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is insufficient to meet CEQA’s requirements for analysis of a project’s energy impacts.
See id.

09-288
cont.

The DEIR also errs because it does not discuss whether there are less energy-intensive methods and equipment for constructing the Project. Instead, the DEIR presents the selected construction equipment and methods as a foregone conclusion. Consequently, neither the public or decision-makers are able to determine whether there may be more energy efficient approaches for Project construction. *See* Guidelines Appx. F(II)(D).

09-289

The DEIR also fails to adequately evaluate whether the materials used in construction would be produced in an energy-efficient way. The DEIR makes a single, conclusory statement that “[e]nergy efficiency is also expected for the off-site production of construction materials, based on the economic incentive for efficiency.” DEIR at 14-39. The DEIR does not state which materials would be produced in an energy-efficient manner. Nor does it provide any explanation or evidence that it is uniformly economically beneficial to conserve energy when producing construction materials. Indeed, in some areas, cheap and plentiful nonrenewable resources may encourage wasteful manufacturing processes. Energy-efficient and economically efficient are not always synonymous.

09-290

Finally, the DEIR fails to conduct the required comparative evaluation to determine whether any of the Project alternatives would result in more or less energy use. Guidelines Appx. F(II)(E). Without comparing the alternatives’ energy efficiency, the DEIR prevents the public and decision-makers from making an informed choice between the Project’s alternatives.

09-291

The DEIR fails to provide a legally defensible analysis of the Project’s energy impacts. The document must be revised to provide an accurate assessment of these impacts.

09-292

16. The DEIR Fails To Adequately Analyze And Mitigate the Project’s Significant Cumulative Impacts.

As the DEIR acknowledges, CEQA requires the lead agency to analyze and mitigate a Project’s potentially significant cumulative impacts. CEQA defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” Guidelines § 15355; *see also Communities for a Better Env’t v. Cal. Res. Agency*, 103

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Cal.App.4th at 120. An effect is “cumulatively considerable” when the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” Guidelines § 15065(a)(3). A proper cumulative impact analysis is “absolutely critical,” *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1217, as it is a mechanism for controlling “the piecemeal approval of several projects that, taken together, could overwhelm the natural environment,” *Las Virgenes Homeowners Fed’n, Inc. v. County of Los Angeles* (1986) 177 Cal.App.3d 300, 306.

09-293
 cont.

Where the DEIR has failed to analyze or mitigate the Project’s cumulative impacts for a given environmental impact, that failure is discussed in conjunction with each issue area addressed above. However, the DEIR’s cumulative impact analysis is flawed in several additional respects. First, the analysis includes a “list” of cumulative projects, but that list fails to include all of the relevant probable future projects. For example, as set forth above (Section I.A (project description)), there are two planned projects that are clearly related to the Project: the Squaw-Alpine connector and Project 60. Even if these projects were not considered part of the current Project, at a bare minimum the DEIR must analyze and mitigate the impacts from these planned projects as cumulative impacts. The DEIR’s current silence as to these two probable, and clearly related, future projects, is unacceptable.

09-294

Second, the DEIR’s summary of development from applicable land use plans is too conclusory. The DEIR fails to explain the basis for the projections of future development (to 2039) in Squaw Valley. What is factored in? The DEIR should explain the method used for its calculations.

09-295

Third, the cumulative impacts analysis assumes that all proposed mitigation measures will be adopted. DEIR at 18-7. This assumption runs the risk that if any mitigation measures later prove infeasible and the County declines to adopt the measure(s), it will be unclear as to whether cumulative impacts may result or may be more severe than previously disclosed. In that event, the County would need to recirculate the EIR. To solve this issue, the DEIR should additionally analyze cumulative impacts assuming mitigation measures are not adopted.

09-296

C. The DEIR’s Analysis of Project Alternatives Is Inadequate.

Under CEQA, a proper analysis of alternatives is essential to comply with the Act’s mandate that significant environmental damage be avoided or substantially

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lessened where feasible. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d); *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433, 443-45. As stated in *Laurel Heights I*, “[w]ithout meaningful analysis of alternatives in the DEIR, neither the courts nor the public can fulfill their proper roles in the CEQA process . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA’s fundamental goal that the public be fully informed as to the consequences of action by their public officials.” 47 Cal.3d at 404.

09-297
cont.

Critically, an EIR must consider a “reasonable range” of alternatives “that will foster informed decision-making and public participation.” CEQA Guidelines § 15126.6(a) (emphasis added); *Laurel Heights I*, 47 Cal.3d at 404 (“An EIR’s discussion of alternatives must contain analysis sufficient to allow informed decision-making.”) The discussion of alternatives must focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. CEQA Guidelines § 15126.6(b). The DEIR for the Project fails to heed these basic mandates.

1. The DEIR Fails to Analyze an Adequate Comprehensive Alternative to the Project.

After presenting CEQA’s required “no project” alternatives, the DEIR offers only one project-wide alternative (the Reduced Density Alternative). The three other “alternatives” (Widened Squaw Valley Road; Preservation of Historical and Wetlands Resources; and Alternative Water Tank Location) all involve modifications to only a small number of project features (which in two cases actually increase, rather than lessen impacts (see *infra*)). Therefore, these three alternatives are more in line with CEQA’s requirement to identify mitigation for specific impacts, and they do not contribute to a “reasonable range” of alternatives to the whole Project. See Pub. Res. Code § 21100(b)(3), (4); CEQA Guidelines §§ 15126.4, 15126.6. Further, the Reduced Density Alternative does not address the impacts to historical and wetlands resources. The DEIR provides no explanation or analysis as to why these two alternatives could not have been combined to provide a more comprehensive approach to impact avoidance.

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While there is no “magic number” for how many alternatives an EIR should examine to present a “reasonable range,” at a minimum CEQA requires an agency to examine at least one potentially feasible comprehensive alternative to try to avoid or lessen significant environmental impacts that are central to the Project. See *Watsonville*

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Pilots Ass'n., 183 Cal.App.4th at 1089-90 (EIR was deficient for failing to include reduced development alternative that would avoid or lessen the project’s primary growth-related significant impacts); *Habitat and Watershed Caretakers v. City of Santa Cruz* (2013) 213 Cal.App.4th 1277, 1285, 1305 (invalidating EIR that failed to discuss any feasible alternative that would lessen the project’s primary water supply impact). Further, for a large development project in a sensitive region such as this one, the agency should evaluate more than one such alternative in order to help inform the decision-makers and the public of the potential short and long-term consequences of this project.

09-299
cont.

As described throughout this letter, there are numerous significant environmental impacts that the DEIR has failed to reveal. However, the DEIR acknowledges that the Project would have at least 23 significant and “unavoidable” environmental impacts. These significant and allegedly unavoidable impacts are all to resources that the Squaw Valley community and entire Tahoe region care deeply about – traffic, visual resources, noise, cultural resources, and climate change. While the Reduced Density Alternative would minimize some of these impacts, it fails to address other key impacts such as cultural impacts. Furthermore, this Alternative would create impacts in other categories by eliminating some of the Project’s critical mitigation, including Squaw Creek restoration. CEQA’s alternatives analysis is not meant to provide such an impossibly difficult choice. The DEIR must evaluate a potentially feasible alternative that could eliminate or reduce all of the Project’s significant environmental impacts (both those disclosed and thus far undisclosed).

09-300

The DEIR presents no evidence that a comprehensive alternative that would address all or most of the Project’s significant impacts would be infeasible. Indeed, while the DEIR identifies the Reduced Density Alternative as the “environmentally superior alternative,” it fails to provide any analysis of the financial feasibility of even that alternative. See DEIR at 17-45 (claiming only that “its financial feasibility is not known”). While it is up to the Board of Supervisors to determine the ultimate feasibility of any specific alternative, the DEIR must either examine a comprehensive alternative that would lessen as many of the Project’s impacts as possible, or provide evidence that such an alternative is infeasible. See *Center for Biological Diversity v. Cnty. of San Bernardino* (2010) 185 Cal.App.4th 866, 884-85. Such a feasibility analysis is necessary to allow the public and decision-makers to have an open and informed discussion about viable alternatives to the proposed Project.

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2. Two of the Alternatives in the DEIR Would Increase Environmental Impacts, Rather Than Minimize Them.

