more development in this area. As it stands, the DEIR does not adequately convey this risk. 09-208 cont.

(b) Wildfire Risks

As the past several years have demonstrated, wildfires dramatically alter the environment in California, pose a tremendous risk of injury and death, and cause billions of dollars of damage to buildings and infrastructure. The threat of wildfire is increasing. Megafires like the 2013 Rim Fire are becoming more common in the western United States, and the Sierra Nevada in particular is at risk.[8] Decades of fire suppression, a changing climate, and a shortage of forest restoration efforts have led to extremely unhealthy conditions in many of our forests. Combine those overgrown conditions with a record drought and you have frightening conditions for increased likelihood of disaster in the Sierra. In 2014, the King Fire burned nearly 100,000 acres and stopped just 8 miles short of the crest of the Sierra Nevada, threatening Squaw Valley.[9] Smoke was so thick in Squaw Valley that they were forced to cancel the international Lake Tahoe ironman competition.

The environmental destruction wrought by wildfires is exacerbated by development in the Wildland-Urban Interface ("WUI"), which unwisely places people and structures directly in the line of fire. More and more people are living in the WUI, which poses the most danger for wildfire conditions because of the complex mix of fuels (vegetation), topography (hills), accessibility (roads) and structures (homes). The proposed Project is located within the WUI. In some parts of Placer County, such as Squaw Valley, fire danger is worsened significantly by steep, rugged topography, which allows wildland fire to spread quickly and makes it more difficult to fight. Access to Squaw Valley is limited by the configuration of the Valley and the Truckee River canyon; there is only one means of ingress and egress, and a single road (SR 89) connects Squaw Valley to adjoining communities. DEIR at 15-13. Inadequate access, e.g., long roads with a single access point, significantly contributes to the inability to effectively evacuate residents during a disaster and provide necessary emergency access for fire, ambulance, or law enforcement personnel. The mixture of all of these factors creates the 09-209

[8] http://www.sierranevada.ca.gov/press-room/sierra-wildfire-wire/introduction, accessed July 1, 2015.

[9] http://www.moonshineink.com/news/tahoe-feels-effects-king-fire, accessed July 10, 2015.

perfect situation for a serious threat to the safety of both the public and firefighters as well as the area's natural lands.

Because of this extreme risk, one would expect that the DEIR would thoroughly describe the history of wildfires in the Sierra Nevada, examine the potential for the proposed Project to exacerbate these hazardous conditions and, identify comprehensive measures to reduce this risk. Unfortunately, the DEIR does not undertake these necessary tasks. 09-209 cont.

(i) The DEIR Fails to Adequately Describe the Existing Wildfire Conditions in the Sierra.

CEQA requires an EIR to include a description of the physical conditions in the vicinity of the project from both a local and a regional perspective. Here, the DEIR omits the critical information required to understand the severity and extent of the wildfire risk that would occur upon implementation of the proposed Project.

At a minimum, the DEIR should have addressed the following questions pertaining to the Sierra's recent wildfire history:

- How many major wildland fires have occurred in the Sierras within the last decade? How many structures were lost? How many acres of land were consumed? What was the financial cost of these fires?
- Was there adequate fire response for these wildland fire events? Were additional fire fighters recruited from across or outside the State? What was the standard response time for wildland events? Was there sufficient water to fight the wildland fires? 09-210
- How many people and homes are there in Squaw Valley?
- What percentage of the lands in the Sierras (i.e., conifer forests) that historically experienced frequent but low-intensity surface fires, are now predisposed to high-intensity, high-severity crown fires (because of the greater infrequency of fires due to greater fire suppression efforts)?

These are just a few of the questions that require answers so that the DEIR preparers are able to evaluate the severity of the risk associated with the proposed Project's intensification of land uses within Squaw Valley.

(ii) The DEIR Fails to Conduct an Adequate Impact Analysis Associated with the Risk of Wildfire.

