recreation-oriented businesses will continue to develop as a consequence of the community’s unique location and proximity to public lands.”

Three of the new plan’s General Community Goals (2-1) reflect this vision:

- One _ To encourage mixed-use development within the principal commercial district (school to school) and within the historic downtown area.
- Two _ To provide public facilities in a location that is central to the concentrations of population on the Divide to encourage the interaction of residents and a strong sense of community.
- Three _ To establish as a high priority for the community and the county the development of new employment opportunities and appropriate economic development.

In order to achieve the “cherished” character of a town that no longer has an economic base upon which to build future commerce, the following “problems” and “solutions” are proposed for inclusion in the latest Foresthill Community Plan.

Problem 1: The historic downtown district has fallen into a commercial and economic downturn since the closing of the Georgia-Pacific Mill in the early 1990s. That area is now referred to as “the old mill site” and has also been designated as the Foresthill Business and Industrial Park after it was sold to a local partnership following the mills closing.

Problem 2: The Economic Profile (3-23) of the new plan cites “commuting off the hill” as the source of employment for residents of Foresthill. With nearly 80 percent of Foresthill’s population located west of the DHD, “commuting” prevents commercial development of the DHD. It also increases vehicle usage along Foresthill Road.

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Solution 1: Problems 1 and 2 could be reversed when the 80 percent of those living east of town are encouraged and impelled to travel into or through the DHD while commuting east for recreation, to go to work, or to shop.

Solution 2: Problems 1 and 2 could also be mitigated if a growing percent of Foresthill's population were actually located in an area (east, north or south of the DHD) that would virtually assure traffic would be directed through the DHD when traveling west, whether commuting or otherwise.

Problem 3: Solution 1 is not likely to happen unless there is an attraction in the DHD, or somewhere east, north or south of it that would impel motorists to travel through Foresthill to get there. Because of that, the likelihood is extremely limited that new enterprises offering either/or both employment and/or commercial opportunities would be attracted to the DHD.

Solution 3: Prioritize planned development in areas surrounding Foresthill, with the exception of heading west on Foresthill Road out of the DHD.

Problem 4: County and State regulatory obligations placed on any new enterprise attempting to establish itself in the DHD are far too great. Not only does the burden of non-participatory traffic make the DHD undesirable, the added cost of government is a major deterrent to bringing in new business; whether it is a local startup or a franchise venture.

Solution 4: Consider a revision of the traffic mitigation fee to create a more "fair share" to be paid by startup businesses. The present formula makes the fees a startup business pays in Foresthill commensurate with that of larger, metropolitan areas in Placer County. The "traffic" a business in a metropolitan area could generate is a gross overestimation of what a similar business could generate in Foresthill.

It is understood traffic mitigation is a state regulation and cannot be eliminated, but the "fair share" principle is not being applied when it comes to the DHD. Most of the traffic on the Foresthill Divide takes place below Todd's Valley. As the map generated by Public Works indicates, the expenditures decrease as one travels east on Foresthill Road until it reaches the DHD where the expenditure is zero.

It might be advantageous to consider an additional fee charged to outdoor recreation enterprises (such as rafting companies) that use Foresthill Road to gain access to the rivers. This money could then be used for traffic mitigation in the area those companies use the most. Although Foresthill does not want to discourage recreation companies from visiting the region, their contribution to the areas economy is minimal, at best.

Set aside a portion of the traffic mitigation money paid by a business to improve the downtown area surrounding that enterprise. In the survey used to construct the new community plan, 80 percent of the respondents indicated, "the most effective ways to attract new businesses to the Foresthill area was to improve the appearance of the downtown commercial district."

Problem 5: The plan suggests sidewalks reflecting that of the Boardwalk be encouraged along the north side of Foresthill Road.

Solution 5: As the new plan calls for a design maintaining Foresthill's natural and historic look, sidewalks do not reflect that. They also encroach on available parking. Although the Boardwalk

A cont.

has its historic significance, new boardwalks would not do that. And the deterioration of such structures would create even greater hazards.

Although sidewalks could be appropriate in some cases, make them optional not mandatory. And consider "traffic mitigation" monies where sidewalks would be an improvement.

Problem 6: Mixed-Use interpreted to mean houses and businesses intermingled in the same area. This creates a hodge-podge, eclectic look not at all conducive to good merchandising of a commercial district.

Solution 6: Clarify Mixed-Use as combining commercial and residential (as described in the plan) to mean businesses with residential or office space provided on the second or adjoining level. It could also mean multiple dwellings such as duplexes and four-plexes.

Please note these are just a few items from the Foresthill Divide Chamber of Commerce, Economic Development/ Coalition. We are still reviewing the documents and plan on providing a more detailed report by the next Forum meeting.


Sean Salveson, President
Foresthill Divide Chamber Of Commerce.

A cont.

Letter 13: Sean Salveson, President, Foresthill Divide Chamber of Commerce

Response 13-A: Comment noted. This comment conveys the Foresthill Divide Chamber of Commerce views on (1) land use designations proposed by the FDCP and the relationship of those designations to improving business conditions within the Community of Foresthill, (2) desirability of reducing “fair share” traffic impact fees for start up businesses within the Community of Foresthill, (3) desirability of allowing flexibility in sidewalk installation and design within the Foresthill Community historic core, and (4) desirability of mixed use commercial and residential uses within the Foresthill Community historic core. This comment is a comment on the merits of adopting the revised Foresthill Divide Community Plan will be considered by the County when they consider adoption of the plan.



FORESTHILL DIVIDE CHAMBER OF COMMERCE

P. O. Box 346 • Foresthill, CA 95631 • (916) 367-2474

Mike Johnson
Planning Director
3091 County Center Drive
Auburn CA 95603

9/20/07

Copies: Crystal Jacobsen, John Marin

Historic towns like Foresthill are unique. They are often located on remote highways in mountainous terrain near state parks and national forests. To assume the same type business would do as well in a town of 10,000, as it would in one of 100,000, puts a tremendous strain on a rural commercial development. Trying to meet "historic" standards is difficult enough without having to deal with the same fee burdens as non-historic metropolitan areas.

Todd's Valley Estates, although a desirable subdivision, adds another dimension to Foresthill's economic problems. The draw of that potential market has spurred requests for commercial development west of historic downtown. If that trend continues, Foresthill's historic district could become a ghost town. That also goes for the potential **commercial** development east of town such as Forest Ranch. Although that possibility is remote for now, it too could create problems for the downtown area.

Northern California counties have a number of small, rural, historic communities in need of economic development. This is not a unique situation, but one the economic development committee feels Foresthill and Placer County can help resolve. The Foresthill Economic Development Committee, a subcommittee of the Foresthill Divide Chamber of Commerce is trying to address and rectify these problems. As a result of our work with the county staff and local residences, **we request the following items be adapted within the Foresthill plan:**

1. Location of Future Growth: The Chamber of Commerce supports new residential growth located east of the historical business district, only. Past zoning has resulted in the overwhelming growth to be west of the historical district (Todd's Valley Estates). These zoning decisions have resulted in the deterioration of the historical business district since Todd's Valley development has resulted in more traffic traveling to Auburn for commerce than goes through Foresthill. It is felt proper planning would have placed the historical business district at the center of the population of the Divide. It is recommended all new zoning take this into account.

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2. Commercial Zoning: It is recommended that no new commercial zoning be created outside of the downtown historical business district. Presently the majority of the lots within this zone of commerce are used for reasons other than commerce. Thus, not only is there no need for additional commercial zoning, any additional zoning outside of this district will only contribute to the existing deterioration of the historic district.

B

3. Traffic Mitigation Fee: Waive these fees for all commercial development in the Historic Downtown. This will not result in a large amount of revenue loss for the county, and it is the recommendation of the Chamber of Commerce the county could more than make up for this revenue loss by imposing a fee for the rafting companies. As stated in an earlier letter, the Chamber of Commerce would support this fee, as long as the revenue is used to offset the cost of doing business within the historical business district. The rafting companies create much more traffic on our roads than any person trying to do business within the historical district. However, they are presently immune to contributing their share of the mitigation fees.

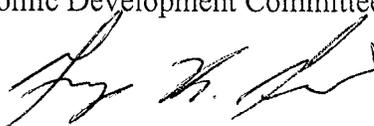
Traffic mitigation is based partly on the number of vehicles certain enterprises are predicted to attract. However, using this criterion as opposed to the potential market it would serve is shortsighted. The FEDC suggests eliminating the road fee within the historical district for both factors, which would allow for greater development within this district.

C

With one artery serving most of the Divide, and little local employment, many Todd's Valley residents never venture into Foresthill. Many citizens living west of Foresthill, being somewhat affluent and mobile, commute off the hill to work and shop. This means local businesses have to compete with South Placer to try and attract employees and customers living only minutes away. Foresthill cannot provide a Wal*Mart or Home Depot, nor does it want to. But if it has to meet the same development fee requirements as those commercial giants, and still be required to maintain the historic requirements, it cannot compete.

In conclusion, not only would a variance in fee structure benefit local enterprise, it could also serve to attract it. It certainly wouldn't put urban vs. rural commerce on equal footing, but it would go a long way in helping maintain the balance.

Respectfully Submitted,
Foresthill Economic Development Committee



Fred Sumrall, George Grant



Approved 
Sean Salveson, Vice President
Foresthill Chamber of Commerce

Letter 13A: Fred Sumrall and George Grant Approved by Sean Salverson, Foresthill Economic Development Committee, Foresthill Divide Chamber of Commerce

Response 13A-A: Comment noted. This comment conveys the Foresthill Divide Chamber of Commerce views on land use designations proposed by the FDCP and the relationship of those designations to improving business conditions within the Community of Foresthill. The Foresthill Divide Community Plan proposed Land Use Diagram and Zoning Map allows for residential development to occur in all directions from the Community of Foresthill Downtown Historic District. The Forest Ranch Concept Plan component of the FDCP supports significant future development north and east of the Downtown Historic District. This comment is a comment on the merits of adopting the revised Foresthill Divide Community Plan will be considered by the County when they consider adoption of the plan.

Response 13A-B: Comment noted. This comment conveys the Foresthill Divide Chamber of Commerce views on limiting new commercial zoning to the historic downtown business district. Pages 3-31 through 3-33 of the DEIR contain several policies targeting future commercial development to the historic downtown core and limiting such development in outlying areas. This comment is a comment on the merits of adopting the revised Foresthill Divide Community Plan will be considered by the County when they consider adoption of the plan.

Response 13A-C: This comment conveys the Foresthill Divide Chamber of Commerce views on desirability of eliminating or reducing “fair share” traffic impact fees for businesses within the Community of Foresthill historic downtown. A waiver of fees would be required to be approved by the County Board of Supervisors in a process separate and distinct from the adoption of the revised Foresthill Divide Community Plan.

Letter 14

FRIENDS OF THE NORTH FORK

7143 Gardenvine Ave.
Citrus Heights, California 95621

March 7, 2008

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resources Agency
3091 Center Drive, Suite 190
Auburn, California 95603
By Fax to (530) 745-3003

Re: Foresthill Divide Community Plan DEIR

Dear Ms. Krach:

Friends of the North Fork was established three years ago to protect the North Fork American River. Among our board members are a member of a long-term Placer County family and Placer County property owners, one with land in the canyon.

Natural and human history have been good for the North Fork Canyon in many ways.

The proposed Foresthill Community Plan would reverse this history in ways squarely within Placer County's responsibility.

We have grave concerns about the proposed increase in the density on private parcels in the canyon, on its rim and otherwise visible from the canyon. These points apply equally to the Middle Fork American River canyon in the plan area.

The county needs to give major recognition to its river resources and major effort to protecting them. The preparation of a "stream management plan" in the future is inadequate to address the major negative environmental impacts that density increase would have on the canyons, and would not bring the necessary focus and attention to the canyons as valuable assets. The DIER and plan have no meaningful mitigation of the visual impacts, and it would violate CEQA to prepare a mitigation plan after the plan and DEIR are adopted. Further, there are no guidelines or standards for the stream and visual management efforts to be made in the future.