The widened Squaw Valley Road alternative was developed with the intent of avoiding or lessening the Project’s transportation impacts, which the DEIR views as unacceptable levels of service (“LOS”) on Squaw Valley Road. However, the DEIR fails to acknowledge the Legislature’s direction to the Office of Planning and Research (“OPR”) to develop new Guidelines for transportation impacts that no longer use LOS as a significance threshold. OPR has already prepared draft Guidelines which instruct agencies to consider how increasing roadway capacity leads to induced demand, which leads to increased environmental impacts in the long-term. Given that there is a recognized shift away from increasing roadway capacity to alleviate transportation impacts, the DEIR should examine at least one alternative that aims to reduce automobile trips rather than providing roadway widening to temporarily alleviate local traffic.

09-302

The Alternative Water Tank Location Alternative admittedly causes greater impacts than the proposed Project. The DEIR claims it examined this alternative in case the applicant is unable to purchase the land for the water tank location proposed as part of the Project. However, the DEIR fails to explain why no other alternate location that could reduce, rather than augment, the Project’s environmental impacts could be explored. As it stands, an alternative that would increase the Project’s environmental impacts does not contribute to a “reasonable range” of alternatives. See § 21100(b)(4); Guidelines § 15126.6(a) & (b).

09-303

3. The DEIR Should Examine a Project Alternative that Excludes the Mountain Adventure Camp.

The DEIR’s rationale for failing to evaluate an alternative (aside from the no project alternatives) that does not include the Mountain Adventure Camp is not supported by substantial evidence. First, the DEIR fails to acknowledge or analyze the water impacts from this feature. As discussed above (Section I.B.1(water supply)), given the current drought, impacts from climate change, and the uncertainty of water availability from the groundwater Basin, the Project would likely result in significant water supply impacts. The Mountain Adventure Camp alone requires 32,170 gallons of water per day. See Village at Squaw Valley Water Supply Assessment, 17 June 2014, Table 1 at pdf p. 84. Second, the DEIR claims (at 17-11) that the Mountain Adventure Camp will not attract additional visitors by itself, but would only serve as an amenity for those already on-site. The DEIR provides no evidence, much less substantial evidence, to support this claim.

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In sum, the DEIR must be revised and recirculated to provide a reasonable range of alternatives to allow the public and decision-makers to understand what options are available for this site, and whether there is another viable route that would avoid or substantially the Project’s numerous significant environmental impacts. A reasonable range must provide at least *one* potentially viable comprehensive alternative that aims to reduce all the Project’s major impacts, not the current options that give with one hand and take with the other.

09-305

D. The DEIR Must Be Recirculated.

Under California law, the present EIR cannot properly form the basis of a final EIR. CEQA and the CEQA Guidelines describe the circumstances that require recirculation of a draft EIR. Such circumstances include: (1) the addition of significant new information to the EIR after public notice is given of the availability of the DEIR but before certification, or (2) the draft EIR is so “fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” CEQA Guidelines § 15088.5.

09-306

Here, both circumstances apply. Decision-makers and the public cannot possibly assess the Project’s impacts, or even its feasibility, through the present DEIR, which is riddled with errors. Among other fundamental deficiencies, the DEIR repeatedly understates the Project’s significant environmental impacts and assumes that unformulated or clearly useless mitigation measures will effectively reduce these impacts. In order to resolve these issues, the County must prepare a revised EIR that would necessarily include substantial new information.

09-307

II. APPROVAL OF THE PROJECT WOULD VIOLATE THE STATE PLANNING AND ZONING LAW AND THE SUBDIVISION MAP ACT.

The State Planning and Zoning Law (Gov’t Code § 65000 *et seq.*) requires that development decisions be consistent with the jurisdiction’s general plan. General plans establish long-term goals and policies to guide future land use decisions, thus acting as a “constitution” for future development. *Leshner Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540. As reiterated by the courts, “[u]nder state law, the propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements.” *Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806. Accordingly, “[t]he consistency doctrine [is] the linchpin of California’s land use and development laws; it is the principle which infuses the concept of planned growth with the force of law.”

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Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors (1998) 62 Cal.App.4th 1332, 1336.

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cont.

To promote coordinated land use policies and practices, state law requires local governments not just to formulate theoretical land use plans, but also to conform their development and land use projects and approvals with those duly certified plans. *Citizens of Goleta*, 52 Cal.3d at 570; *see also* Gov't Code §§ 65860 (requiring consistency of zoning to general plan), 66473.5 & 66474 (requiring consistency of subdivision maps to general plan), and 65359 and 65454 (requiring consistency of specific plan and other development plan and amendments thereto to general plan). It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 379. The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Napa Citizens*, 91 Cal.App.4th at 379. In addition, a General Plan must be internally consistent. Gov't Code § 65300.5. Thus, the General Plan amendments that are part of this Project cannot cure any inconsistencies between the amended General Plan provisions and other remaining provisions.

09-309

For the reasons described in Section I.B.11 (General Plan Impacts) of this letter, the Project is inconsistent with the General Plan and the SVGPLUO. Because of the Project's glaring inconsistencies with these planning documents, approval of this Project would violate State Planning and Zoning Law and the Subdivision Map Act.

09-310

III. Conclusion

As set forth above, the Village at Squaw Valley Specific Plan DEIR suffers from numerous deficiencies, many of which would independently render it inadequate under CEQA. Taken as a whole, the deficiencies of the DEIR necessitate extensive revision of the document and recirculation for public comment. Moreover, as currently designed, the Project conflicts with the Placer County General Plan and Squaw Valley General Plan and Land Use Ordinance. Sierra Watch respectfully requests that the County reevaluate the Project in light of its inconsistencies with County plans and ordinances and make changes to the design to reduce the Project's serious environmental impacts.

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Best regards,

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Amy J. Bricker
 Laurel L. Impett, AICP, Urban Planner
 Laura D. Beaton

cc: Tom Mooers, Executive Director, Sierra Watch
 Isaac Silverman, Sierra Watch

Exhibits (see disc):

1	Myers, T., <i>Review of Draft Environmental Impact Report for the Village at Squaw Valley Specific Plan</i> , July 13, 2015
2	Gordon-Reedy, P., <i>Conservation Biology Institute Letter Re Village at Squaw Valley Specific Plan DEIR – review of impacts to sensitive habitats</i> , July 13, 2015
3	Stallcup, J., <i>Conservation Biology Institute Letter Re Village at Squaw Valley Specific Plan DEIR – review of impacts to Sierra Nevada yellow-legged frog</i> , July 2015
4	Liddicoat, N., <i>MRO Engineers Letter Re Review of Transportation and Circulation Analysis Village at Squaw Valley Specific Plan Draft Environmental Impact Report</i> , June 18, 2015
5	Squaw Valley Real Estate LLC, <i>Village at Squaw Valley Specific Plan Draft excerpts</i> , April 2015
6	Squaw Valley Ski Holdings, <i>Squaw Valley – Alpine Meadows Base to Base Gondola</i> , April 2015
7	Associated Press, <i>Gondola would create 1 of largest US ski areas near Tahoe</i> , April 13, 2015
8	Herbert, C., <i>Tahoe Sierra IRWM</i>
9	Martineau, P., <i>California Water Year 2014 Among Driest Years on Record</i> , 2014
10	Ault, T.R., et al., <i>Assessing the Risk of Persistent Drought Using Climate Model Simulations and Paleoclimate Data</i> , 2014