The DEIR addresses public safety risks from wildfires in two locations: Impact 15-4: Interference with an adopted emergency evacuation plan and Impact 15-6: Expose people or structures to a significant risk of loss, injury, or death involving wildfires. DEIR at 15-19, 20. Unfortunately neither of these discussions adequately evaluate the listed impact.

It is vitally important that the DEIR provide a thorough analysis of Impact 15-4: Interference with an adopted emergency evacuation plan. Unfortunately, its discussion of this impact is entirely superficial. The DEIR looks primarily to the Wildland Fire Evacuation Plan, included as Appendix J, to conclude that impacts would be less than significant. DEIR at 15-19. This two-page plan does not evaluate how the Project would interfere with emergency evacuation and response. As discussed in section I.B.4. of this letter (transportation), the Project would result in 8,400 additional vehicular trips ever day in the summer. This traffic would cause LOS F, i.e. gridlock, along Squaw Valley Road, the single means of ingress for emergency vehicles and egress for Squaw Valley residents and resort visitors attempting to flee in the event of a wildfire. The DEIR misses the mark entirely because it never describes this foreseeable wildfire scenario. 09-211

Other jurisdictions employ modeling tools that evaluate these types of situations. For example, San Diego County employs Fire Behavior Modeling which evaluates a worst-case scenario wildland fire based on site topography, fuel loads, atmospheric conditions, and fire intensity. *See e.g.*, San Diego County Guidelines for Determining Significance Wildland Fire and Fire Protection at 9, attached as Exhibit 33. 09-212

Rather than evaluate the status of emergency access and response, the DEIR simply asserts that impacts would be less than significant because "the Placer County Department of Public Works would be involved in implementing measures to ensure acceptable traffic flow and reduce the risk of impairment to emergency evacuation routes." DEIR at 15-19. The DEIR arrives at this absurd conclusion without any evidentiary support as to how the Public Works Department would "ensure acceptable traffic flow." Of course, given the Project's access constraints and the fact that it would create gridlock on area roadways, it is quite clear that it is simply not possible for the Public Works Department to solve this problem. 09-213

Likewise the DEIR concludes that Impact 15-6 (expose people or structures to a significant risk of loss, injury, or death involving wildfires) would be less than significant 09-214

but the evaluation does not address the constraints to emergency access at all. The DEIR asserts that the development of a Construction Traffic Management Plan will be implemented to "maintain emergency vehicle access on area roadways." DEIR at 15-21. Here too, the DEIR lacks any evidentiary support as to how specifically a construction traffic plan would ensure that emergency access would be maintained. In addition, this mitigation measure addresses emergency access only during the Project's construction and does nothing to ensure adequate emergency access during the Project's operations.

09-214 cont.

In sum, the wildfire risks associated with the proposed Project warrant comprehensive scrutiny. The DEIR's superficial treatment of this issue is a fatal flaw requiring recirculation.

09-215

(c) Risks Associated with Increased Propane Storage

The Project proposes a substantial increase in the amount of propane stored on site. Although the DEIR does not identify the amount of propane that is currently stored on-site, it does acknowledge that total storage capacity would be 150,000 gallons at the Village site and another 15,000 gallons at East Parcel. DEIR at 3-27. We can find no indication that the DEIR has evaluated the risk to public safety from the storage of this massive amount of propane.

09-216

As the series of gas explosions at a Blue Rhino facility in Florida make clear, propane can be explosive. *See* "Massive explosions rock Florida propane plant, July 30, 2013, attached as Exhibit 34. In that event, authorities evacuated residents within a one mile-radius evacuation. *Id.* Three individuals suffered critical injuries. Fire raged at the facility for at least three hours after the initial explosions. Firefighters had to keep their distance from the site, limiting their ability to prevent the fire from spreading to the wooded area sounding the facility, as it was unsafe for them to approach the plant. *Id.*

09-217

Although the Project's propane storage facility would be located near resort lodging and existing residences (*see* Exhibit 3-5), the DEIR fails to provide any analysis of potential public safety risks. Instead, the DEIR simply asserts that the tanks would meet all applicable standards. DEIR at 3-27. As discussed previously, merely complying with regulatory requirements is not sufficient to conclude a project would not have a significant and adverse impact. One would imagine that the operators of the Blue Rhino facility also complied with applicable regulations yet such compliance did not prevent the massive explosion at that facility. Here, the DEIR cannot simply ignore the potential for a similar type incident.