Scenic Corridor designation needs to include Ponderosa Way, I-80 in its area

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overlooking the canyon and other routes with visibility for the canyons. Cultural resources needs to include and identify each of the historic trails, roads and bridges, and the visual impacts of increased density need to be analyzed.

B cont.

Protecting water, recreation, natural resources including soils and forest land productivity, and the history of human land uses require canyon-specific description and analysis including the impacts of increased density.

C

Analysis of the existing density actual land in the canyon and what is proposed in the plan is necessary, and the EIR should analyze lowering the density of use permitted on private parcels. This is not a large task, because there is much public land in the canyon, but it is critical. Each private parcel in and visible from the canyon represent critical and in some cases extreme potential visual threats to the canyon.

D

The EIR needs to assess the tools available to the county to protect the canyon such as a visual protection overlay and canyon visual impact controls.

E

The EIR needs to address the problem of splitting the North fork canyon into multiple community planning districts.

F

The EIR needs to address the mixed public lands ownerships in the canyons such as the BLM and BOR lands, and the land management and planning efforts of the BLM, USFS, BOR lands managed by ASRA, the 38-mile Wild River segment that the plan mistakenly refers to as a wild and scenic river segment, and the other wild and scenic river studies that have been done.

G

The EIR needs to address options to protect the canyon if the county does not act or does not act adequately, at the state, regional, federal and international levels. The county could ask the federal government for help.

H

Each private parcel in the canyons and their visual zone should be identified and located with existing land use and density designation and proposed density, including reference to all properties where the owner has requested a density increase in the community plan and any other planning department process or application, the status of the applications and efforts, and the factors the county has looked at so far in evaluating whether to increase the densities.

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The plan's proposed density increases and lack of attention to the canyons as special resources to be protected make the proposed plan one of the major threats to the North Fork American River canyon.

J

There are no definitions of creek, streams and related terms and there is lack of clarity about creek standards and other watercourse protections including what

K

they are and to which watercourses they apply.

The plan's references to trails including trails areas they serve, trail-building standards, county trail plans and efforts is not clear. While it is mandatory to plan regarding visual impacts, the techniques are not mandatory. Screening is a grossly inadequate visual protection that requires DEIR review, as drought, fire and geological occurrences can eliminate "screening" effects. Similarly, the silhouette from below and public roads leaves out view-destroying structures and other scenic vistas.

The visual impact policies, e.g., at pages 3-57 to 3-58 are vague and require CEQA analysis including effects of what's proposed and alternative approaches.

The piecemeal and uncoordinated efforts at planning for the canyons by the county in its different plans and planning efforts, the North Fork "Trail" DEIR, the ASRA resource management plan,

The commission should not act on the plan without major increases and improvements in the EIR analysis. We ask each county supervisor and involve staff members to ask what you need to know before making such a significant decision. We have identified some of those needs here.

We request a CEQA consultation on this project.

Using county data, we have run a program showing the visibility of parcels from about one foot above the North Fork riverbed at intervals of about 600 feet. A copy of the map resulting from this is enclosed. It shows that the parcels proposed for increased density are highly visible.

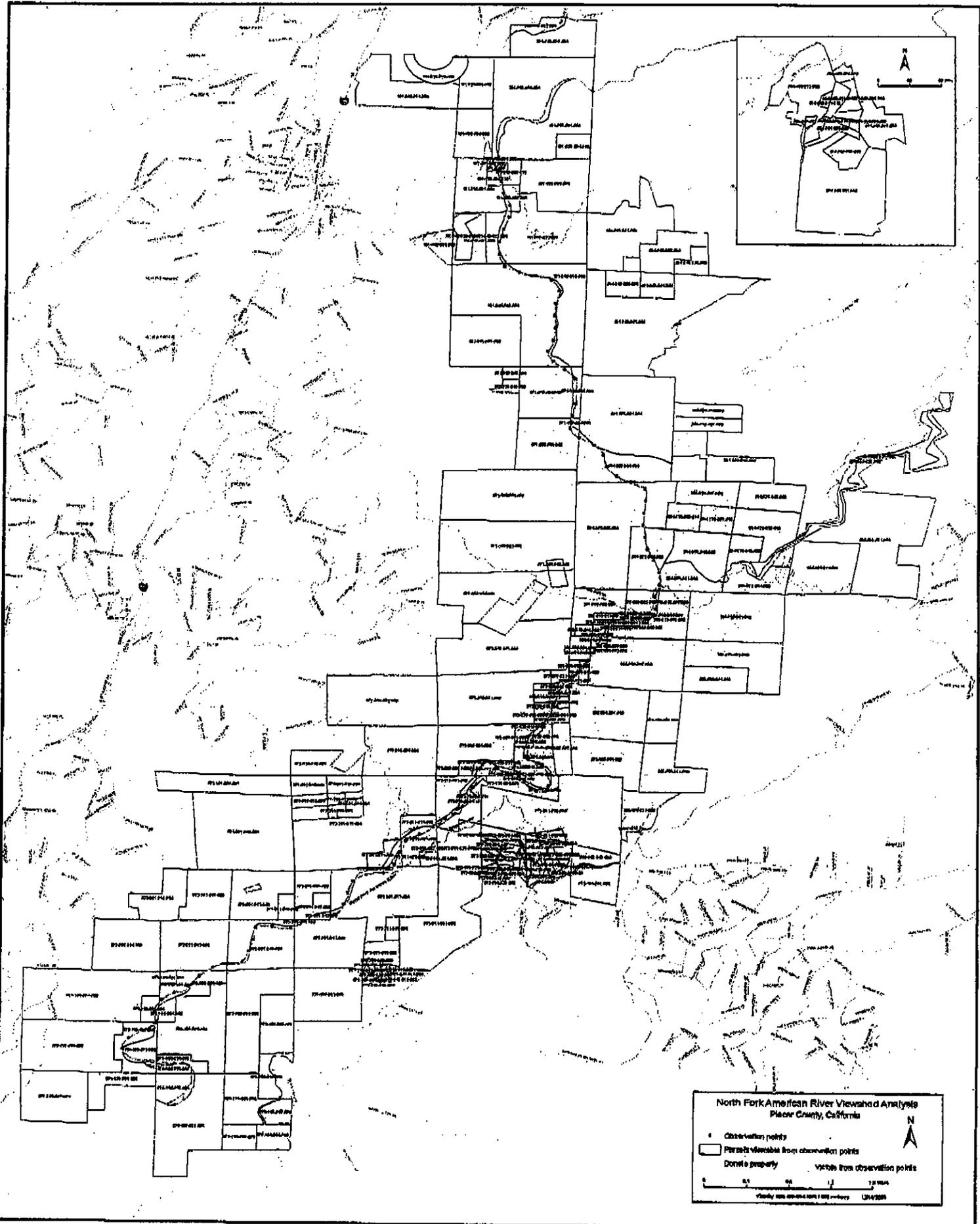
Sincerely,

Michael Garabedian
President

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|---------|
| K cont. |
| L |
| M |
| N |
| O |

Fax to Maywan Krach

RE: Map attachemtn to Foresthill DP DEIR comments



North Fork American River Watershed Analysis
Placer County, California

- Observation points
- ▭ Parcels viewable from observation points
- - - Don'ts property

0 0.4 0.8 1.2 Miles

North

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Letter 14: Michael Garabedian, President, Friends of the North Fork

Response 14-A: The aesthetic impacts of the plan adoption and inclusion of the Forest Ranch Concept Plan are discussed on pages 3-39 through 3-63. All of the Placer County General Plan and Foresthill Community Plan goals and policies discussed on pages 3-44 through 3-57 serve to mitigate the impacts on visual resources. These policies are quite extensive. Additionally, land within the Foresthill Community Plan area that would be visible from the river corridors is primarily designated for forestry and other rural uses. The more intensive land use designations are in proximity to existing uses and are not visible from down in the canyon.

Response 14-B: The recommendation to include Ponderosa Way and “other routes” a scenic corridor designation is a comment on the merits of the proposed community plan. The County can consider including additional areas in the scenic corridor as they consider adoption of the community plan. As noted in Response 14-A above, the impacts of the increased density are discussed in the Draft EIR. The commenter has not provided any evidence that this issue has not been addressed. The impacts of plan adoption on cultural resources are discussed on pages 3-211 through 3-242. As noted on page 3-211 of the Draft EIR, Susan Lindstrom, Ph.D., Consulting Archaeologist prepared a Heritage Resource Element for the Community Plan which is incorporated into the Draft EIR. An inventory of heritage resources is presented on pages 3-226 through 3-230. On page 3-228 of the Draft EIR, bridges for historical consideration within or near the plan area that were evaluated in a Caltrans Bridge survey in 1989 are identified. One bridge intersecting the North Fork of the American River on Yankee Jim’s Road, was identified as historical.

Response 14-C: A complete analysis of the impacts of the revised Community Plan on natural resources is included on pages 3-117 through 3-209 of the Draft EIR. The commenter has not provided any evidence that this analysis is not adequate.

Response 14-D: The analysis in the Draft EIR does compare the proposed Community Plan with the existing land use in the plan area. The Draft EIR is required to analyze the “project” which is the proposed community plan. CEQA does not require analysis in the Draft EIR of lowering the density on private parcels since this does not represent the proposed project. The alternatives analysis contains an analysis of both a lower density alternative as well as a reduced density alternative. It is noted that under both of these alternatives, impacts to aesthetics would be less than under the proposed project.

Response 14-E: The suggestion to include a visual protection overlay and canyon visual impact controls is a comment on the merits of the project and may be considered by the County during their consideration of project approval. The commenter has not provided any information of how an overlay and “visual impact controls” would be required to mitigate an impact. In this case, as noted in Response 14-A, there are numerous goals, policies and specific design guidelines that serve to mitigate the impact of plan adoption.

Response 14-F: The revised Community Plan does not split the North Fork canyon into multiple community planning districts. The Draft EIR analyzes all of the land use designations that are proposed in the Community Plan.

Response 14-G: The Draft EIR recognizes that there are a number of different public agencies that own land in the Foresthill Divide Community Plan area. Since these are lands that are not proposed for development and the land use designations are not changing, impacts related to the continued public use of these lands as a result of adoption of the revised community plan are very limited. Please see Response 4-H. The text has been revised to indicate that this is a Wild River segment.

Response 14-H: It is unclear what the commenter is referring to by the statement "...if the county does not act or does not act adequately, at the state, regional, federal and international levels." It is also unclear what "help" the federal government would provide. As discussed throughout the Draft EIR, the Revised Foresthill Divide Community Plan contains numerous goals, policies and implementation measures to reduce the impacts of the proposed plan on the environment. In addition, the Draft EIR contains a number of mitigation measures that serve to further reduce any potential impacts. The commenter has not provided any evidence that the county has acted "inadequately" or provided any information to indicate that measures to protect the canyon have not been included.

Response 14-I: This information was provided to the Placer County Planning Commission for their meeting on November 30th 2005 and is part of the public record. This data was utilized in calculating the existing and proposed densities under the proposed community plan.

Response 14-J: The Draft EIR relies on the goals and policies contained in the proposed Foresthill Divide Community Plan. The Community Plan contains numerous policies that will serve to protect the canyon. The commenter has not provided any evidence that these policies combined with the mitigation measures in the Draft EIR have not provided adequate protection for the canyon.

Response 14-K: There are numerous policies in both the Placer County General Plan and the Foresthill Divide Community Plan that serve to provide water course protections. These are included in the Draft EIR on pages 3-158 through 3-160 as well as 3-163 through 3-166. These protections apply as specified in the policies.

Response 14-L: The community plan document contains extensive information on trails. Policies which serve to mitigate visual impacts from trails are included in the proposed Foresthill Divide Community Plan. These policies are included on pages 3-44 through page 3-57 and present measures that go beyond "screening." Policy 3.C.9-1 specifically addresses the issue of silhouettes from below or from a public road.