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11	Rice, D., <i>California's 100-year Drought: Megadroughts a Threat to Civilization</i> , 2014
12	Cook, B.I., et al., <i>Unprecedented 21st-Century Drought Risk in the American Southwest and Central Plains</i> , 2015
13	Diffenbaugh, N.S., et al., <i>Anthropogenic Warming Has Increased Drought Risk in California</i> , 2015
14	Office of Governor Edmund G. Brown Jr., <i>A Proclamation of a State of Emergency</i> , 2014
15	State of California, <i>California Drought Blog</i>
16	Squaw Valley Public Service District, <i>Water Supply Assessment – Village at Squaw</i> , SVPSD Newsletter, Summer 2015
17	Illingworth & Rodkin, Inc., <i>Construction Health Risk Assessment</i> , December 2013
18	Rechtschaffen, C., <i>Letter from Attorney General to San Joaquin Valley Air Pollution Control District re: Final Draft Staff Report on Greenhouse Gas Emissions Under CEQA</i> , November 4, 2009
19	California Natural Resources Agency, <i>Final Statement of Reasons</i> , December 2009
20	Sacramento Metropolitan Air Quality Management District, <i>CEQA Guide</i> , November 2014
21	PMC, <i>Northstar Mountain Master Plan Draft EIR, Chapter 16, Greenhouse Gases and Climate Change</i> , November 2013
22	California Air Pollution Control Officers Association, <i>CEQA & Climate Change</i> , January 2008
23	Bay Area Air Quality Management District, <i>CEQA Guidelines Appendix G</i> , May 2011
24	San Diego Association of Governments, <i>Greenhouse Gas Emissions, San Diego Forward: The Regional Plan Program EIR</i> , April 2015
25	Natural Resources Defense Council, <i>California Snowpack and the Drought Fact Sheet</i> , April 2014
26	Flagstaff Dark Skies Coalition, <i>Dark Matters!, Color Matters!, Outdoor Lighting Codes</i> , March 22, 2015
27	Tahoe Regional Planning Agency, <i>Regional Plan Excerpts</i> , February 9, 2013
28	Tahoe Regional Planning Agency, <i>Regional Plan Update Draft EIS Exerpts</i> , December 12, 2012
29	International Dark-Sky Association, <i>Pattern Outdoor Lighting Code</i> , July 2010

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30	California State Parks Office of Historic Preservation, <i>California Historical Landmarks by County</i> , 2015
31	Sierra Nevada Geotourism Map Guide Project, <i>Sierra Nevada Geotourism Map Guide</i>
32	Placer County Community Development/Resource Agency, <i>Northstar Mountain Master Plan EIR</i> , Chapter 7, Cultural Resources, November 2013
33	Land Use and Environment Group, Department of Planning and Land Use, <i>San Diego County Guidelines for Determining Significance Wildland Fire and Fire Protection</i> , August 31, 2010
34	RT, <i>Massive explosions rock Florida propane plant</i> , July 30, 2013
35	Placer County, et al., <i>Placer County Tahoe Basin Area Plan</i> , June 2015

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- 09** Sierra Watch
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-
- 09-1 The comment states that the DEIR violates CEQA because it fails to adequately describe the project, analyze the project's significant environmental impacts or propose adequate mitigation measures, and provide a legally sufficient study of alternatives. The comment provides a summary of detailed comments provided below. See responses to the detailed comments below as well as the Master Response regarding recirculation.
- 09-2 The comment refers to attached reports prepared by Dr. Tom Myers, the Conservation Biology Institute (two reports), and MRO Engineers. These reports were also provided by Sierra Watch as attachments to letter O8. See detailed responses to letters O8a, O8b, O8c, and O8d, respectively, regarding the Myer's letter, Conservation Biology Institute letters, and MRO letter.
- 09-3 The comment states that the project conflicts with the Placer County General Plan and the SVGPLUO. No specific conflicts are raised in this comment, so a specific response cannot be provided. More detailed responses are provided to comments that raise specific issues in the DEIR.
- 09-4 The comment expresses concern that the DEIR's project description is incomplete. The comment suggests that the project description segregates "a large project into many little ones" such that the impacts of the project are not fully evaluated. No specific deficiencies are raised in this comment, so a specific response cannot be provided. More detailed responses are provided to comments that raise specific issues in the DEIR.
- 09-5 The comment states that the DEIR fails to accurately describe the project. The comment provides no detail regarding what these inaccuracies may be. The commenter speculates that the EIR is "very likely to be the only environmental review conducted for this project" and cites CEQA Guidelines section 15182. The project description explains that Section 65457(a) of the California Government Code and Section 15182(a) of the State CEQA Guidelines provide that no EIR or negative declaration is required for any residential project undertaken in conformity with an adopted Specific Plan for which an EIR has been certified. If, however, it is determined that a development application is inconsistent with the Specific Plan and/or substantial evidence exists that supports the occurrence of any of the events set forth in Section 21166 of the Public Resources Code and Sections 15183, 15162-15164 of the CEQA Guidelines, a determination will be made as to what form of additional environmental review is necessary. (DEIR page 3-52.)
- Section 8.3.5, "Environmental Review," of the Specific Plan lays out the process by which the County will determine the extent of environmental review that would be required for subsequent project approvals. All applications for development entitlements must be reviewed for conformity with the Specific Plan and CEQA. A Subsequent Conformity Review questionnaire will be required for each subsequent project approval application, and the County may require additional information, such as project-specific technical studies. All development projects will be subject to parcel and/or tentative maps and other additional entitlements, including if any changes or modifications to the project are proposed, which will be considered by the Planning Commission in one or more public meetings. Any subsequent CEQA analysis, including the questionnaire and studies prepared for a particular project and the County determination of whether and what additional CEQA analysis is required, would be available for public review during this process. Therefore, there would be additional public input into the environmental effects of subsequent projects.

More detailed responses are provided to comments that raise specific issues in the DEIR.

09-6 The comment stresses the importance of including an accurate description of the environmental setting, but does not specifically address deficiencies in the DEIR. Because of this, a specific response cannot be provided. More detailed responses are provided to comments that raise specific issues in the DEIR.

09-7 The comment states that the DEIR does not provide a reasonably complete project description. The information provided in Chapter 3 of the DEIR meets the CEQA requirements for a project description, and in many cases exceeds the level of detail required for the proposed project. The CEQA Guidelines (Section 15124) states that an EIR must include the precise location and boundaries of the proposed project on a detailed map (shown in Exhibits 3-1 through 3-3 of the DEIR); a statement of project objectives (provided on pages 3-7 and 3-8 of the DEIR); a general description of the project's technical, economic and environmental characteristics and supporting public service facilities (provided throughout the project description); the intended use of the EIR (provided on pages 1-1 and 1-2); a list of agencies expected to use the EIR, permits and other approvals required to implement the project, and related environmental review and consultation requirements (provided on pages 3-39 through 3-41 of the DEIR). The DEIR summarizes all important elements of the project, the Village at Squaw Valley Specific Plan (VSVSP). Additional information about the proposed project is available in the VSVSP, which is available on the County website (provided in a link to the full VSVSP in the introductory chapter of the project description, page 3-1), and in the various memoranda and documents cited in the DEIR technical analyses in Chapters 4 through 18. For example, the visual character of the proposed project is fully evaluated in Chapter 8, which includes 12 photosimulations showing what the project "would look like" within the context of the existing setting.

Regarding the specific items listed in the comment:

- ▲ The DEIR Project Description provides extensive information about the proposed project. Almost 30 pages are dedicated to describe the various components of the project (pages 3-8 through 3-37). The general conceptual scheme is overviewed under Design Concept on pages 3-8 and 3-11. The proposed land uses are quantified in Table 3-1, Proposed Land Uses. The applicant's vision for the VSVSP is described in Design Concept, depicted in the Conceptual Plan (Exhibit 3-5) and described in detail in the VSVSP, which is quoted and referenced throughout the DEIR, and available in full on the County's website.
- ▲ The Mountain Adventure Camp (MAC) is described on pages 3-13 and 3-15 of the DEIR. Consistent with a Specific Plan and a program EIR, the MAC is described programmatically, including the maximum square footage, and the activities that would be allowed there. Additional details about allowable uses are provided in Table 3.3 of the Specific Plan, and in Figure B.8 of Appendix B of the Specific Plan, which specifies building heights, lot coverage and open space requirements for the MAC building.
- ▲ As stated on page 3-39, the Placer County General Plan and the Squaw Valley General Plan and Land Use Ordinance would be amended to incorporate the Specific Plan. No other amendments to the Placer County General Plan are proposed.
- ▲ A proposal to amend the text of the SVGPLUO regarding avalanches is discussed on page 3-39 of the project description and on page 12-23 of the Soils, Geology and Seismicity chapter. While the specific amendment text is not provided, the proposed changes are described in enough detail to conduct an analysis of avalanche-related impacts.
- ▲ No amendments to the Specific Plan are proposed, because it has yet to be adopted.