09-218

The EIR should be revised to include an analysis of the public safety risk from placing potentially explosive materials in close proximity to individuals. As part of this analysis, the EIR must evaluate a scenario in which a wildfire reaches the propane tank facility. 09-219

11. The DEIR Does Not Properly Analyze the Project's Consistency with the Placer County General Plan and the Squaw Valley General Plan and Land Use Ordinance.

CEQA requires that environmental impact reports analyze the consistency of a project with applicable local plans, including General Plans. *See Napa Citizens for Honest Govt. v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 386-87; CEQA Guidelines Appendix G, § IX(b). Inconsistencies with a General Plan or other local plan goals and policies that were enacted in order to protect the environment are significant impacts in themselves and can also be evidence of other significant impacts. *See id.*; *Pocket Protectors*, 124 Cal.App.4th at 929. 09-220

The DEIR's analysis of the Project's consistency with the Placer County General Plan and the Squaw Valley General and Plan Land Use Ordinance ("SVGPLUO" or "Ordinance") is fundamentally flawed. The DEIR takes the position that because amendments and minor adjustments to the General Plan and SVGPLUO are proposed, the Project would be consistent with both documents, and, therefore, any conflicts with plans would be less than significant. DEIR at 4-21. In order to evaluate the accuracy of this statement and the Project's consistency with the General Plan and Ordinance, the DEIR must identify the "minor adjustments" to the plan's policies. Unfortunately, the DEIR fails to provide this critical information.

(a) Placer County General Plan Policies.

Moreover, in its analysis, the DEIR glosses over numerous, glaring inconsistencies in order to reach the contrived conclusion that the Project is somehow consistent "overall" with the General Plan. *Id.* In addition to misinforming decision-makers and the public about the Project's consistency with the General Plan, this analysis underestimates the actual impacts of the Project and ignores some of the Project's most significant 09-221

impacts.[10] The DEIR must be revised and recirculated to provide a comprehensive and accurate analysis of all General Plan inconsistencies.

Numerous goals and policies within the County are relevant to the proposed Village Specific Plan Project. Many of these goals and policies are directly at odds with the proposed Project. Some of the most egregious violations are discussed below.

09-221 cont.

(i) The Project is Flatly Inconsistent with General Plan Policies Pertaining to Transportation.

If implemented, the Project would be directly at odds with the General Plan's fundamental principles that development only be allowed in areas where the circulation and transportation system capacity can accommodate such development. Other provisions in the General Plan call for requiring land development projects to pay their fair share of that development's impacts on the local and regional transportation system and to promote a balanced transportation system that provides alternatives to the automobile. The General Plan includes numerous guiding policies centered on these themes, including, but not limited to:

09-222

General Plan Policy 3.A.7

General Plan Policy 3.A.7 states that the County shall develop and manage its roadway system to maintain the following minimum levels of service (LOS), or as otherwise specified in a community or specific plan: (a) LOS "C" on rural roadways, except within one-half mile of state highways where the standard shall be LOS "D"; (b) LOS "C" on urban/suburban roadways except within one-half mile of state highways where the standard shall be LOS "D"; and (c) An LOS no worse than specified in the Placer County Congestion Management Program (CMP) for the state highway system. The General Plan allows "temporary slippage" in the LOS C at specific locations.

09-223

The Project is flatly inconsistent with this General Plan Policy. In allowing the exception to the LOS standards, the County is required to consider, among other factors, the impacts on general safety and the impacts of quality of life as perceived by residents.