Response 14-M: Visual impact policies are found in the Draft EIR on pages 3-44 through 3-57 and are quite specific. It is unclear from the comment which visual impact policies are being referred to on pages 3-57 to page 3-58. There are some landscape design guidelines on page 3-57, and the policies referenced in the impact discussion on page 3-58 are quite detailed. Since this project is the adoption of a plan document and a Program EIR has been prepared, there are no specific projects proposed at this time that would be evaluated.

Response 14-N: The commenter has not provided evidence that major increases and improvements are required in the EIR analysis. It is unclear what a “CEQA consultation” would involve. However, it is noted that the commenter provided public testimony to the Placer County Planning Commission and had direct communication with the Planning Department staff.

Response 14-O: Unfortunately, the map submitted is not legible. The area potentially visible from the North Fork of the American is designated mostly as open space. The areas where densities have been increased are not within view of the North Fork of the American River due to the steep forested topography of the area.



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

March 2, 2008

Attn: Mr. Loren Clark, Assistant Director
Natural Resources and Special Projects
Placer County Planning Department
3091 County Center Drive, Suite 280
Auburn, CA 95603

Ladies and Gentlemen:

RE: Foresthill Divide Community Plan (FDCP) Draft Environmental Impact Report (DEIR)

Thank you for the opportunity to comment on the FDCP DEIR, and for staff's efforts to assist in obtaining access to the documents.

Inappropriate Project Referencing

While we support the County's general efforts to comply with CEQA, the Sierra Club has serious concerns about the overall extent of the environmental impacts that appear to have been omitted or avoided under this EIR. A Community Plan is not a substitution for, but rather a supplement to, the General Plan, and as such must follow its terms.

Unfortunately, the FDCP DEIR appears to be a review from which the Forest Ranch (FR) project will spin. Although it is stated that the FR concept is being presented as an alternative land use plan that would be adopted as part of the FDCP, it is so intertwined as to be inseparable from the FDCP. Thus, contrary to the intent of CEQA, it appears that a "project," FR, is being disguised as a "concept" of the FDCP, and therefore is attempting to avoid the necessary detailed public disclosure as well as defer mitigation by claiming subsequent approvals will take care of all that--later. If it looks like a project, contains all the elements of a project, and will have the environmental effects of a project, we submit that it IS a project and must follow all CEQA requirements for a project. The public should not have to review a maze of what looks like a project, but is being called a "Specific Plan option" to possibly incorporate into a "Community Plan" that may or may not be in compliance with the County's General Plan. Please separate the FR from the FDCP and recirculate appropriately.

The term "application" is used in reference to the FR's relationship to the FDCP, yet it is always carefully couched with a disclaimer of no entitlements, no construction will occur directly, etc. The FDCP continues to use words such as, "...however, when future development occurs..... On-site easements and rights-of way will be dedicated as necessary.... It is anticipated that the phasing of the project and related improvements will occur in increments containing up to 150 units per year...." To avoid impact disclosure, withhold information from the public, defer mitigation on a project by claiming the development (FR) will be required to undergo approvals later is unacceptable, if not illegal, with regard to CEQA. The unintended consequences of such "tiering" will be impermissible segmenting, or piecemealing the project, and distorting the true severity of the environmental impacts associated with the build out.

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CEQA Guidelines 15378 defines “project” to mean the whole of an action that may result in either a direct or reasonably foreseeable indirect physical change in the environment.¹ Where an individual project is a necessary precedent for action on a larger project, or commits the agency to a larger project with significant environmental effect, an EIR must address itself to the scope of the larger project.² “Tiering” does not excuse the lead agency from adequately analyzing reasonable foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later EIR.³

C

We submit that the FR project is erroneously being presented as an “application,” and if it appears to generate little public concern, it will remain in this Programmatic EIR’s “one large project” characterization. That way, it will avoid the required level of review and will be considered as having been adequately analyzed under the program EIR, and thus not require additional environmental documentation. However, if there is enough public opposition or legal challenge, it will conveniently be relegated to another EIR at a later date. Once again, the public and the Foresthill community will have to remain vigilant which is not the intent of CEQA. Again, please prepare an appropriate DEIR for the FDCP and circulate; upon completion, then prepare the proper EIR for FR.

D

As it stands, the public is challenged to review a possible, potential, but not-yet-real project (FR development) with no concrete details of maybe non-existent, phantom, but palpable impacts as far as the FDCP is concerned. The promotion of FR and subsequent backpedaling as to the project’s viability create a veil that prohibits public scrutiny and/or withholds information from the public, thus preventing meaningful review and comment opportunities. Which one should the public be focusing on?

E

The Sierra Club is concerned that this plan may lead to premature commitment of resources; unduly limit available mitigation options and opportunities by the time the site-specific analysis is completed; lock into place the location of a backbone road before sufficient analysis is completed (which might show that one or more parcels should be excluded from development altogether). In fact, as stated in the document, this program EIR will be used by other agencies for subsequent decision making on permits and other approvals. This may not only violate CEQA directly, but also it certainly is not consistent with the intent of CEQA—full disclosure for public review.

F

We urge the County to remove reference to the FR project’s components, consider the entire area as a true Community Plan Update, and recirculate an appropriate DEIR to allow proper public review.

G

Chapter 3—Environmental Setting, Impacts and Mitigation Measures

It is stated in the DEIR (3.1.4) that under the FDCP, the population increases will not exceed buildout capacity and the impact is therefore considered less than significant—no mitigation measures (MM) are required. In the next breath, it is stated that FR will add up to 2,890 persons which is a substantial increase (excess). The conclusion here is that the growth-inducing impact of FR is considered significant and unavoidable, but no mitigation is available.

H

The DEIR impacts become progressively more significant (jobs/housing imbalance; cumulative loss of open space; surrounding land use conflicts; loss of dark sky; lack of infrastructure; wildland fire risks, and lowering of traffic levels of service), and all are compounded with the

¹ See California Environmental Quality Act (CEQA) Guidelines, § 15378, subd. (a).

² See CEQA Guidelines, §15165. See Also, Discussion following CEQA Guidelines, § 15378 (stating that “If... a small amendment to the general plan was requested as one of several approvals necessary for a specific development project, the [city] should characterize the proposed development as the project.”)

³ See Pub. Resources Code § 21100; CEQA Guidelines, § 15152; Stanislaus Natural Heritage Project v. County of Stanislaus (1996) 48 Cal.App.4th 182.

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inclusion of the FR project. One impact that is mitigated to less than significant (affordable housing) bases the MM on implementation of two future submissions which the public does not have enough (or any) information to review. How is the intent of CEQA being followed here? Please provide relevant data and recirculate for public review

I cont.

Most of the FR impacts (both potential and significant) are mitigated with some kind of future design or future plan that the public is not privy to (“A Specific Plan shall be prepared for the project site that clearly delineates the location of proposed land uses and zoning.”—MM 3.2-2b). How is the public to review this future MM to determine if in fact it reduces the potential land use conflicts to less than significant?

J

In the discussion of the Aesthetics, again, the FR project supposedly relies on setbacks, but the distances are “approximate...subject to change...when the Specific Plan is submitted.” Also, with no renderings or elevations of proposed structures available, how is the public to review THIS DEIR with these types of vagaries? Please recirculate a proper EIR.

K

MM 3.4-8 implies that paying a “fair share” contribution to an established assessment district for the list of infrastructure impacts will, in and of itself, reduce the impacts to less than significant. What is not addressed is the capacities of those various established districts to handle the bombardment of impacts from the FDCP and/or the FR project. What is the impact of the FDCP and FR on a facility, such as the Western Regional Landfill that is scheduled to remain open only until 2036? How can a “fair share” be determined to reduce the impact to less than significant when the very impact itself will potentially contribute to the early demise of the facility? How much would the “fair share” be if it took in not only access and use but also premature demise of the facility(ies)? How is “fair share” going to be determined when all the effects are considered?

L

The three MM in 3.5 appear to be based on the presumption of both the FDCP and FR having a majority population of age 55 and older. Thus the usual recreational requirements are being eliminated or omitted based on [stated] “different recreational needs than the younger population.” Where are the studies that show grandparents not only caring for their grandchildren, but in some cases, actually adopting the grandchildren? What percentage (how many) of the “older” population will indeed be caring for younger family members? How many of the “older” population will have younger family members move in with them to care for them in their last years? MM, facilities, and services that would be required in ANY development must be mandated for the FDCP and FR, no matter what the current proposal’s restrictions are. Please require recreational programs that would be mandated in any populated areas that has the potential to grow to 62,948, whether it’s in theory or not.

M

3.19-Oak Woodlands—Throughout the FDCP, reference is made of the many diverse biological communities located within the 109 square mile area. It is stated, but would be obvious in any event, that collectively, the natural resources found in the Foresthill Divide are the primary asset of the FDCP area and must be preserved, which is the mandate of the Placer County’s General Plan as well.

The Oak Woodland Conservation Act requires cities and counties to assess their wealth in oak resources and to adopt Oak Woodlands Management Plans in order to protect and support clean air, water, and wildlife habitat. SB 1334 (Section 21083.4, Public Resources Code) states in part, “This bill would require a county... to determine whether a project in its jurisdiction may result in a conversion of oak woodlands...and would require the county, if it determines there may be a significant effect to oak woodlands, to require one or more of specified mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands.”

N

How have the required specified mitigation alternatives as mandated by SB1334 been implemented in this FDCP and FR project?

With climate change concerns and emerging guidelines and associated oak woodlands standards and regulations, how have the FDCP and FR incorporated carbon dioxide credits and/or

O

mitigation in this DEIR? How have protocols for oak woodlands conversion to other land uses which results in subsequent carbon dioxide biological emissions (lost photosynthesis) been mitigated? How has the permanent loss/conversion of oak woodlands with regard to CO2 reductions been mitigated when the value of existing oak woodlands and/or former oak woodlands available for restoration have risen in value considerably (thus increasing mitigation costs)?

O cont.

FDCP Goals and Policies related to air quality (AQ):

Although the goal to determine and fairly mitigate the local and regional AQ impacts of projects is a noble one, how can a project with population figures ranging from 9,620 to 22,010 to a theoretical 62,948 be fairly mitigated? How can the public realistically comment on fair mitigations with such preposterous ranges? We realize the FDCP and FR project are being presented as plans or applications, but where are the limits? Are such ranges merely thrown into the DEIR to “cover all the bases” for future development? If so, it would represent a circumvention of CEQA. Please determine the “fair mitigation” for “theoretical” population of 62,948 and mitigate AQ impacts accordingly.

P

Chapter 5—Effects NOT Found to Be Significant:

Page 5-1- • Increase the population in the Plan area beyond what has been anticipated in the 20 year horizon.

We believe a theoretical population increase to more than 60,000 as well as the projected increase to 22,000 is about as significant an impact as they come.

Page 5-2- • Impacts of the Foresthill Divide Community Plan (FDCP) with, and without, inclusion of the Forest Ranch Concept Plan on greenhouse gas emissions and global climate change, including the effect of global climate change on long term water supply (see Section 5.4 Cumulative Impacts for discussion).

Although the mentioned discussion covers many areas, it does not adhere to CEQA’s requirement that every public agency eliminate or minimize to the greatest degree feasible, any adverse environmental impacts that may be associated with a governmental action. Approving permits to allow private parties to do something that might have an adverse impact is exactly the sort of governmental action that CEQA covers. By contributing the Greenhouse Gas Emissions problems (GHG), both the FDCP and the FR project merely “dig the hole deeper.”