- ▲ Construction activities are described on pages 3-33 and 3-38 of the DEIR. Because the proposed project is a Specific Plan, and the EIR is programmatic, this discussion generally describes the construction techniques that would be used (e.g., demolition, grubbing/clearing) and provides conservative assumptions regarding construction phasing.
- ▲ The creek restoration is described on page 3-33 of the DEIR, and depicted in Exhibits 3-18 through 3-20 at a conceptual level. Additional information is provided in the *Design Basis Report: Squaw Creek Restoration* by Balance Hydrologics (2014), which was used in the impact analysis, as indicated on page 6-2 of the DEIR.
- ▲ “Other mitigation” is not defined, but the DEIR discloses the mitigation measures that would be needed to reduce the project impacts in Chapter 2, “Executive Summary,” and Chapters 4 through 18.
- ▲ VSVSP policies are described in detail in each of the impact analysis chapters, 4 through 18, under the heading “Policies Proposed in the Specific Plan That Could Affect Project Impacts.”
- ▲ Recreational amenities are described on page 3-28 and 3-29 of the project description. Additional details are provided in the discussion of impacts of parks and recreation (Impact 14-6 on pages 14-42 and 14-43 of the DEIR) and in Section 6.8 of the Specific Plan.
- ▲ The public services and utilities required by the project are described on pages 3-22 through 3-28 of the DEIR project description, with additional detail provided in Chapter 14, “Public Services and Utilities.”
- ▲ Employee housing proposed to be built under the proposed project is described on pages 3-11 and 3-13 of the DEIR project description, and is analyzed in Impact 5-3 of Chapter 5.
- ▲ The occupancy rates assumed for the proposed project are cited where applicable in the technical analyses. For example, the occupancy assumptions are described on page 5-2 of Chapter 5, Population, Employment and Housing and on page 14-31 of Chapter 14, Public Services and Utilities. As stated on both pages 5-2 and 14-31 of the DEIR, the occupancy rates were developed for the Water Supply Assessment (WSA) analysis. The WSA is attached to the DEIR as Appendix C. A WSA update has also been prepared and is included as Appendix A in this FEIR.

Consumption rates, which are herein interpreted to mean the demand generated by the project for various services and utilities, are not proposed as part of the project and are therefore not addressed in Chapter 3, “Project Description.” Instead, such rates are used to determine what improvements would be needed in order to provide service to the project, or if certain impacts would occur. For example, Table 14-10 in Chapter 14 shows the amount of waste that is estimated to be generated by each unit, and then calculates the estimated total amount of solid waste that would be generated by the project in order to determine whether there is adequate landfill capacity to accommodate project waste (see Impact 14-3 on pages 14-37 and 14-38 of the DEIR).

09-8

The comment states that there is uncertainty regarding the creek restoration, resulting in uncertainty regarding impacts and mitigation. The creek restoration is described on page 3-33 of the DEIR, and provides enough detail to conduct a programmatic analysis of the impacts of restoration. As stated on page 4-23 of the DEIR, the SVGPLUO requires restoration of Squaw Creek, so the inclusion of creek restoration as part of the project is certain. The “uncertainties” that the comment refers to concern two items—(1) the extent to which creek restoration would offset other impacts (e.g., groundwater levels dropping) of the proposed project and (2) whether the creek restoration would be successful. As discussed on

page 6-45 of the DEIR in the analysis of biological impacts, the creek restoration would enhance the functionality of the wetland system and would provide mitigation for VSVSP impacts on riparian habitat and wetlands, and may or may not offset impacts on special-status plants (page 6-67). However, the extent of the benefits are not known at this time, and the DEIR includes mitigation that would reduce project impacts on biological resources regardless of the extent of benefits realized by the creek restoration (see, for example, Mitigation Measure 6-1 (reducing impacts on wetlands, riparian vegetation and wet meadow) and Mitigation Measure 6-8 (special-status plants). Creek restoration is expected to play a role in the mitigation strategies by providing compensatory habitat (see page 6-48), but the extent to which project impacts will be offset by restoration must be demonstrated through the permitting processes and mitigation implementation. Regarding the success of the creek restoration, as stated on page 13-76 of the DEIR, successful implementation of the creek restoration and achievement of the anticipated benefits would require monitoring, adaptive management and ongoing funding, which would be required by Mitigation Measure 6-1a and 6-1b. Mitigation Measures 6-1a and 6-1b each include performance standards, requirements to adhere to permit conditions from the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers (USACE), and the Lahontan Regional Water Quality Control Board (RWQCB), monitoring requirements, and requirements for any needed corrective actions to attain performance standards. The proposed creek restoration efforts are therefore anticipated to be beneficial.

09-9 The comment states that the DEIR does not include details about the transit center or how regional transit services would be encouraged. The Transit Center is described generally on page 3-22 of the DEIR. As stated on page 3-22, it would include a drop-off/pick-up facility. The Transit Center has not been designed, but the Specific Plan includes commitments to include the center, and to provide transit services within the Village, throughout the Olympic Valley and between Squaw Valley and Alpine Meadows (page 5-29 of the VSVSP). In addition, the proposed project will provide or support transit services connecting Squaw Valley to other areas of the North Tahoe and Truckee region. However, these reductions are not factored in to the analysis of impacts associated with the project. The analysis of project traffic impacts thus overstates likely trip generation. The methodology employed in the analysis, assuming all trips associated with the project are “new” (additive to existing volumes) also overstates trip generation; the nature of the project is that it is intended to, in part, capture many of the resort users who may stay elsewhere in the region or drive home after a day of skiing, and provide overnight accommodations that reduce trips entering/exiting Squaw Valley. However, neither of these factors—the intent to focus on transit and to capture day skiers in overnight accommodations—are predictably measurable so are not factored into the analysis as trip reduction measures.

Regarding encouragement of use of regional transit services, the Specific Plan provides additional details on page 5-30, stating that adequate service will be provided to serve visitor demand and to provide capacity for offsite employee needs. In addition, Squaw Valley Resort will continue to subsidize transit fares on TART services for employees who are not conveniently served by shuttles, and provide operational funding to TART for winter service. Mitigation Measure 9-7 further requires a funding mechanism for the additional service. Regarding regional access, Squaw Valley Resort will promote the use of North Lake Tahoe Express service to the Reno-Tahoe International Airport through its inclusion in marketing material and websites, promote charter bus services in marketing materials, provide on-site charter bus parking and promote and partner in the use of social-media based ridesharing program. These actions would reduce the number of visitors arriving in Squaw Valley via personal automobile.

09-10 The DEIR includes a stable project description concerning water supply services. The comment points to an inconsistency between the April 2015 VSVSP, which is the basis of the DEIR analysis, and an annotated version of the April 2015 VSVSP, which indicates what changes were made relative to an earlier version of the VSVSP. The annotated version was

prepared to make it more convenient for the County and public to discern what changes had been made relative to prior versions of the Specific Plan. After the annotated version was prepared, a decision was made not to show the referenced deletion (regarding the option of a mutual water company providing water to the project). The actual April 2015 VSVSP is correct, and is consistent with the DEIR assumptions. The DEIR assumes that the project would be served by the SVPSD or a new water company. Therefore, there is no instability or deficiency in the project description or analysis.

- 09-11 The comment states that it is necessary to know the number and location of groundwater wells in order to analyze impacts and mitigation measures. See responses to comments O8a-5 and O8a-19.
- 09-12 The comment describes employee housing that would be constructed as part of the project. The comment also expresses concerns related to the construction of employee housing that remains to be planned. See response to comment 09-266 for a discussion of proposed employee housing. Regarding housing that would accommodate families, Placer County policy does not specify the type of units to be provided, so the project is not required to provide family housing. The proposed employee housing is intended to serve project employees, many or most of whom would not have families due, in part, to the seasonal nature of employment. The proposed housing on the East Parcel does include units that could be used by couples.
- 09-13 The commenter states that the project requires construction of a new fire substation to accommodate the project's increased demand on emergency services, but the DEIR lacks a description of this aspect of the project, allegedly omitting critical details about the fire substation, including its specific location, design, size, or footprint. The commenter is correct that an independent review of the fire and emergency medical service risks associated with the project concluded that, to avoid impairment to service in the Valley, a new fire station would be required when approximately 50 percent of the lodging units have been constructed in the plan area (Citygate 2014). The proposed project is not required to construct this substation, however. Rather, as described in Section 3.4.3, "Public Services and Utilities," the project would make a fair share contribution to the establishment of a West Valley Fire Substation somewhere in or near the Village area that is of sufficient size to house a two person crew and provide two apparatus bays. Thus, the fire substation is not assured to be constructed within the plan area. The project applicant may provide land within the main Village area to the SVFD for construction of the substation. The substation may also ultimately be constructed outside the VSVSP, or the "old" fire station on Chamonix Place could be renovated to serve as the substation (DEIR, p. 14-43). The DEIR does, however, analyze the potential impacts of a new fire substation if it is located within the plan area (see for example, page 11-20 of Chapter 11, "Noise").