[10] Additionally, the DEIR's conclusion that the Project is consistent with various General Plan goals and policies is fatally undermined by the fact that the DEIR does not contain an adequate discussion of the Project's impacts on the resources which those goals and policies are meant to protect. *See Napa Citizens for Honest Govt.*, 91 Cal.App.4th at 381.

As discussed in sections I.B.4 (transportation) and I.B.10 (public safety) of this letter, by allowing the proposed Project to degrade highways and intersections to LOS F, the Project would be a threat to public safety, such as in the event of a wildfire, and would irreparably affect the neighboring community's quality of life. The Project's inconsistency with Policy 3.A.7 also constitutes a significant impact of the Project. 09-223 cont.

General Plan Policy 3.A.8

General Plan Policy 3.A.8 states that the County shall work with neighboring jurisdictions to provide acceptable and compatible levels of service and joint funding on the roadways that may occur on the circulation network in the cities and the unincorporated area.

In direct violation of Policy 3.A.8, if the proposed Project is approved, the County would be allowing significant and unavoidable traffic impacts on local and regional highways. Moreover, although the Project's traffic congestion would adversely impact neighboring jurisdictions, the County is not requiring the applicant to fund necessary mitigation, e.g., contributing funding for necessary transit improvements or financing roadway repaving, etc. The Project is inconsistent with this General Plan Policy which also constitutes a significant impact. 09-224

General Plan Policy 1.G.1

General Plan Policy 1.G.1 states that the County will support the expansion of existing winter ski and snow play areas and development of new areas where circulation and transportation system capacity can accommodate such expansions or new uses and where environmental impacts can be adequately mitigated.

In clear violation of Policy 1.G.1, as discussed in section I.B.4 (Transportation) of this letter, the existing transportation system does not have the capacity to support the traffic that would be generated by the Project. The Project would result in significant and unavoidable traffic impacts to Placer County intersections and Caltrans' highway segments. This traffic congestion would also adversely impact neighboring jurisdictions. In addition, the proposed Project would not "adequately mitigate" its environmental impacts. The Project would result in significant and unavoidable impacts to cultural resources, visual resources, noise, and GHG emissions. Furthermore, the Project would result in numerous significant and unavoidable cumulative impacts. This egregious conflict with this General Plan Policy which also constitutes a significant impact. 09-225

General Plan Policy 3.A.13

General Plan Policy 3.A.13 states that the County shall assess fees on new development sufficient to cover the fair share portion of that development's impacts on the local and regional transportation system. Exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.

The Project violates Policy 3.A.13. The Project would result in significant and unavoidable traffic impacts to local and regional intersections and highways, yet the Project applicant is not being required to contribute any funding to cover the Project's impacts on the local and regional transportation system. Nor is the Project providing public benefits; it is not contributing to low income housing or providing needed health facilities. In addition, we can find no indication that alternative sources of funding are available to offset foregone revenues. The Project is inconsistent with this General Plan Policy which also constitutes a significant impact.

09-226

General Plan Policy 3.A.9

General Plan Policy 3.A.9 states that the County shall strive to meet the level of service standards through a balanced transportation system that provides alternatives to the automobile.

In direct violation of this Policy, the Project does not provide a balanced transportation system. Access to the existing Squaw Valley Resort is 100% auto-based (*see* Exhibit 4), and the DEIR provides no indication that the Project would result in an increase in transit mode share. The Project would result in LOS F at numerous intersections along local and regional highways. The Project is blatantly inconsistent with this General Plan Policy which also constitutes a significant impact.

09-227

General Plan Policy 3.B.9

General Plan Policy 3.B.9 states that the County shall require development of transit services by ski resorts and other recreational providers in the Sierra to meet existing and future recreational demand.