The DEIR contains such statements as “it is uncertain how current regulations might affect CO2 emissions attributable to the project” or “it cannot be determined how CO2 emissions associated with the FDCP might or might not influence actual physical effects of global climate change.” The fact is we have a relatively undisturbed area (109 sq miles) that will contribute to Global Climate Change. CEQA therefore requires state or local agencies to identify their projects’ potential contributions to climate change and adopt the feasible MM or avoid such contributions. Because of jurisdictions dragging their feet, Governor Schwarzenegger has issued executive orders to ambitiously reduce the state’s carbon emissions. The state attorney general’s offices has repeatedly attempted to compel responses to climate change; as a last resort it has had to resort to joining and initiating lawsuits to enforce compliance. Why isn’t Placer County heeding and following the mandates for this global crisis? Please impose meaningful, stringent MM on both the FDCP and FR project to follow both the intent of CEQA and the state obligations with regard to GHG emissions and climate change.

Q

R

S

Alternatives and “Feasibility” Criteria

Throughout the FDCP and FR sections, reference is made to options as being not feasible, or no feasible MM being available. How were these degrees of feasibility determined? What criteria is being used for “feasibility,” and if there is a list of criteria standards, where are they spelled out? Please define the feasibility standards since they are driving the mitigation or lack thereof.

The FDCP Team Goals are more strongly aligned with NO project than with anything else submitted for review. As an example:

T

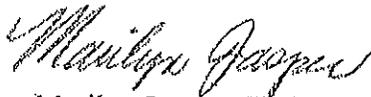
U

The DEIR states, "The Reduced Density Alternative has been identified as the environmentally superior alternative; however, it would not achieve the project objectives (general community goals and vision statement formulated by the Foresthill Divide Community Plan Team.)

However, in reading the goals of the FDCP Team (page 2-2), we do not see any rationale for making that statement. Many more of the FDCP Team goals support both NO Project Alternatives more than they do either the FDCP or the FR project. Please continue with the existing General Plan and do not allow erroneous infeasibility or incompatibility platitudes to be used to abandon this worthy alternative.

U cont.

Thank you for considering our views,



Marilyn Jasper, Chair

Letter 15: Marilyn Jasper, Chair, Sierra Club, Placer Group

Response 15-A: The comment requesting a separate DEIR be prepared for the Forest Ranch Concept Plan component of the FDCP is noted. It should be noted for clarification purposes that in both the Draft EIR and this Final EIR, the references to the Forest Ranch Concept Plan relate to the information contained in Appendix E of the FDCP. The Forest Ranch Concept Plan analysis and mitigation is separated from the FDCP analysis without inclusion of the Forest Ranch Concept Plan throughout the DEIR. Adoption of the FDCP with inclusion of the land uses proposed by the Forest Ranch Concept Plan would result in adoption of the mitigations that have been singled out to pertain to the Forest Ranch Concept Plan land uses. Adoption of the FDCP without inclusion of the Forest Ranch Concept Plan would result in exclusion of the mitigation measures pertaining to the Forest Ranch Concept Plan in that they would not be necessary. Should the FDCP be adopted without inclusion of the Forest Ranch Concept Plan, the Forest Ranch Concept Plan area would be allowed 533 residential units to be developed in accordance with development standards included in Appendix B of the FDCP consistent with the zoning classification that is currently applicable to the site.

Because the DEIR is organized to provide clear separation between the Forest Ranch Concept Plan discussion and the FDCP without inclusion of the Forest Ranch Concept Plan discussion, Placer County does not consider that preparation of a separate DEIR for the Forest Ranch Concept Plan as necessary at this time. Because a Specific Plan would be required for the Forest Ranch Concept Plan project that provides much greater detail than is available for the Forest Ranch Concept Plan component of the FDCP, Placer County considers the appropriate time for preparation of a DEIR for the Forest Ranch Concept Plan project to be in conjunction with consideration of the Forest Ranch Specific Plan. Please see the discussion on page 1-1 and page 1-2 for an explanation of the process that led to integrating the analysis of the Forest Ranch Concept Plan into the analysis of the update of the Foresthill Divide Community Plan.

Response 15-B: Should the land use designations proposed by the Forest Ranch Concept Plan be incorporated into the FDCP, a full disclosure of potential environmental impacts associated with development of the entire 2,616 acre site will be presented to the public in a Specific Plan DEIR. Tiering from the FDCP EIR in preparation of the Specific Plan DEIR would only be to the extent allowed by CEQA. The full analysis of the Forest Ranch Concept Plan project site in a Specific Plan DEIR would not be a segmented or piecemeal approach distorting the “true severity” of the environmental impacts at build out as stated by the commenter, but rather a comprehensive look at the whole project in consideration of a detailed development plan that is not currently available.

Response 15-C: See Response 15-B above. Potential environmental impacts and related mitigation measures have been identified for the Forest Ranch Concept Plan component of the FDCP throughout the DEIR. Deferring preparation of a Forest Ranch Specific Plan DEIR until such time that a detailed plan of development is prepared for the project will allow for a meaningful analysis of the entire 2,616 acre site at the time sufficient detail regarding provision of infrastructure, site plan design, roadway development, etc. is available. Absent the degree of detail provided by a Specific Plan prepared in accordance with state law, analysis required for project specific mitigation is not possible and those reviewing the DEIR would not be given the

degree of detail necessary to appropriately comment on the project. Even if the County incorporates the Forest Ranch Concept Plan into the update of the Foresthill Divide Community Plan, the County has not committed to approval a subsequent project.

Response 15-D: See Response 15-B above.

Response 15-E: The commenter expresses concern over lack of detail as to the Forest Ranch Concept Plan component of the FDCP. It is not the intent of the FDCP DEIR to provide detailed analysis of the Forest Ranch Concept Plan Project, but rather to address the environmental implications associated with incorporating land use designations in the FDCP that would support development of a much more detailed Forest Ranch Specific Plan, including preparation of a Specific Plan DEIR to be distributed for meaningful public review.

Response 15-F: The commenter expresses concern that inclusion of the proposed land uses that would support development of a Specific Plan for the Forest Ranch Concept Plan Component of the FDCP into the FDCP at this time may prematurely commit resources and lock into place a backbone road before sufficient analysis is completed. See Response 15-E.

Response 15-G: See Responses 15-A and B above.

Response 15-H: Comment noted. As affirmed by the commenter, population growth that would result from ultimate buildout of the Forest Ranch Concept Plan component of the FDCP would accelerate population growth within the FDCP beyond the year 2030 official population projection for the FDCP area and is therefore considered a significant impact.

Response 15-I: The commenter reference to missing information on the number of affordable housing units that would be provided by the Forest Ranch Concept Plan project is a case in point regarding the appropriateness of deferring preparation of a DEIR for the Forest Ranch Concept Plan project until the Forest Ranch Specific Plan containing such information is prepared. Inclusion of the Forest Ranch Concept Plan as an option for consideration in approving the FDCP is intended to only allow for consideration of integrating the Forest Ranch Concept Plan land use designations into the overall FDCP land use diagram. Integration of the Forest Ranch Concept Plan land use designations into the FDCP, if approved, would in no way provide entitlement to develop without approval of a detailed Specific Plan and corresponding EIR which would provide the degree of detail being requested by the commenter.

Response 15-J: See Response 15-E.

Response 15-K: See Response 15-E.

Response 15-L: If approved for development, the Forest Ranch Concept Plan project would be assessed impact fees through a variety of mechanisms for the provision of a variety of public services. Assessment fees would be determined in accordance with established practice commensurate with the need to expand services to meet new demands within the FDCP area created by development of the Forest Ranch Concept Plan project thus reducing potential public services impacts to a less than significant level.

Response 15-M: Comment noted. The three mitigation measures referenced by the commenter, found in Section 3.5 (Parks and Recreation) at page 3-115 of the DEIR, are all oriented to meeting the needs of the general population and are not based on, or focused on, senior citizen needs as stated by the commenter.

Response 15-N: The comment regarding Section 21083.4 of the California Public Resources Code is noted. In 2004, the California legislature enacted SB 1334, which added oak woodland conservation regulations to the Public Resources Code. This new law requires a County to determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a County determines that there may be a significant effect to oak woodlands, the County must require oak woodlands mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands. Such mitigation alternatives include: conservation through the use of conservation easements; planting and maintaining an appropriate number of replacement trees; contribution of funds to the State of California Oak Woodlands Preservation Fund for the purpose of purchasing oak woodlands conservation easements; and/or other mitigation measures developed by the County.

The FDCP area is predominantly a coniferous forest environment with black oak trees randomly scattered among the dominate coniferous trees. The County considers oak woodlands to be present when there are more than 2 acres of oak dominated woodland with more than 10% canopy coverage. Oak woodland impacts are mitigated at the project level through a combination of conservation at a 2:1 ratio and compensating replacement for trees removed greater than 24' diameter at breast height (dbh).

Response 15-O: See Response 42-B.

Response 15-P: Comment noted. Please see the discussion on page 2-6 and page 2-7 of the Draft EIR. In addition, the theoretical buildout population of 62,000 is described in Section 3.2 Land Use of the DEIR in the first paragraph of page 3-18 as follows:

This theoretical population growth can not be realized during the time horizon of the FDCP, or even the distant future given the lack of suitable wastewater treatment facilities and treated domestic water. Such a buildout population also assumes 100% of the maximum density of each land use district when in an area like Foresthill such densities cannot be achieved due to the infrastructure constraints listed above and environmental constraints as well (e.g., slope, and onsite septic capabilities).....Buildout under the existing zoning, constrained as described in the project description, would yield a population of 19,272 which would not occur until the year 2170.

All population related impacts of the FDCP have been addressed in the context of the projected 2170 population of 19,272 and mitigated to the fullest extent practicable within the DEIR.

Response 15-Q: See Response 15-P.

Response 15-R: See Response 42-B.

Response 15-S: See Response 42-B.

Response 15-T: Use of the term feasible within the DEIR is based upon the definition found at Section 21061.1 of the Public Resources Code as follows:

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Response 15-U: Comment noted. This is a comment on the merits of the adoption of the Revised Community Plan and does not raise a significant environmental issue that requires a response in this Final EIR.



MIWOK
MAIDU

United Auburn Indian Community
of the Auburn Rancheria

JESSICA TAVARES
CHAIRPERSON

KIM DUBACH
VICE CHAIR

DAVID KEYSER
SECRETARY

DOLLY SUEHEAD
TREASURER

GENE WHITEHOUSE
COUNCIL MEMBER

March 3, 2008

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

RECEIVED

MAR 06 2008

ENVIRONMENTAL COORDINATION SERVICES

Subject: Foresthill Divide Community Plan, Revised Draft EIR
(PEIR T20070206 / State Clearinghouse # 20021092094)

Dear Ms. Krach,

Thank you for the opportunity to review the document referenced above. The United Auburn Indian Community (UAIC) is comprised of Miwok and Maidu people whose traditional homeland includes Placer and Nevada counties, as well as some surrounding areas. The UAIC is concerned about development within ancestral territory that has the potential to impact sites and landscapes that may be of cultural or religious significance. We appreciate the opportunity to comment on the proposed project.

We have reviewed the Revised Draft EIR for the Foresthill Divide Community Plan. Based on the understanding that additional evaluation of potential impacts to cultural resources will be required as future development projects are proposed; we have the following initial comments:

- In order to ascertain whether or not the project could affect cultural resources that may be of importance to the UAIC, we would like to receive copies of any archaeological reports that have been, or will be, completed for the project.
- The UAIC would like the opportunity to have Tribal representatives accompany project archaeologists during future field surveys.
- The UAIC recommends that the proposed project be designed to incorporate known prehistoric cultural sites, including isolated bedrock mortars, into protected areas.
- The UAIC is interested in holding conservation easements for culturally significant prehistoric sites.
- The UAIC requests copies of future environmental documents for the proposed project so that we have the opportunity to comment on potential impacts and proposed mitigation measures related to cultural resources.

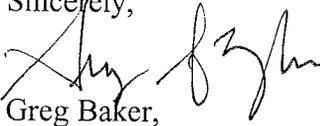
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- In the case of an inadvertent discovery, the UAIC would like to be notified immediately in addition to a qualified archaeologist. If the find is determined to be legally significant by the archaeologist, or culturally important to the Tribal community, project representatives should meet with the archaeologist and the Tribe to determine the appropriate course of action.