While the EIR does not provide all design details for the potential substation within the plan area, the general analysis of the potential on-site substation was appropriate at this program-level stage of environmental review. (CEQA Guidelines Section 15146, subd. (b) [a program-level EIR, "need not be as detailed as an EIR on the specific construction projects that might follow"]; see also, *In re Bay-Delta Programmatic Environmental Impact Report* (2008) 43 Cal.4th 1143, 1171 [EIR's analysis in "general terms" of the impacts of developing water sources "was sufficient"]; *Town of Atherton v. California High-Speed Rail Authority* (2014) 228 Cal.App.4th 314, 343-346 [upholding program EIR that deferred analysis of construction details].) To the extent the new fire substation would be built within the plan area in the future, the County will examine that future activity in light of the analysis in the VSVSP EIR to determine if it is within the scope of that analysis or whether further environmental review is required. (CEQA Guidelines Section 15168, subd. (c)(1)-(2); *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1316.) Separate permitting and environmental review

would be required if the substation were built outside the plan area, as indicated in Section 3.4.3, "Public Services and Utilities." (DEIR page 14-43.)

- 09-14 The comment states that the description of the wastewater retention facilities that may be needed is inadequate. As stated on page 3-25 of the DEIR, the Tahoe-Truckee Sanitation Agency (T-TSA) is studying the capacity of the Truckee River interceptor to determine whether it could accommodate the additional wastewater flows from the proposed project. The details of the size, location and design of such facilities cannot be determined until (and if) the T-TSA determines how much capacity is available and therefore how much, if any wastewater needs to be retained onsite. The DEIR cumulative impact analysis also evaluates the capacity of wastewater facilities. (DEIR pages 18-52 through 18-53.) Mitigation Measure 14-2a requires that if T-TSA finds that the capacity of the TRI is insufficient to serve the project, then wastewater detention facilities must be constructed to detain wastewater flows until off-peak periods when there would be sufficient capacity in the TRI. The wastewater detention facilities must be located within the plan area and incorporated into the project's development footprint. Therefore, the impacts related to footprint have been analyzed programmatically within the EIR. If and when such facilities are determined to be needed and are designed, the County will evaluate the construction and operation of the facilities to determine whether the impacts fall within the scope of the VSVSP EIR and what, if any, additional environmental review is required (see also response to comment 09-5).
- 09-15 The comment states that because the project description is incomplete, the rest of the DEIR is inadequate. However, for the reasons discussed under responses to comments 09-7 through 09-14, the DEIR analysis is adequate and no changes to the DEIR are necessary. Further, the DEIR project description is complete as all of the component pieces of the project are described. Also, see response to comment 09-59 regarding the programmatic nature of the DEIR, including the project description. Because the DEIR is a programmatic analysis and certain facilities required to serve the project (such as the new fire station) will be permitted, designed, and constructed by others, the specific details of size, location, and site-specific impacts will not be precisely known until the facility is proposed.
- 09-16 Contrary to the commenter's opinion, the proposed Gondola that would link Squaw Valley and Alpine Meadows is independent from, and does not presuppose development of, the Village. Nor would the need for the Gondola be created by the proposed project. Rather, the desire to efficiently transport guests to and from the Squaw Valley and Alpine Meadows ski resorts, without the need to use a car or shuttle, is the fundamental purposes for proposing the Gondola. By joining the two ski areas, the Gondola would also make the respective mountains more appealing to skiers who want to easily ski both in one day. The proposed project is not contingent on approval or completion of the Gondola project because its focus is to buildout the existing village area and create an enhanced year round visitor experience. Thus, the two projects serve different purposes and neither depends on the other in order to succeed. The two projects also do not involve separate phases of an overarching plan.
- Two projects may properly undergo separate environmental review under CEQA without improper piecemealing; namely, when the projects serve different purposes or can be implemented independently. (See *Paulek v. Cal. Dept. of Water Resources* (2014) 231 Cal.App.4th 35 [upholding various improvements to an existing dam as not involving improper piecemealing or segmentation under CEQA, in part, because the improvements did not depend on one another and served different purposes]; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 99 [refinery upgrade and construction of pipeline exporting excess hydrogen from up-graded refinery were independently justified separate projects]; *Planning & Conservation League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 237 [water transfer had "significant independent or local utility" from broader water supply agreement, and would be implemented with or

without it]; *Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 699 [two water rights assignments to city were "approved by different independent agencies" and "could be implemented independently of each other"].)

The application for the Gondola project was also not submitted at the time the Notice of Preparation (NOP) was released for the proposed project, nor prior to circulation of the DEIR; thus, the Gondola project was not a reasonably foreseeable future project requiring analysis within the DEIR's cumulative impacts discussion. Also see the Master Response regarding the cumulative analysis.

09-17 See the Master Response regarding water supply. Note that the WSA, WSA Update, and the EIR have concluded that there is sufficient supply in Olympic Valley to serve the project and cumulative development over the next 25 years. See response to comment 09-23. If the SVPSD seeks a supplemental water supply for emergency backup or other purposes, it would be independent of - and not connected to - the project because sufficient water exists within the aquifer. The SVPSD would need to evaluate all potentially significant adverse environmental impacts of a project of this nature, if it is ultimately proposed.

09-18 See the Master Response regarding TRPA Thresholds.

The comment states that because the Basin is an area of statewide, regional, or area wide significance, the County must consult with transportation planning agencies and public agencies in the Basin that have transportation facilities within their jurisdictions that could be affected by the project.

TRPA was included on the distribution list for receiving a copy of the two NOPs and the DEIR. In addition, public notices of the NOPs and DEIR were published in two newspapers of general circulation (Sierra Sun and Sacramento Bee) and two local news publications (Lake Tahoe News and Moonshine Ink), and the County also issued press releases to announce each of the NOP comment periods and the DEIR comment period. Despite these notifications, TRPA did not submit a comment letter in response to the NOPs or the DEIR. After the close of the DEIR public comment period, TRPA staff contacted the EIR preparers and the County with questions regarding the project, including the VMT generated by the project that would be driven in the Tahoe Basin and any transit-related infrastructure or other trip reduction measures included in the project to minimize vehicle trips coming into the Basin. The County is responding to these information requests, and to a letter on the project from TRPA (December 22, 2015), as part of this FEIR. See, for example, the portion of the traffic Master Response regarding VMT added by project to Tahoe Basin and responses to comment letter R1.

09-19 See the Master Response regarding occupancy assumptions. As explained in the Master Response, and contrary to the commenter's claim, the EIR was not required to assume full occupancy of the proposed project at all times of the year for its impact analysis. (See *Save Round Valley v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1454 [rejecting petitioner's claim that the County was required to assume the "worst case" possibility that future lot owners might build second dwelling units].)

09-20 See the Master Response regarding occupancy assumptions.

09-21 The comment states that because the project description is incomplete, the rest of the DEIR is inadequate. However, for the reasons discussed under responses to comments 09-4 through 09-20, and in the Master Responses, the project description is complete, and the EIR's analysis is adequate. See also Section 2.1, "Project Modifications," of this FEIR for a list of project changes since release of the DEIR, some of which affect the project description.

09-22 The comment states that the DEIR's analysis of and mitigation for the impacts of the proposed project are inadequate. The comment cites various provisions in CEQA and in case law interpreting CEQA. These general comments do not raise specific environmental issues and therefore do not require a response. More detailed responses are provided to comments that raise specific issues in the DEIR.

The comment states that the proposed project has the potential to "cause extraordinary environmental degradation." Whether the project's impacts are "extraordinary" or constitute "degradation" is a matter of opinion. The commenter's opinion will be forwarded to decision-makers.