The Project is in clear violation of this General Plan Policy. The DEIR provides no indication that the Project would result in an increase in transit mode share. Rather

09-228

than meeting recreational demand with transit service, the proposed Project would likely be completely auto-based. In addition, the Project would result in a significant impact on local transit service providers for which the DEIR does not identify adequate mitigation. The Project is inconsistent with this General Plan Policy which also constitutes a significant impact.

09-228 cont.

(ii) The Project is Inconsistent with General Plan Policies Calling for the Protection of Biological Resources and Water Quality.

The General Plan embodies values and principles that recognize the importance of the ecological resources in the area including maintaining water quality in the area and protecting the area's unique wildlife and sensitive habitats. The following policies are indisputably linked to protecting the environment through avoiding impacts on sensitive resources:

09-229

General Plan Policy 6.A.1

General Plan Policy 6.A.1 states that the County shall require the provision of sensitive habitat buffers which shall, at a minimum, be measured as follows: 100 feet from the centerline of perennial streams, 50 feet from centerline of intermittent streams, and 50 feet from the edge of sensitive habitats to be protected including riparian zones, wetlands, old growth woodlands, and the habitat of rare, threatened or endangered species.

The Project clearly violates this Policy because it would result in the destruction of habitats including approximately 26 acres of existing mixed conifer forests, 5.32 acres of intermittent stream, 4.16 acres of riparian, and over 2 acres of sagebrush scrub. *See* DEIR at 6-9 and DEIR Exhibit 6-1. In addition to destroying these habitats, the Project does not provide for the adequate setbacks from habitats that would remain after construction. *See* Specific Plan at B-16, fig. B.2. The Project's inconsistency with this General Plan Policy also constitutes a significant impact.

09-230

General Plan Policy 6.A.3

General Plan Policy 6.A.3 states that the County shall require development projects proposing to encroach into a creek corridor or creek setback to do one or more of the following, in descending order of desirability: (a) Avoid the disturbance of riparian vegetation; (b) Replace riparian vegetation (on-site, in-kind); (c) Restore another section

09-231

of creek (in-kind); and/or (d) Pay a mitigation fee for restoration elsewhere (e.g., wetland mitigation banking program).

The Project violates this General Plan Policy. As noted above, the Project would destroy at least 4.16 acres of riparian vegetation. In addition, the DEIR provides no evidence that the applicant made any attempt to avoid riparian habitats. Furthermore, although the Project purports to include the restoration of Squaw Creek, the DEIR provides no certainty that the creek restoration will be successful. The Project is clearly inconsistent with this General Plan Policy which also constitutes a significant impact. 09-231 cont.

General Plan Policy 6.A.8

General Plan Policy 6.A.8 states that where the stream environment zone has previously been modified by channelization, fill, or other human activity, the County shall require project proponents to restore such areas by means of landscaping, revegetation, or similar stabilization techniques as a part of development activities.

The Project blatantly violates this General Plan Policy. Squaw Creek is channelized within the Plan Area. While the Project would purportedly maintain a 100-200 foot wide corridor for the Creek, the Project does not include measures intended to revegetate or otherwise stabilize Squaw Creek, outside of limiting the types of structures that may be constructed within the Creek Preserve. *See* Specific Plan 7-4 – 7-9. As discussed previously, the DEIR lacks the evidentiary support that the Squaw Creek restoration project and/or the attempts to revegetate the riparian habitat will be successful. The Project is inconsistent with this General Plan Policy which also constitutes a significant impact. 09-232

General Plan Policy 6.C.1

General Plan Policy 6.C.1 calls for the County to identify and protect significant ecological resource areas and other unique wildlife habitats critical to protecting and sustaining wildlife populations. Significant ecological resource areas include the following: (a) Wetland areas including vernal pools; (b) Stream environment zones; (c) Any habitat for rare, threatened or endangered animals or plants; (d) Critical deer winter ranges (winter and summer), migratory routes and fawning habitat; (e) Large areas of non-fragmented natural habitat, including Blue Oak Woodlands, Valley Foothill Riparian, vernal pool habitat; (f) Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory 09-233