F

Thank you again for taking these matters into consideration, and for involving the UAIC in the planning process. If you have any questions please contact our environmental consultant Shelley McGinnis PhD, Analytical Environmental Services, at (916) 447-3479.

Sincerely,



Greg Baker,
Tribal Administrator

CC: Shelley McGinnis, AES

Letter 16: Greg Baker, Tribal Administrator, United Auburn Indian Community of the Auburn Rancheria

Response 16-A: The cultural resources studies prepared for the FDCP DEIR are included as Appendix B.1 and B.2. Future archeological reports completed for specific projects within the FDCP area will be conveyed to the United Auburn Indian Community (UAIC) by Placer County as required by law and County policy.

Response 16-B: The request for local tribal representative to accompany project archaeologist during future field surveys is noted and has been conveyed to Placer County.

Response 16-C: The request to incorporate known prehistoric cultural sites as protected areas is noted and will be addressed at the time of future project development in accordance with the FDCP.

Response 16-D: The UAIC interest in holding conservation easements for culturally significant prehistoric sites has been noted and conveyed to Placer County. The County is interested in working closely with the UAIC for protection of such sensitive resources consistent with FDCP policies and the Placer Legacy Program.

Response 16-E: The UAIC is on the Placer County distribution list for environmental document distribution and the organization will receive copies of future environmental documents for projects proposed within the FDCP area.

Response 16-F: The FDCP, Cultural Resources Implementation Measure #9, requires notification of the Native American Heritage Commission who would notify the UAIC in the case of an inadvertent discovery of Native American remains within the FDCP planning area.

Foresthill Residents for respOnsible Growth, Inc.

P. O. Box 568, Foresthill, CA 95631
(530) 367-4803

March 5, 2008

RECEIVED
MAR 05 2008
CDRA

Loren Clark
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Re: 2008 Foresthill Divide Community Plan Draft Environmental Impact Report (DEIR) Comments

Dear Loren:

Thank you for the opportunity to comment on the draft environmental impact report for the Foresthill Divide Community Plan.

We request that the DEIR be revised relative to the concerns and comments in this letter in order to ensure a legally adequate document. We are particularly concerned that the Alternatives section of the DEIR is very brief and does not include the Foresthill Forum Alternative or something similar to it. We think that this is a particularly important section of the EIR to help the Planning Commission and Board of Supervisors adequately evaluate the potential options and how they will affect the Foresthill community.

A

We are also concerned that the DEIR does not evaluate the impacts of the ultimate population buildout potential of the 2008 Plan of 62,900.

B

Finally, we continue to be concerned that only one Notice of Preparation was issued a number of years ago and the project description/ buildout has changed since then.

C

PROJECT DESCRIPTION

Full potential buildout of a population of 62, 948 must be evaluated in DEIR.

Ultimate buildout of a plan area would normally be achieved by multiplying acreage in each designation by density allowed. This would result in an ultimate population of 62,948 according to the DEIR (p. 2-6). But the DEIR goes on to say that buildout constraints must be assumed to reduce the potential ultimate buildout and concludes that the "unconstrained buildout" of 62,948 does not need to be evaluated (DEIR p. 2-7, para. 1).

D

We disagree with this approach. The constraints to full ultimate buildout cited include environmental constraints such as slope, soils, and general access (DEIR p. 2-7 para. 1

and para 2). Given the PD zoning overlays proposed for much of the Plan area, we expect that these constraints will not be very limiting. In general, the PD combined zoning which is allowed on many properties by the new Plan ensures that full density can be achieved on most properties. In addition, it is assumed that residential uses will not be constructed in commercial zones, yet this is a permitted use. A 20% reduction for roads is also assumed, yet with the PD overlay, this reduction is not needed. Another constraint cited is transportation system limits. Given the fact that the new Plan itself permits growth which will result in significant and unavoidable traffic impacts, this does not appear to be much of a constraint. Finally, water supply and sewage treatment are considered constraints in the DEIR. This may or may not be true. However, since the DEIR does not evaluate the availability of water supply we cannot be sure. It only notes that "an expanded treatment facility will likely be needed within the next 10 years..." (DEIR p. 3-92). The DEIR does not discuss whether or not there is future water supply for a population of 9,000; 14,000; or 62,000. No evidence is provided that sewage disposal will be an actual constraint to development either.

D cont.

It should be noted that State General Plan law requires that all general plans specify the density and intensity permitted on all lands within the plan. Clearly, it was assumed by the State that full density and intensity could occur.

Additionally, the experience of land use in California is "if you zone it, they will come".

Thus, it is not unreasonable to assume that full buildout per the Land Use Map permitted densities will not be constrained as severely as anticipated in the DEIR and impacts must be evaluated in all sections of the DEIR.

ALTERNATIVES

The DEIR overestimates full buildout of the 1981 Plan which permits the conclusion that it is more impacting than the 2008 Plan.

The DEIR goes on to conclude that actual zoned population buildout of the 2008 Plan, assuming the constraints to development expected above, will be either 22,010 (DEIR p. 2-6, para. 7 and p. 2-7 para. 1)) or 18,963 (DEIR p.4-7, para. 1) or 18,272 (DEIR p. 5-21). This variation in buildout figures should be resolved in the Final EIR. We will assume a population of 18,963 for this discussion.

E

The DEIR also concludes that the 1981 Plan allowed a holding capacity of a population of 14,400, but that further analysis for the DEIR concluded that the actual population at buildout would be 28,000 (DEIR p. 4-6 last para.). There is no discussion of how this larger number was determined. And, since a detailed numerical comparison of the 1981 Land Use Map and the 2008 Land Use Map is not included, it is impossible for the reader to understand the differences or to determine whether or not the almost completely unsubstantiated conclusions in the DEIR are correct.

In addition, the 2008 Plan appears to permit additional PD clustering on many residential lands, which eliminates virtually any potential for physical, on-site constraints to reduce overall buildout potential.

Finally, the DEIR never lets the reader know whether the 28,000 population assumption is “unconstrained” or “constrained” 1981 Plan buildout, so we assume it is unconstrained. If this is the case, it must be compared to the unconstrained 2008 Plan buildout figure of a 62,948 population, rather than the 18,963 population. Clearly, a population of 62,948 would be more impacting than a population of 14,000 or 28,000. Increased population of such magnitude generally has greater physical impacts which is the conclusion the DEIR makes in each of the discussions of the other alternatives presented.

E cont.

The DEIR claims that the 2008 Plan halves the densities of the 1981 Plan. (DEIR p. 4-9, para. 3.) Yet no documentation of this assertion is provided. Detailed tables with acreages by designation and proposed density are needed for each alternative in order to adequately compare them.

The DEIR also states that the 1981 Plan has out of date growth rate assumptions (DEIR p. 4-7 para. 1). It should be noted that this does not affect the ultimate buildout figures.

Another Alternative needed for full range – Foresthill Forum Alternative

If the DEIR is correct in assuming that the 1981 Plan Buildout is approximately 28,000 and chooses to compare it to the constrained buildout assumption of the Plan of approximately 18,000 then an additional alternative must be created to ensure that a full range of alternatives is included in the EIR.

It would be appropriate to evaluate the Foresthill Forum Alternative. (Source: November 23, 2004 letter from Brian Connelly, Foresthill Forum.) The main feature of that recommendation called for use of existing zoning outside of downtown. Since the Forum assumed that the 1981 Plan had a buildout of 14,000, this should be used for the alternative. The new policies which provide greater environmental protection and mixed use downtown could be combined with the 14,000 population buildout in this alternative.

Clearly, the DEIR would then have to make similar conclusions as that of the Reduced Density Alternative. The Foresthill Forum Alternative would have to likewise be considered the environmentally superior alternative since it would avoid the pitfall the DEIR assumed that the Reduced Density Alternative would result in: that it would “probably not” support the mixed use and job generating uses proposed in the 2008 Plan.

F

CEQA requires agencies to implement feasible alternatives identified in EIRs for projects that will otherwise cause significant, unavoidable environmental impacts such as the 2008 Plan (Public Resources Code, Section 21002, 21081; CEQA Guidelines, Sections 15002 (a) (3), 15021 (a) (2), 15091 (a). Thus, inclusion of a full range of alternatives which are mitigating in nature and particularly

alternatives which have received extensive community support such as the Foresthill Forum proposal should be evaluated. Without including the Foresthill Forum alternative combined with new policies and mixed use in the downtown area, a full range of alternatives is not provided.

F cont.

Greater detail needed in Alternatives section of DEIR

In general, the DEIR Alternatives discussions are vague and unquantified. No charts are included to compare alternatives in issue areas that can be quantified. It is not clear whether population buildouts used are “constrained” or “unconstrained” which affects the comparison. It is not clear which specific impacts will be mitigated by individual alternatives. As an example, the Transportation and Circulation discussion on DEIR page 4-12 of the 1981 Plan does not conclude whether or not the 1981 Plan will have additional significant traffic impacts over the 2008 Plan. In the Traffic discussion for the Lowest Density Alternative on DEIR page 4-17 the conclusion is very vague: “Reducing the population to be accommodated in the Plan Area might result in segments of Foresthill Road meeting the proposed Level of Service standards without requiring mitigation.” (Emphasis added).

G

Finally, the DEIR concludes that the Reduced Density Alternative is the environmentally superior alternative but: “.. would not be consistent with the general goals and vision for the Community Plan area, because the reduced population would probably not support the mixed use development and job-generating uses proposed in the FDCP.” (DEIR p. 4-21, para. 2) The dismissal of this alternative (and likely any reduced density alternative) using such an unsubstantiated argument does not provide decision makers with the reasoned analysis necessary in an EIR. From our standpoint, there is no reason why the reduced buildout could not meet mixed use development and job-generating use goals proposed in the 2008 Plan. Detailed analysis would be needed to dismiss this Alternative.

ALL AVAILABLE MITIGATION MUST BE EXPLORED.

An EIR must explore all available mitigation measures even if they are not selected (CEQA Guidelines Section 15126(c)) and *Stevens v. City of Glendale* (1981).) In some cases, the DEIR “drops the ball” and concludes that an impact is unavoidable when, in fact, mitigation measures may be available. It is the responsibility of the County to mitigate these impacts to the maximum degree possible, rather than just stating: “no measures are available”.

H

In the following sections of this letter, we recommend mitigation measures which must be evaluated in the Final EIR.

In addition, many significant, unavoidable impacts could be mitigated to some degree by growth management techniques that have not been explored in the DEIR which are listed below:

- Annual growth rate or building permit controls
- Maximum permitted buildout population number by phase
- Planned Development overlays approved as zone changes project by project so that project specific traffic and other impacts are analyzed.

These measures must be discussed in the Final EIR.

The following significant, unavoidable impacts could be mitigated to some degree by these techniques:

- Impact 3.1-2 Jobs:Housing balance
- Impact 3.2-3 Loss of open space
- 3.3-1 Alteration of views from scenic hwys
- 3.3-2 Light and glare
- 3.4-4 Fire Protection
- 3.6-2 Conversion of timber lands
- 3.6-18 Wildlife corridors
- 3.8-1 Stationary and mobile source air pollution
- 3.8-2 Construction related air pollution
- 3.9-1 Traffic roadway segments
- 3.9-2 Traffic, I-80 interchange
- 3.9-5 Traffic throughout Plan area
- 3.9-6 Traffic, I-80 interchange

H cont.

In addition, other unavoidable impacts noted in this letter would be lessened to some degree by the mitigation measures listed above.

LAND USE/ GROWTH INDUCEMENT

The 2008 Plan permits a vast oversupply of land designated for housing. (Housing for an additional population of 3,918 is needed by 2030 (DEIR p. 3-4), yet the 2008 Plan provides for a population increase of from 15,000 to 59,000 (depending on whether or not the constrained or unconstrained growth scenario is used). Though an oversupply of residential zoning is normally provided in a plan, only about 30% over what is needed for projected growth is generally considered necessary to keep housing costs from rising due to undersupply. This huge oversupply alone can facilitate sprawl and must be evaluated in the DEIR.