09-23 The comment summarizes the obligations imposed by case law (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova, 2007*) on the water supply analysis for long-range plans, and states that the DEIR fails to meet the minimum standards of the *Vineyards* case. As identified in the comment, the four primary aspects of a water supply analysis as laid out by the *Vineyards* case are:

- ▲ Identify and analyze the water supply for a project.
- ▲ Consider the water demands of the entire project through all phases of development.
- ▲ Future water supplies must bear a likelihood of actually proving available.
- ▲ Where it is impossible to confidently determine that the anticipated future water sources will be available, there must be some discussion of possible replacement sources or alternatives to the source, and the environmental consequences of those contingencies.

The comment states the DEIR does not meet these requirements. The County disagrees. The DEIR fully meets the standards set forth by the *Vineyards* case as outlined in the comment. First, a WSA was prepared for the project. The WSA, which served as the basis of the DEIR analysis of the availability of water supply, found that there would be adequate water to serve the proposed project and cumulative development (DEIR page 14-35). The WSA was updated in July 2015, and still concluded that there would be adequate water supply (see response to comment 08a-4a). The DEIR thoroughly analyzes the environmental effects of supplying that water to the project and cumulative development (see, for example, Impacts 6-1, 6-8, and 6-13 in Chapter 6, "Biological Resources," and Impacts 13-5 and 13-6 in Chapter 13, "Hydrology and Water Quality"). The WSA calculated water demand for the proposed project at full buildout. There was no obligation to identify and/or analyze a replacement or alternative source of water, because the WSA concluded that the water supply that was studied was adequate and thus is likely to actually prove available.

09-24 The comment states that the DEIR does not provide the full environmental context in which to evaluate water supply impacts, but does not provide specific details or evidence. See responses to comments 09-25 and 09-26 for discussion of this issue.

09-25 The comment states that the DEIR does not address drought conditions in California. See the Master Response regarding water supply for a discussion of drought and climate change as they pertain to the WSA. Regarding the comment that there is an 80 percent chance that the Southwest will experience a mega-drought between 2050 and 2099, the comment refers to an article concluding that, based on modeling, there is "an exceptionally high risk of multidecadal megadrought occurring over the Central Plains and Southwest regions during the late 21st century..." The 80 percent chance referenced in the comment refers to one scenario evaluated in the article.

The County is not aware of a scientific consensus regarding the risk of such a drought occurring over this time frame. The article covers a wide geographic area, and does not address specific changes in the Squaw Valley aquifer nor the Sierra Nevada in general (the geographic areas covered by the study are the Southwest, including California, and the Central Plains). There are no estimates of the snowfall or rainfall levels that might result if a mega-drought occurs. The period that is the focus of the study is 2050-2099, well beyond the 20-year timeframe that is required to be studied in a water supply assessment or the 25-year period evaluated in the VSVSP WSA. For these reasons, the comment and cited article do not provide any evidence or information that the findings of the WSA are incorrect, or that water supply levels within Squaw Valley will not be adequate for the proposed project in 20 years, 25 years or even farther in the future.

The WSA addresses the sufficiency of available water supplies during normal, dry and multiple dry years over the 25-year construction time period of the project. The DEIR bases its analysis on the information in the WSA. The DEIR therefore does consider potential impacts that may occur during drought conditions.

09-26 The comment expands on the assertion that the DEIR does not consider climate change in the analysis of water. See responses to comments 08-4b and 09-25 as well as the Master Response related to water supply for a discussion of the treatment of climate change and drought on water supply in Squaw Valley.

The comment also asks whether groundwater should be put to uses other than those proposed by the VSVSP, and suggests that the proposed project would receive priority for water over existing uses and users that are suffering drastic cutbacks in Placer County and all over the State. The comment does not provide any evidence that other uses would be unable to obtain water if the proposed project is approved. As discussed on page 13-45 of the DEIR and in response to comment 08a-4a, groundwater supplies would be adequate to provide water to existing uses as well as the proposed project and other cumulative development for the next 25 years (the WSA study period consistent with State law governing WSAs; there is no implication that supplies would not continue to be available after 2040). As discussed in response to comment 08a-39, the water drawn from the OVGB for existing, cumulative and project demand combined would not substantially reduce water supply for downstream (e.g., Truckee River) users.

09-27 For a discussion of the contention that drawdown from Squaw Creek would result in less water for downstream users, see responses to comments 08a-39 and 09-56. The comment claims, based on observations in other areas of the State, that the State Water Resources Control Board and/or the Department of Fish and Wildlife might curtail diversions from Squaw Creek. No evidence is provided to link or suggest that these actions, taken elsewhere for whatever circumstance (which is not disclosed in the comment) would be taken along Squaw Creek; thus, this comment is speculative. In addition, the water supply for the proposed project would be groundwater, so the proposed project would not depend on surface water diverted from Squaw Creek. Groundwater pumped from the aquifer may affect surface water flows in Squaw Creek. These impacts are disclosed in chapters 6 and 13 of the DEIR. For information on the extent to which flows in the Truckee River may be affected, see the Master Response regarding water supply. Therefore, there is no basis for assuming that these agencies might curtail water supply for the proposed project.

09-28 See responses to comments 08b-7 and 08b-15. The State Water Board has not proposed to assert jurisdiction over the OVGB.

09-29 See also the Master Response regarding water supply for a discussion of impacts on the Truckee River.

- 09-30 See response to comment 08-70.
- 09-31 See responses to comments 08a-44, 08b-3, and 08b-19, and 09-26.
- 09-32 For the reasons discussed under responses to comments 09-24 through 09-31, the DEIR's description of the environmental setting is adequate and no changes to the DEIR are necessary.
- 09-33 See response to letter 08a for detailed responses to Dr. Myers' letter regarding the groundwater analysis.
- 09-34 See response to comment 08a-2.
- 09-35 See response to comment 08a-2.
- 09-36 See responses to comments 08a-2 and 08a-4b.
- 09-37 See response to comments 08a-4b and 08a-6. As noted, SVPSD has prepared an updated WSA incorporating data from 2012-2014. See the Master Response regarding water supply.
- 09-38 See response to comment 08a-4b.
- 09-39 See the Master Response regarding water supply.
- 09-40 The 2014 WSA was prepared using the most up-to-date and accurate information that was available at the time that it was initiated. The WSA was updated in July 2015 to incorporate more recent data (see response to comment 08a-6). The July 2015 Updated WSA found that there is adequate water supply to serve the proposed project and cumulative development, even when the recent drought years are considered in the analysis.
- The timing of the WSA was based on the availability of information and the time needed to prepare the analysis. No attempt was made to withhold the WSA. In fact, the 2014 WSA was made available to the public by the SVPSD before the DEIR was published, and the July 2015 Updated WSA was made available to the public in July 2015, after the DEIR was published, but before the FEIR was published.
- The commenter states that the authors of the DEIR employed a "strategy to withhold information and to encourage decision-makers to accept the decision that the applicant wants." No such strategy exists. The County has not withheld information. This statement implying ethical breach does not warrant a response.
- 09-41 See the Master Response regarding water supply for a discussion of six versus nine wells.
- 09-42 See responses to comments 08a-3 and 08a-19. The assertion that the EIR must always err on the side of conservative analysis is, as a legal matter, incorrect. CEQA does not require "worst case" analysis. Rather, an EIR should reflect a good faith effort to forecast what the lead agency expects to occur in the event the proposed project is approved. (CEQA Guidelines, Section 15144; *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 373, citing *Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671, 681. Cf. *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1453 [lead agency can make reasonable planning assumptions about future development, and need not assume maximum conceivable development].) Lead agencies may, and often do, err on the side of conservative analysis, as the County has done here.
- 09-43 See response to comment 08a-4a and the Master Response regarding occupancy assumptions.