Again, mitigation should be considered which would include lowering of the ultimate buildout, use of phased urban limits lines, or even annual growth or building permit rate limits.

POPULATION AND HOUSING

Impact 3.1-2. Jobs-Housing Balance. The possibility of increasing the jobs:housing balance by decreasing buildout of the Plan area must be explored as a possible mitigation measure. Requiring a balanced annual building permit issuance rate between each land use type (housing and jobs generating) should also be explored.

J

TRANSPORTATION AND CIRCULATION

Again, the full potential buildout population of approximately 62,000 must be evaluated as discussed in the Project Description section of this letter.

The impact evaluation criteria on DEIR page.3-273 should cite LOS D as unacceptable consistent with the Placer County General Plan which uses a target LOS C for rural roads. (Placer County General Plan Circulation Element policy 3.A7, page 71.) Use of LOS C as the maximum acceptable LOS in the DEIR will change the conclusions substantially, resulting in many additional road segments falling below the acceptable level and requiring additional mitigation measures to be identified.

The relative traffic impacts of each alternative in the Alternatives section of the DEIR are not evaluated in a meaningful way. The Lowest Density Alternative discussion (p. 4-17) concludes that this alternative “might” result in segments of Foresthill Road meeting the proposed LOS standards without requiring further mitigation. The Reduced Density Alternative discussion concludes that this alternative would result in roadway segments meeting the proposed Level of Service standards with less mitigation required (p. 4-19). Yet, the degree of mitigation still needed under these alternatives and whether or not the mitigation required of them would be feasible is not discussed. This vague analysis does not offer enough information for the Planning Commission and Board of Supervisors to make an informed decision on whether or not one of these alternatives should be selected and likely downplays their positive potential. The discussion of the 1981 Plan Alternative does not evaluate its traffic impacts at all, rather it just notes where its policies are out of date (p. 4-12, last para)

K

Related impacts such as traffic safety and pedestrian safety are not discussed at all.

The indirect impacts of the circulation improvements proposed as mitigation are not discussed.

AESTHETICS

Impact 3.3-1 and 3.3-2. The DEIR concludes that a Specific Plan for the Forest Ranch Concept Plan will mitigate potentially significant aesthetic impacts.

L

There is no assurance that this is the case; the adoption of as yet unwritten ordinances and plans cannot be guaranteed nor can their potential to eliminate impacts. The courts have discounted this approach in numerous instances. In *Oro Fino Gold v. County of El*

Dorado (1990) the post-approval formulation of plans was considered inadequate mitigation and that " in the absence of overriding circumstances, the CEQA process demands that mitigation measures timely be set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena." In *Sundstrom v. County of Mendocino* (1988) it was noted that mitigation measures are only adequate if the EIR demonstrates that the approving agency possessed "'meaningful information' reasonably justifying an expectation of compliance." We maintain here that where mitigation measures throughout this DEIR recommend further study or adoption of standards and ordinances that mitigation below the significance level has not been demonstrated. Information must be provided which will give evidence of assured mitigation.

L cont.

PUBLIC FACILITIES

Impact 3.4-1. Sewage Disposal. Though it is noted that small wastewater treatment systems are discouraged by the County in the Setting section of the Public Facilities section of the DEIR (p. 3-65 to 3-66) and their potential problems are noted, this discussion does not carry into the impact section. Since these systems are problematic, and since they are not prohibited, there is the potential for significant impacts to occur if any are permitted in the future. Mitigation prohibiting such systems should be included and would also address growth inducing impacts.

M

Impact 3.4-2 Water Supply. The DEIR concludes that "water supplies are adequate to serve the planned population." (p. 3-92 para 4) Which population time frame are supplies adequate for? It is unlikely that water supply will be available for the full buildout under any of the buildout scenarios. This should be discussed. It is expected that impacts due to full buildout of the Plan could be significant. The only mitigation available at this time is reduction of planned buildout population which should be discussed in the Alternatives section of the DEIR.

Groundwater supply constraints to areas proposed for large parcel residential are not discussed.

Impact 3.4-3 Schools. This section of the DEIR assumes that schools will be built to serve the projected growth using school impact fees. Yet, no projections are made of exactly when new schools will be built and whether or not adequate school construction fees will have been collected by then. Generally there is a lag time between development and collection of full fees. Even though a mitigation fee cap is imposed by the State, it is still incumbent upon EIR preparers to determine if residual impacts will result.

N

Impact 3.4-5 Fire Protection. Once again, it should be noted that fire protection impacts could be minimized by growth management techniques which we discussed previously in this letter or by reduction in the buildout of the Plan. These methods should be discussed relative to fire protection impacts.

O

Impact 3.4-5 Public Protection. This one paragraph impact discussion does not quantify potential impacts such as personnel needed to serve the new population (both constrained and unconstrained buildout), budget available to supply new personnel and equipment., and any special needs that may arise from new land use designations or standards anticipated. The conclusion for this important impact is not substantiated.

P

RECREATION

Impact 3.5-1 The DEIR concludes that 2008 Plan policy 3.E.2-3, which encourage expansion of the JPA between Placer County, the Foresthill Union District, and a local Recreation District, and policy 3.E.2-4 which recommends expanding the powers of the Foresthill PUD or the creation of a local recreation district will serve to expand recreation facilities to serve the projected population. As described previously in this letter, unadopted ordinances cannot ensure mitigation. In addition, it is not clear if enough acreage is shown on the Land Use Map to provide for needed facilities if funding mechanisms are created. It has not been demonstrated that impacts will not be significant from either the unconstrained or constrained buildout scenarios.

Q

NATURAL RESOURCES/ CONSERVATION/ OPEN SPACE

Impact 3.6-6 Water Quality. As discussed previously in the Public Facilities section of this letter, small wastewater treatment systems are discouraged by the County. Since these systems are problematic, and since they are not prohibited, there is the potential for significant water quality impacts to occur if any are permitted in the future. Mitigation prohibiting such systems should be included in the DEIR.

Impact 3.6-8 Surface and ground water supplies. The DEIR states that surface water supply facilities will need to be expanded to meet the constrained buildout population of 22,010 (p. 3-197 last para). Yet, the DEIR concludes that impacts will be less than significant without determining whether or not facilities can be expanded to increase supply,. In particular, the DEIR notes that raising the height of the Sugar Pine Reservoir may be difficult to accomplish. This impact conclusion must be revised to be significant, potentially unavoidable.

R

AIR QUALITY

Impact 3.8-1 New stationary and mobile source emissions. The DEIR concludes that impacts will be significant and unavoidable because new development will contribute more emissions in a non-attainment area. As described previously the DEIR must go as far as possible in identifying potential mitigation even if impacts will only be reduced but not to a less than significant level. In this case, it is clear that reduction in buildout of the Plan area or creation of a building permit balance which would be closer to a more positive jobs: housing ratio should be considered to reduce air quality impacts.

S

This is particularly important given recent State policy on reducing greenhouse emissions. The EIR must consider the Plan's potential global warming impacts. AB 32,

the Global Warming Solutions Act of 2006, requires California to reduce its greenhouse emissions to 1990 levels by 2020. While there are no State guidelines for carrying out AB 32 yet, the absence of specific guidelines does not excuse CEQA compliance. While the Community Plan does quantify potential greenhouse emissions (2008 Plan p. 4-89), it concludes that no mitigating policies are necessary since it is a small part of the statewide total. This, of course, could be said about any individual project or community plan. Given the elevated concern for greenhouse emissions identified in AB 32, a Community Plan that permits a population increase from 5,700 to 22,000 or even 62,000 eventually must be considered a significant contributor and every possible method of mitigation must be identified. The air quality policies in the Community Plan are standard measures and most will not address non discretionary projects such as individual building permits or certain commercial projects. As discussed above, it is clear that reduction in buildout of the Plan area or creation of a building permit balance which would be closer to a more positive jobs: housing ratio should be considered to reduce air quality impacts including greenhouse emissions..

S cont.

NOISE

Impact 3.10-1 Noise impacts due to increased roadway traffic. The DEIR concludes that additional traffic noise in the Plan area as it develops further will result in significant impacts that can be mitigated by a variety of mitigation measures at the time of individual project design such as setbacks, barriers, etc. The Mitigation Monitoring Plan calls for these measures to be required at the tentative map stage. Impacts are concluded to be less than significant after this mitigation. However, we maintain that these mitigation measures cannot be assured in many cases. Not all projects are discretionary and these measures will not be required of them. In addition, existing homes can only be protected from additional noise by construction of barriers or rubberized pavement (Mitigation 3.10-1g, DEIR page 3-327) which appears only to be required in the plus Forest Ranch Concept Plan. In addition, the DEIR noted that these barrier and paving measures would require additional funding. This additional funding cannot be assured and would require additional environmental review and approval of new walls and paving that can also not be assumed at this time. Thus, additional traffic noise impacts in the Plan area must be considered significant and unavoidable.

T

FINAL EIR

We would appreciate if the Final EIR could be prepared in legislative review format so that we can easily track any changes.

U

Sincerely,



Laurie Oberholtzer
Environmental Planner

for
F.R.O.G.

Letter 17: Laurie Oberholtzer, Environmental Planner, Foresthill Residents for respOnsible Growth, Inc.

Response 17-A: The comment expressing concern with the brevity of the DEIR Alternatives section is noted.

Response 17-B: Comment noted. Please see the discussion on page 2-6 and page 2-7 of the Draft EIR. In addition, the theoretical buildout population of 62,900 is described in Section 3.2 Land Use of the DEIR in the first paragraph of page 3-18 as follows:

This theoretical population growth can not be realized during the time horizon of the FDCP, or even the distant future given the lack of suitable wastewater treatment facilities and treated domestic water. Such a buildout population also assumes 100% of the maximum density of each land use district when in an area like Foresthill such densities cannot be achieved due to the infrastructure constraints listed above and environmental constraints as well (e.g., slope, and onsite septic capabilities).....Buildout under the existing zoning, constrained as described in the project description, would yield a population of 19,272 which would not occur until the year 2170.

All population related impacts of the FDCP have been addressed in the context of the projected 2170 population (a 160 year time frame) of 19,272 and mitigated to the fullest extent practicable within the DEIR.

Response 17-C: Comment noted. It is acknowledged that the original Notice of Preparation for the FDCP EIR described a different project than the project analyzed in the DEIR most recently distributed for public review. Because the NOP is a relatively brief document intended to provide a brief project summary and solicit comments on issues to be addressed in the EIR, Placer County does not consider that project description differences in the NOP distributed for public review and comment several years ago and the DEIR routed for public review and comment to be an issue of concern in terms of appropriately informing the public as to the project.

Response 17-D: See Response 17-A above.

Response 17-E: The comment regarding differing FDCP population holding capacity projections within the DEIR is noted. The first paragraph at page 4-7 of the DEIR is amended as follows to provide internal consistency within the DEIR regarding FDCP population holding capacity.

.....square mile FDCP is estimated at 22,010 ~~48,963~~. The number of housing units accommodated by the FDCP would similarly be lower, with the number of new housing units that could be built in the Plan area estimated to be 8,856 ~~7,128~~. Compared to the proposed FDCP, impacts of the No Project Alternative (the 1981 Foresthill General Plan) on population and housing would be greater because it would accommodate more population growth and housing units. The 1981

Foresthill General Plan is based on out-of-date assumptions regarding population growth rate in the Plan area.

Additionally, the third paragraph at page 5-21 of the DEIR is amended as follows to provide internal consistency within the DEIR regarding FDCP population holding capacity.

The estimated population of the Plan area for 2000 is 5,702. The population projection for 2030 is 9,620 and the estimated maximum buildout population for the Plan area is 22,010 ~~48,272~~. This is within the context of the population of Placer County, which was 237,145 in 2000, a projected 336,805 in 2010, and a projected 396,785 in 2020. The proposed FDCP represents a substantial reduction in the buildout population of the existing 1981 Foresthill General Plan, which was 14,400 (as stated in the text of the Plan for an area approximately one-half the size).