- 09-44 See response to comment 08a-4a and the Master Response regarding occupancy assumptions.
- 09-45 See responses to comments 09-23 through 09-44. As discussed in these responses, the revisions to the WSA found that even with increased occupancy rates and the addition of recent data from drought years, there would be adequate water to supply the proposed project and cumulative development. No new or substantially more severe impacts on water supply have been identified, so recirculation of the DEIR is not warranted.
- 09-46 See response to comment 08a-28b.
- 09-47 See response to comment 08a-45.
- 09-48 See responses to comments 08a-3 and 08a-19.
- 09-49 The comment states that Mitigation Measure 13-4 improperly defers mitigation to a later date. This statement is incorrect. Mitigation Measure 13-4 provides very specific standards that must be met, including that the average saturated thickness in the western well-field does not fall below 65 percent for more than three consecutive months or more than four times total in the study period. Given that the scenario that was evaluated in the WSA was able to meet this standard, it has been established that there is at least one feasible way to meet satisfy the mitigation (i.e., implementation of the well field configuration analyzed in the WSA). If the applicant and/or water purveyor determines that another well field configuration would be preferred, it must meet the same standards.
- Also see responses to comments 08a-3, 08a-45, 08-46, and 09-10.
- 09-50 The comment states that certain provisions in Mitigation Measure 13-4 are not defined. The comment refers to the Pumping Management Plan, which is discussed in the introductory portion of the mitigation measure. The SVPSD has indicated that it plans to adopt a Pumping Management Plan. This action would be separate from the proposed project, but if the SVPSD did adopt such a plan, it would be important that the pumping regimen for the proposed project is consistent with that plan, as required by Mitigation Measure 13-4.
- The Development Agreement between the SVPSD and the project applicant will be prepared prior to SVPSD providing water service to the proposed project. While the Development Agreement need not be prepared at this time (as it does not pertain to a County action), Mitigation Measure 13-4 does require that the agreement include a number items, including the standards set forth in the mitigation. Regarding changes to the criteria, the County as lead agency would be responsible for determining whether resulting changes are “substantial”, consistent with CEQA.
- 09-51 The comment states that Mitigation Measure 13-4 would not reduce water supply impacts, because the criteria of 65 percent average saturated thickness does not relate to the overall health of the aquifer. The DEIR and WSA rely on the evaluation of average saturated thickness to determine the sufficiency of water supply, but not for evidence of overall health of the aquifer. Rather, as discussed in Impacts 6-1, 6-8 , 6-13, 13-5 and 13-6, additional analyses were conducted, such as evaluations of groundwater levels relative to the creek bottom, to assess the effects of using groundwater on biological and other resources. Mitigation Measure 13-4 addresses the effects of lowered groundwater levels by requiring that drawdown in the upper meadow does not result in substantially more refugia pool drying than would occur under the WSA scenario (see page 13-64 of the DEIR).
- 09-52 The comment states that the DEIR’s mitigation measures must be completely “revamped.” For the reasons discussed under responses to comments 09-48 through 09-52, the DEIR mitigation measures are adequate and no changes to the DEIR are necessary.

- 09-53 See responses to comment letter O8 for a discussion of the comments provided by Dr. Myers. As indicated in those responses, the groundwater model is not flawed, and provides an adequate and appropriate analysis of the availability of groundwater to serve the proposed project and cumulative development. See response to comment O8a-28a for a discussion of “rejected” groundwater.
- 09-54 See response to comment O8a-44.
- 09-55 As discussed in previous responses, the 2014 WSA and July 2015 Update WSA concluded that there would be adequate water to serve the proposed project and cumulative development. Therefore, there is no need to identify and analyze potential additional sources of water. See the Master Response regarding water supply.
- 09-56 The comment states that the cumulative impacts analysis does not use a threshold that adequately measures impacts on the groundwater basin, and does not consider projects that would rely on water from the Truckee River or Squaw Creek. For a discussion of projects considered in the cumulative analysis, see the Master Response regarding the cumulative analysis. For a discussion of the impacts on the aquifer, see response to comment O9-51.

Regarding impacts on the Truckee River, an analysis was prepared to evaluate the extent to which groundwater withdrawals within Squaw Valley could affect streamflows in the Truckee River (Balance Hydrologics 2015). As discussed in the streamflow analysis, the Truckee River watershed immediately upstream of the Town of Truckee is approximately 553 square miles. Squaw Creek has a watershed of approximately 8 square miles, approximately 17 percent of the Truckee River watershed between Tahoe City and the Town of Truckee, and less than 2 percent of the entire Truckee River watershed. The extent to which Squaw Creek contributes to streamflows varies according to seasons and other sources of water flowing to the Truckee River. For example, during July and August, when releases from Lake Tahoe tend to be at their maximum, Squaw Creek streamflow is at its lowest, and contributes less than 5 percent of total flows to the river (Balance Hydrologics 2015: Table 1).

The streamflow analysis evaluated the reductions in Truckee River streamflows that could result if all of the groundwater withdrawals required to meet water demand for VSVSP and cumulative development in Olympic Valley came from Squaw Creek streamflow. This very conservative assumption results in reductions in streamflows within the Truckee River equal to the amount of groundwater pumping within the Olympic Valley needed to serve the VSVSP and cumulative development. Average monthly flows in the Truckee River range from 63.1 cfs to 392.5 cfs depending on the month and reach (the streamflow analysis looked at river gages located at Tahoe City and near Truckee). The VSVSP at buildout is estimated to require 0.5 to 1.9 cfs to meet monthly demand for water supply. Cumulative demand (including the VSVSP) would range from 0.8 to 2.7 cfs. Comparing the average monthly flows in the Truckee River to the corresponding streamflow reductions from Squaw Creek (assuming they are equivalent to groundwater withdrawals) shows reductions of 0.3 to 1.4 percent, depending on the month (Balance Hydrologics 2015: Table 3). Based on streamflow and stream stage (water depth) measurements taken on the Truckee River near the Town of Truckee, a reduction of 3 cfs (slightly more than would occur in the highest demand month) would result in a decline in water surface level of less than 0.01 feet. This decline would not be enough to adversely affect biological resources and/or water quality within the Truckee River.

Regarding water supply, the proposed project would not substantially reduce the amount of total water available in the Truckee River. The Truckee River streamflows at Tahoe City and the Town of Truckee equate to monthly averages for 3,881 to 24,136 acre feet/month. The streamflow analysis reports that average monthly demand for cumulative (with VSVSP) development would range from 48.1 to 163.1 acre feet per month, representing less than 3 percent in any month, as shown in Table O9-1. Given that water would be supplied to the

VSVSP and cumulative development from groundwater, the percentage that would reach the Truckee River as streamflow would be even less than 3 percent of the river’s streamflow. Nor is groundwater withdrawal in the Olympic Valley subject to surface water rights restrictions.

Table 09-1 Olympic Valley Water Demand Relative to Truckee River Flows

	Total Olympic Valley Demand 2040 (afy)	Truckee River Flow @ Tahoe City (af per month)	Olympic Valley Demand as % of River Flow @ Tahoe City	Truckee River Flow @ Truckee (af per month)	Olympic Valley Demand as % of River Flow @ Tahoe City
October	65.2	4,898	1.33	5,850	1.11
November	80.6	4,304	1.87	5,704	1.41
December	112.4	4,581	2.45	8,925	1.26
January	105	5,661	1.85	8,802	1.19
February	100.3	4,573	2.19	7,429	1.35
March	66.4	3,881	1.71	9,966	0.67
April	48.1	4,188	1.15	15,129	0.32
May	63.9	4,459	1.43	24,136	0.26
June	113.7	9,422	1.21	21,742	0.52
July	163.1	16,010	1.02	19,314	0.84
August	153.7	16,855	0.91	17,702	0.87
September	113.9	9,475	1.20	10,042	1.13

Source: Data taken from Balance Hydrologics 2015 and processed by Ascent

09-57

The comment states the DEIR does not include full and accurate information on existing biological resources. The comment excerpts a partial sentence from the DEIR from the middle of a paragraph to illustrate an example. The comment states: “The DEIR concedes that it lacks the surveys necessary to complete its wetland delineation because ‘the Salix constraints maps did not cover the entirety of the project site.’”

See response to comment 08b-34, which addresses this issue and demonstrates why neither the analysis of impacts nor provision of adequate mitigation is deferred. Also, see response to comment 09-59.