The comment regarding lack of explanation as to why the 14,400 population holding capacity assumption in the 1981 Foresthill General Plan has been revised in the No Project Alternative discussion found at page 4-6 of the DEIR is noted and the last paragraph at page 4-6 is amended as follows to provide clarification regarding this assumption:

The 1981 Foresthill General Plan assumed that population growth in the Plan area (which at 56 square miles is approximately one-half the geographic size of the proposed FDCP Plan area, at 109 square miles) would increase at a fairly high annual rate of 7.8 percent (consistent with population growth in the area over the previous decade). That would result in a Plan area population of approximately 11,900 by 2002. In fact, population growth in both the Foresthill General Plan area and the proposed FDCP Plan area has been considerably lower, and the proposed FDCP assumes an annual growth rate of between one and two percent. The Foresthill General Plan states that it allows for a holding capacity of 14,400; ~~however, analysis of the 1981 General Plan during preparation of the FDCP revealed that the land use designations and zoning accommodated by the 1981 General Plan would actually allow for a population holding capacity of 28,000± for the 56 square mile 1981 Plan area.~~ Examination of the existing zoning (supported by the 1981 plan) on the majority of lands located east of the Community of Foresthill that are proposed to be included in the FDCP that are outside of the boundary of the 1981 Foresthill General Plan reveals that carrying capacity for the 109 square mile FDCP, would be approximately 28,000 under the No Project Alternative (i.e. leaving all zoning within the proposed 109 square mile FDCP area unchanged).

The comment requesting justification for the statement that the proposed FDCP “halves” the densities of the 1981 Plan found at page 4-9 of the DEIR is noted and the third paragraph at page 4-9 is amended as follows to provide clarification regarding this statement:

~~Residential densities in the 1981 Foresthill General Plan have been decreased by more than half under the proposed FDCP.~~

In comparing existing zoning supported by the 1981 Plan with the proposed FDCP zoning for the 109 square mile planning area, residential densities within the proposed 109 square mile FDCP are reduced by approximately one-third. As described in the proposed FDCP, the Foresthill Divide is unique in many ways, and is not suited to standard land use planning techniques. As an example, to provide a resident population in the downtown area, the Plan provides for Mixed-Use Areas that allows for many different activities to occur within those areas. Retail commercial uses, offices, public service buildings, and other traditional downtown businesses will be mixed with single-family and multi-family residential uses (perhaps even within the same building) in the Historic Downtown Mixed-Use Area. A downtown resident population is anticipated to be the catalyst for more community events, and help create a pedestrian-friendly neighborhood reminiscent of the historic era represented by the architectural styles of the existing buildings in that area.

The comment regarding out of date population projections not affecting ultimate Buildout figures is noted. This comment does not raise a significant environmental issue that requires a response in this Final EIR.

Response 17-F: The comment regarding a full range of alternatives is noted. The provision of four alternatives in the DEIR in addition to the proposed FDCP is in compliance with Section 15126.6 of the CEQA Guidelines in that a range of reasonable alternatives has been presented following the rule of reason as defined at Section 15126.6(f). Likewise, inclusion of the Foresthill Forum alternative in the DEIR would essentially replicate analysis of the Reduced Density alternative included in the DEIR. Furthermore, CEQA Guidelines Section 15226.6 (a) states in part that “An EIR need not consider every conceivable alternative to a project.”

Response 17-G: The comment regarding the need for greater detail in the DEIR Alternatives Section is noted. As described at pages 4-1 through 4-4 of the DEIR, the scope of the alternatives discussion is governed by the “rule of reason” and need not be as in depth as the analysis of the proposed project. Rather, the EIR is expected to contain sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. It is the opinion of Placer County that the alternatives discussion presented in the DEIR is sufficient to allow for a reasoned comparison with the proposed project.

Response 17-H: The comment proposing additional mitigation measures designed to pace growth within the FDCP area is noted. The projected growth from a year 2000 population of 5,702 to a year 2170 population of 19,272 (a 160 year time span) used as a basis for impact analysis in the DEIR is not considered By Placer County to be a growth rate warranting mitigation measures such as proposed by the commenter (annual growth rate or building permit controls, maximum permitted Buildout population number by phase, or making each future Planned Development overly be approved as individual project by project zone changes).

The comment suggests that some of the significant and unavoidable impacts, including various traffic impacts, could be mitigated to some degree through growth management techniques. The suggested measures could only be implemented through policy decisions by Placer County

decision-makers (i.e., the Planning Commission and the Board of Supervisors). Because no such policy decisions have been made, no detailed technical evaluation of these potential measures was undertaken. The mitigation measures considered in the DEIR represent the types of measures that have typically been accepted in Placer County.

Response 17-I: The comment stating that an oversupply of residential zoning is provided by the FDCP is noted. Most of the land not set aside for forestry or open space uses by the FDCP is intended to accommodate relatively low density dispersed housing (with exception of the Forest Ranch Concept Plan component) typical of the FDCP area. In consideration of the uniquely rural forested nature of the FDCP area, Placer County does not consider the more typical 30% residential zoning oversupply ratio, found in more urban land use designation scenarios to control land price escalation due to undersupply, as necessary or appropriate for the FDCP.

Response 17-J: Refusal to issue residential building permits unless sufficient job producing commercial permits have been issued to achieve a positive jobs housing balance, as proposed by the commenter, is not considered as feasible mitigation by the County of Placer.

Response 17-K: See Response 17-B above. The comment states that the full potential project buildout population must be evaluated in the traffic analysis. See Response 15P, which discusses this issue in relation to the Project Description.

The comment also states that LOS D should be cited as unacceptable, in keeping with the Placer County General Plan. The FDCP serves as the primary planning policy document for the study area. As cited on DEIR page 3-270, FDCP Policy 5.A.1-1 states, “Establish and maintain an acceptable level of service of “D” on Foresthill Road.” This policy, which is specific to the Foresthill Divide Community Plan area, supersedes the General Plan policy referred to in the comment. Therefore, LOS D is the appropriate criterion for evaluation of traffic operations in the study area.

The comment further states that the alternatives “are not evaluated in a meaningful way.” Although detailed level of service analyses were not conducted for the various alternatives, the analysis is consistent with the requirements of CEQA, which does not require the same level of detail as is required for the proposed plan.

The comment also states that traffic safety and pedestrian safety were not evaluated. In the course of the scoping process for the DEIR, these issues were not identified as being of concern. Consultation with Placer County staff and other agencies resulted in no suggestions that such analyses were necessary.

Finally, the comment indicates that the indirect impact of the circulation improvements were not discussed. The commenter has not indicated what indirect impacts from the traffic improvements were not evaluated. Since this is a programmatic document that relies heavily on policies that serve to mitigate impacts, it is important to understand that there are numerous policies in both the Forest Hill General Plan and the proposed Foresthill Divide Community Plan that would serve to mitigate potential impacts.

Response 17-L: See Response 15-B, 15-C and 15-E above.

Response 17-M: The comment addressing sewage disposal is noted. Proposed FDCP policies cited in DEIR Impact 3.4-1 discussion and mitigation measures 3.4-1a through 3.4-1h pertaining to the Forest Ranch Concept Plan component of the FDCP found at page 3-91 to 3-92 are designed to preclude development or require adequate and appropriate design of wastewater treatment systems.

Water supply is adequate to accommodate the projected 2170 FDCP area population (19,272 persons). Groundwater constraints on large parcels have been factored in among several other constraints to arrive at the 22,010 FDCP carrying capacity figure used as a basis for analysis throughout the DEIR.

Response 17-N: The comment regarding school impacts is noted. New schools will be built when, and if, the projected FDCP population growth from 5,702 in 2000 to 19,272 in 2170 requires them. School impact fees are calculated, and adjusted over time, to be in rough proportion to school facility needs as development occurs to insure adequate funds when needed.

Response 17-O: The comment regarding fire protection needs is noted. See Response 17-H above.

Response 17-P: The comment regarding public protection is noted. Although briefly discussed, implementation of the proposed FDCP policies identified in impact discussion 3.4-5 at page 3-96 of the DEIR will ensure that adequate public safety personnel and facilities are provided to accommodate planned growth within the FDCP.

Response 17-Q: The comment regarding recreation is noted. Implementation of the proposed FDCP policies identified in impact discussion 3.5-1 at page 3-113 of the DEIR will ensure that adequate public recreation programs and facilities are provided to accommodate planned growth within the FDCP. Adoption of these policies, inherent in approval of the FDCP, is the mitigation. Adoption of future ordinances is not in question.

Response 17-R: The comment regarding water quality is noted. See Response 17M above regarding Water Quality Impact 3.6-6. Because the proposed FDCP policies referenced in the surface and ground water supplies Impact 3.6-8 discussion would essentially preclude development requiring water supply beyond the current capability of the Foresthill PUD (FPUD) to provide, implementation of these policies are not speculative as implied by the commenter. If expanded surface water supply infrastructure is not provided by the FPUD, development (and thus impacts) will simply not occur.

Response 17-S: The comment regarding air quality and global climate change is noted. See Response 17-H, 17-J, 42-B and 42-D regarding integration of additional mitigation measures into the DEIR to curb growth and global climate change discussion.

Response 17-T: The comment regarding noise impacts due to roadway traffic is noted. Projects requiring a subdivision of land to complete by way of parcel or subdivision map would be

subject to the noise reduction measures included in the DEIR. These projects would be the most significant generators of additional traffic and would account for the vast majority of future development activity within the FDCP area. Ministerial projects such as an individual home on an existing parcel or a small commercial building on an existing commercially zoned parcel, would be small in comparison with future development conditioned per parcel or subdivision map requirements. As concluded in the DEIR, mitigation measures provided at pages 3-320 through 3-323 and at page 3-327 through 3-328 are considered sufficient to reduce traffic induced roadway noise impacts to a less than significant level in that they will be applied to the vast majority of development activity occurring within the FDCP area.

Response 17-U: The commenter request that the Final EIR be prepared in legislative review format is noted, but is not required under CEQA.

Foresthill Residents for respOnsible Growth, Inc.

P. O. Box 568, Foresthill, CA 95631
(530) 367-4803

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CDRA

March 3, 2008

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

Dear Ms. Krach,

In reviewing the Revised Foresthill Divide Community Plan (FHDCP), we find the following issues of concern which need to be addressed:

Population and Land Use

The time horizon used for the community plan is the year 2030. All population and housing projections are based on the 2030 timeframe. However, the proposed land use diagram would suggest a significantly longer timeframe using a buildout population of 62,948...the worse case scenario. Since a community plan would ordinarily be amended every twenty to twenty-five years, why did the County provide a land use diagram with such an overwhelming buildout population that it could allow for housing projections substantially well beyond twenty-five years? The fiasco in 2003 occurred because many property owners felt that they would be losing their density (i.e. property rights), therefore if the proposed plan is approved, then once again there would be the same argument in a larger community and more citizens complaining.

A

Why was a land use diagram not included for the current zoning buildout of 22,010? Additionally, why wasn't the existing land use diagram (dated September, 2005) not included in the DEIR to give the public a better understanding of what is currently in place and what is being proposed?

Transportation and Circulation

The Placer County General Plan (PCGP) Policy Document states that "the County shall develop and manage its roadway system to maintain...(Level of Service) LOS "C" on rural roadways". This policy is not consistent with the statement in the DEIR (pg 3-260) that says all roads in the Plan area currently operate at LOS "D" or better...and the need to maintain an acceptable LOS "D" on Foresthill Road is a potential constraint to future development. The acceptability of LOS "D" on the Foresthill Road (as discussed in Policy 5.A.1-1) is not consistent with the PCGP's policy of Level of Service "C" on rural roadways. Why is LOS "D" acceptable for the Foresthill plan area?

B

Goal 5.A.1 suggests that the goal for transportation and circulation should be “safe and efficient movement of people...on the primary roadway”. There is no discussion in Policy 5.A.1-3 or elsewhere about funding sources for improvements beyond the traffic mitigation fee program for the approximate 17 miles between Foresthill and Auburn if that portion of the Foresthill Road needs to be upgraded to handle the significant increase in traffic volume due to new development. An analysis of the cost to upgrade and/or improve the 17 miles needs to be completed, as well as the source of funds for the improvement needs to be identified (*Concerned Citizens of Calaveras County v. Calaveras County Board of Supervisors (1985) 166 Cal.App.3d 90, 99-103*).

C

Impact 3.9-5 (DEIR pg 3-291) discusses increased traffic throughout the Community Plan area at buildout, excluding Forest Ranch, totaling 4,855. Current dwelling units are approximately 2,375. To mitigate the traffic generated at the Foresthill Bridge due to buildout would require widening the bridge. The improvement is not funded nor is it economically feasible (DEIR, pg 3-295). How is this impact resolved? What solutions are offered? What is the correlation between circulation and the total dwelling units at buildout (as proposed by land use criteria) since various projected population numbers (i.e. 9,620 by 2030; 12,510 by 2030 with Forest Ranch; 22,010 current zoning buildout; 62,948 worst case scenario) have been used? More clarity needs to be given.

D

For the benefit of the public, why weren't there definitions and explanations in the Transportation and Circulation section of the DEIR which address “What are AM and PM Hour Trips and how the calculations are made”? There is no discussion about what population capacity the current Foresthill Road can handle. Why was an analysis of this issue not included?

E

There needs to be further analysis and discussion about tourist traffic. How much is there and what is the impact of that traffic? Why was the updated traffic counts completed in late fall, early winter and spring, when much of the traffic occurs during the five month summer period when tourists use the Tahoe National Forest?

F

The Goals as stated in the Transportation and Circulation section are intended to ensure that the Plan area's circulation system supports its land use. There is a statutory requirement (Gov. Code, section 65302, subd. (b)) that mandates the circulation element correlate with the land use element. This effectively requires the circulation element to set forth service standards as well as proposals respecting changes in roadway demand caused by changes in land use. The correlation requirement is intended to prevent the land use element from permitting growth without adequate proposals for addressing circulation needs. (*Concerned Citizens of Calaveras County v. Calaveras County Board of Supervisors (1985) 166 Cal.App.3d 90, 99-103*). In *Concerned Citizens of Calaveras County* the court held that achieving the mandatory correlation of the circulation and the land use elements required that a county actually identify funding sources and a real plan to address the roadway system before allowing additional growth. How much will the Plan Area generate in Traffic mitigation fees? How will those fees be specifically used? Will there still be a gap in needed funding to complete traffic improvements necessary to

G

maintain adequate traffic levels of service throughout the Community Plan area, the Core Area and the 17 miles to Auburn?

G cont.

Forest Ranch

Why is an additional 28 acres of business/professional land use suggested for the Forest Ranch project if Option “E” is approved at the 2,216 dwelling units? The additional commercial acreage could create another town and further disenfranchise the historic Foresthill downtown area...as well as the rest of the community which is contrary to the FHDCP goals.

H

Throughout the DEIR there is significant discussion about the impact of the Forest Ranch project but the Summary of Impacts and Mitigation Measures does not separate out and discuss those impacts for easy and understandable reading by the public. Why wasn’

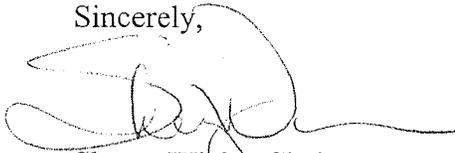
I

Fire

Foresthill is in the Federal Registry as a community at high risk from wildfire because it has “steep grades...and one way in and/or out routes”. Increasing population increases the risk of fire. Goal 5.A.2 suggests providing “for safe emergency access and alternative routes onto the Foresthill Divide” but the Policy 5.A.2-2 only suggests “appropriate sources of funding should be pursued”. Where is the funding for the improvements that will be needed as the population grows and the risk becomes greater? It is negligent to assume that the funds will come from somewhere once the development occurs...or will we worry about it later?

J

Sincerely,



Sherry Wicks, Chair
29 Year Foresthill Resident

“Every man holds his property subject to the general right of the community to regulate its use to whatever degree the public welfare may require it.”

Theodore Roosevelt

Letter 17A: Sherry Wicks, Chair, Foresthill Residents for respOnsible Growth, Inc.

Response 17A-A: The proposed land use diagram for the FDCP has evolved through several years of modification taking into account direction from the Placer County Planning Commission, property owner requests to retain their current zoning classifications, property owners requests to change their current zoning classifications and county staff recommendations. The land use diagram presented in the DEIR is the basis for the zoning Buildout projection of 22,010 persons (in consideration of a variety of development constraints explained in the DEIR).

The only “existing” land use diagram for the Foresthill area is the 1981 Foresthill General Plan diagram, not the September, 2005 diagram formerly included in a previous draft of the FDCP.

Response 17A-B: See Response 17-K, which addresses the issue of LOS D vs. LOS C. Placer County staff determined that a policy allowing LOS D on Foresthill Road was appropriate, given the financial and practical realities associated with attempting to maintain LOS C.

Response 17A-C: The comment requests information about improvement costs and funding sources for roadway improvements. The comment refers to Policy 5.A.1-3, which specifically requires new development projects to implement improvements necessary to address project-related increases in traffic. Traffic mitigation fees are projected as the sole source of funds for roadway system improvements in the Foresthill area. Because of not having an adopted funding source for the transportation system, all of the significant traffic impacts identified in the DEIR have been identified as remaining significant and unavoidable. However, a preliminary analysis performed by the County indicates that the traffic mitigation fee required to fully fund the improvements identified in the DEIR for the plan horizon range between \$2500 to \$5000 per Dwelling Unit Equivalent.

Response 17A-D: As noted in the comment, buildout of the FDCP land use (including 4,855 single-family dwelling units) would result in a significant impact at the Foresthill Bridge. Mitigation of that impact would require that the bridge be widened, but widening the bridge is not feasible due to not having an identified funding source. Therefore, this impact was identified as significant and unavoidable. The specific correlation between dwelling units and circulation system impacts is not straightforward, as increases in residential units would likely be accompanied by increases in commercial square footage including, for example, shopping and employment opportunities. The presence of these commercial land uses would affect travel within as well as to and from Foresthill. The DEIR traffic analysis includes detailed consideration of trips entirely within Foresthill, as well as the trips that enter and exit the Community Plan area.

Response 17A-E: Detailed information documenting the derivation of the numbers of AM and PM peak- hour trips for the various analysis scenarios is presented in DEIR Section 3.9 – Transportation and Circulation. Also, DEIR Appendix C contains the comprehensive traffic impact analysis document, which includes a memorandum from MRO Engineers, Inc. to Placer County staff documenting the detailed derivation of the AM and PM peak-hour trip generation rates used in the FDCP analysis. As described in the DEIR, the land uses contained within the Forest Ranch Concept Plan property were analyzed using a separate set of peak-hour trip

generation rates, which differed from those used in the FDCP analysis. The Forest Ranch Concept Plan rates were developed based on information provided by Placer County staff, representatives of the Forest Ranch Concept Plan project, and information included in previous traffic analyses for the Forest Ranch Concept Plan project. The Forest Ranch Concept Plan trip generation rates specifically reflect the unique nature of that proposed project, particularly with regard to the trip making patterns of age-restricted communities.

As described in the DEIR, the existing AM and PM peak-hour traffic volumes were based on traffic counts conducted on the nineteen study roadway segments on Tuesday, May 17, 2005, and those 24-hour volumes were used to determine the AM and PM peak hour directional traffic volume for each of the roadway segments. At the study intersections, AM and PM peak-period (i.e., 7:00 – 9:00 AM and 4:00 – 6:00 PM) turning movement counts were conducted at the I-80 interchange on August 20, 2004. The traffic counts were performed on a summer Friday, in order to capture typical weekend recreational traffic at the I-80/Auburn Ravine Road/Foresthill Road interchange. As such, the counts represent higher-than-average traffic volumes, thereby providing a conservative indication of traffic operations at the study intersections. The specific one-hour period representing the highest traffic volume at each study location was then derived from the count data described here.

No analysis of the “population capacity” of Foresthill Road was performed because such an analysis involves multiple factors beyond simply the population of the area. The distribution of the population within the Community Plan area is also a critical consideration. The traffic analysis documented in the DEIR accounts for not only the population, but also a wide range of commercial land uses and the interactions among those land uses. For example, it specifically addresses how many of the trips occur entirely within Foresthill and how many have an origin or a destination external to Foresthill. The amount of commercial development in Foresthill is largely dependent upon the number of residents so, again, it is not feasible to perform an analysis of the type referred to in the comment based solely on population. The analysis presented in the DEIR reflects Placer County staff’s best estimate of reasonable and realistic land use values for the Foresthill Divide Community Plan area.

Response 17A-F: The reference to counts being “completed in late fall, early winter and spring” is inaccurate. As described in DEIR Section 3.9 – Transportation and Circulation, the traffic counts performed at the I-80 interchange intersections were specifically conducted on a summer Friday, in order to capture typical weekend recreational traffic at the I-80/Auburn Ravine Road/Foresthill Road interchange. As such, the counts represent higher-than-average traffic volumes, thereby providing a conservative indication of traffic operations at the study intersections. Further, daily vehicle classification counts were conducted on the nineteen roadway segments on Tuesday, May 17, 2005, which is believed to be within the “five month summer period” referred in the comment.

With regard to the impact of tourist traffic, the DEIR traffic analysis describes input from U.S. Forest Service representatives regarding the level of tourist traffic in the area, both now and in the future. As described in the DEIR, tourist traffic was assumed to consist of about 550 - 600 trips per day on Foresthill Road, with that volume expected to double in coming years. The daily number of tourist trips was converted into AM and PM peak hour trip estimates, as follows:

- AM peak hour – 100 trips (40 eastbound and 60 westbound), and
- PM peak hour – 100 trips (60 eastbound and 40 westbound).

To ensure a conservative estimate, the tourist trips for the AM and PM peak hours were added as “through volume” to all of the study roadway segments on Foresthill Road in all four future year scenarios. Tourist traffic was not added to any other study roadways.

Thus, the combination of (1) traffic counts conducted within the tourist season and (2) reasonable estimates of the number of tourists using the study area roadways during the peak-hour periods results in a realistic assessment of conditions within the study area.

Response 17A-G: Placer County staff has performed an analysis of capital improvement needs and costs over the 20-year horizon corresponding to the year 2030 DEIR analysis time frame and spreading those costs over the anticipated growth. The analysis indicated that the improvements needed for the year 2030 time frame could be fully funded, based on maintaining traffic operations at LOS D or better, in keeping with FDCP Policy 5.A.1-1. A preliminary analysis performed by the County indicates that the traffic mitigation fee required to fully fund the improvements range between \$2500 to \$5000 per Dwelling Unit Equivalent.

Response 17A-H: The 28 acres of commercial land use designation has been incorporated into the Forest Ranch Concept Plan component of the FDCP to ensure that adequate area is available to develop service/retail oriented commercial businesses, in concert with the historic core area of the Community of Foresthill, to meet the needs of the Forest Ranch Concept Plan residents. The 28 acres is considered to be a general guide to the application of future zoning classifications that would only occur if a Forest Ranch Specific Plan is ultimately approved.

Response 17A-I: As explained at page ES-1 of the DEIR Executive Summary, the summary table of impacts and mitigation measures clearly distinguishes between the Forest Ranch Concept Plan mitigations and the FDCP without the Forest Ranch Concept Plan component mitigations by the use of grey shading applied to all Forest Ranch Concept Plan mitigation measures in the summary table.

Response 17A-J: The comment regarding future funding sources for improvements to alternative FDCP egress routes, other than Foresthill Road, is noted. This comment does not raise a significant environmental issue that requires a response in this Final EIR.