09-58

The comment states that there is a lack of crucial information explaining why the information on bank and habitat elevations along Squaw Creek is not known or why specific riparian plant and meadow locations and elevations beyond the creek bed are not known. The DEIR analysis on groundwater/vegetation impacts was informed by the best available data, which included the Todd Groundwater Study (2014) and the location of vegetation types in the project area from Biological Assessments and Wetland Delineation Reports (Salix Consulting), studies by GANDA/Garcia and Associates, and various reconnaissance surveys cited in the DEIR (See Chapter 20, “References,” pp. 20-3 through 20-7) and available on the County’s website:

(http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/villageat_squawvalley/references). In some cases, because the effects of groundwater elevation changes extend beyond lands under the control of the project applicant, existing condition information could not be collected from private land where access was not available.

The DEIR impact analysis adequately responds to limitations of the available data by projecting the potential for impacts beyond the main creek channel, identifying these

impacts as potentially significant, and providing a mitigation approach that uses comprehensive monitoring to confirm if an adverse effect does occur, and providing specific corrective actions with performance criteria if a significant adverse effect must be addressed. However, although the DEIR is adequate in its current condition, further analysis related to potential effects on sensitive habitats from potential changes in groundwater elevations is provided in response to comments O8b-15 and O8b-17. In addition, the applicant team is beginning to collect further detailed information on baseline conditions in Squaw Creek to assist, in part, with developing specific design and execution elements of future monitoring and restoration activities. The most recent element of this effort has been an assessment of baseline riparian and flow conditions in Squaw Creek conducted on September 3, 2015 (Balance Hydrologics 2015).

09-59

The comment states the DEIR defers analysis and mitigation for biological resources. This statement is inaccurate. The DEIR evaluates impacts of the project at a detailed level for those components of the project that are well-defined. However, due to the size and programmatic nature of the project, not all components have been fully detailed. For instance, the precise location of trails has not been determined, and some utility corridors have been broadly defined. This is appropriate for a large-scale planning document addressed in a program EIR.

As noted on page 1-2 of the DEIR, the EIR is considered a program EIR, as defined by CEQA Guidelines Section 15168. Program EIRs address several types of larger projects, including specific plans (see section 15168(a)(4)). They are intended to provide an avenue that allows the lead agency to consider issues more broadly, including consideration of program wide mitigation. Program EIRs are first-tier documents; that is, they are used to consider approval of an overall plan or other program; when subsequent projects are proposed consistent with the approved plan, they are evaluated to determine if the program EIR adequately addressed the impacts and mitigation measures associated with the subsequent project, and whether additional CEQA compliance is necessary. As described in CEQA section 21093 "... tiering is appropriate when it helps the public agency to focus upon the issues ripe for decision at each level of environmental review..." Some details of a large-scale project may not be fully known at the time the project is addressed programmatically. In those instances, a program EIR may address the impacts more broadly, examining the type and extent of impact that may occur, and similarly may provide mitigation that is programmatic in nature. In those instances mitigation often takes the form of performance standards; that is, the mitigation may specify specific compensation levels (i.e. replacement of a resource at a 1:1 level) if it can be shown that this type of compensation would mitigate for the significant impact. As stated on page 1-2 of the DEIR:

A program EIR enables a lead agency to examine the overall effects (direct, indirect and cumulative) of the proposed project or course of action and to consider broad policy alternatives and program wide mitigation measures at an early time in the decision-making process when the agency has greater flexibility. The subject of the agency's approval decision is the overall program addressed in the EIR. When subsequent activities in the program are proposed, the agency must determine whether the environmental effects of those activities were covered in the program EIR and whether additional environmental documents must be prepared. If a later activity would have effects that were not examined in the program EIR, a project-specific CEQA document must be prepared. The project-level CEQA documents may incorporate by reference general discussions from the broader EIR and focus on the impacts of the individual projects that implement the plan, program, or policy.

This EIR will evaluate the environmental effects of the Specific Plan at a program level prior to approval of entitlements to develop each phase of the Specific Plan,

each phase will be required to determine if it is within the scope of the program EIR, or if additional CEQA analysis is required.

With regard to biological resources, see response to comment 08b-34. As described in that response, impacts are fully evaluated. As described in the DEIR (Chapter 6) the potential for the project to affect various sensitive species is thoroughly documented. Mitigation, including performance standards, is provided to fully address all known potential significant impacts. In the case of some project elements, specifically trails, the precise location of these facilities was not known at the time that the EIR was prepared. Therefore, the EIR determined the types of significant impacts that may occur based on likely habitat in the general area where trails may be constructed. As stated on page 6-75 of the DEIR, trails under consideration outside the specific plan boundaries includes:

“...improvements to the Shirley Canyon and Granite Chief trails and new trails on the mountain to the south of the plan area. Trail construction and operation could result in the same environmental effects described above under Impacts 6-1 through 6-9, including tree removal; disturbances to sensitive habitats, nesting raptors and special-status plant and animal species; and disruption of potential mule deer fawning habitat and animal movement corridors. For the same reasons described previously for Impacts 6-1 through 6-9, this would be a **potentially significant** impact.

The mitigation was included based on these impacts, but it was acknowledged that because the specific location of trails has not been identified, site-specific surveys would be required to narrow down which mitigation measures in the DEIR would need to be applied, based on the exact resources present. If impacts associated with trail construction are different than those identified in this program EIR, subsequent CEQA analysis will be required. This is not only appropriate at this level of planning, it is acknowledged in CEQA as a process associated with preparation of program EIR's, and subsequent project review.

09-60 See response to comment 09-59 regarding the concept of deferral of mitigation. With regard to the mitigation requirement associated with the need to conduct wetland delineations and associated measures, the DEIR identifies the locations where wetlands could occur, and the amount of wetlands that could be removed (except in those areas of the site that have not been as well defined, such as trails; see response 09-59). The mitigation requires a more detailed definition of the boundaries of wetland features and adherence to performance standards and permit conditions attendant on the delineation process. This is not deferral of mitigation; the measures are clearly laid out and the actions and outcomes following the results of further data collection are clear. The need to sometimes collect further information after an EIR is complete is well established in CEQA, particularly for program EIR evaluations of plan level documents. Conditions requiring further data collection could range from a lack of access to a portion of a project area (i.e., land owner does not provide access) to the impracticality of completing a County-wide USACE verified wetland delineation for a County General Plan EIR.

09-61 The commenter states that there are inaccuracies in the DEIR descriptions of the project's setting because, it is asserted, it fails to explain sensitive habitats' relationship with and dependency on groundwater and runoff.

With regard to the commenter's request to identify the groundwater requirements for each sensitive plant species, see the groundwater levels described as necessary for maintenance of meadow, wetland and riparian vegetation on page 6-42 and 6-44. Eight of the ten identified sensitive plant species potentially in the project area are associated with wetlands, meadows, or riparian areas and their requirements for groundwater levels would be included in these stated habitat requirements. The other two sensitive species (Torrey buckwheat and starved daisy) are associated with rocky outcrops and upland habitats that are dependent on

precipitation and snowmelt, and are already associated with dry conditions and would not likely be impacted by reduced groundwater tables.

While sensitive plant surveys have been completed for the majority of the project site, some areas have not been surveyed as stated on page 6-66, particularly the western portion of the Village Core Area and the undisturbed portions of the proposed sewer line corridor (outside of the paved area and shoulder) along Squaw Valley Road. In terms of impacts from groundwater drawdown to sensitive plants in these areas, the western portion of the Village areas has been shown to have low groundwater tables currently (Todd Groundwater 2014 and 2015) and therefore no wetlands associated sensitive plant species would be impacted. Portions of the proposed sewer line corridor that are undisturbed could have sensitive plants in its wetland, riparian, or meadow associated habitat that may be impacted by groundwater drawdown. If this is the case, the mitigation measures and associated consultation with agencies described (Mitigation Measures 6-8 and 6-1a through 6-1d) below would be implemented and project implementation would not result in unmitigated take of special status plant species. In particular, Mitigation Measure 6-1c will determine baseline composition of plant species and function of sensitive habitats in areas potentially impacted by groundwater extraction (on the project site and outside the project site) and then mitigate through compensation, restoration, or, if necessary, irrigation. This mitigation would include those areas with sensitive plants associated species and would not result in unmitigated take of special status plant species.

However, in response to this comment see additional text added to Mitigation Measure 6-1c in response to comment 08b-15 that will require sensitive plant surveys in areas outside the project site within the areas of potential impacts from operational groundwater drawdown. These text changes clarify that baseline composition (including sensitive plant locations) in identified impacts areas needs to be known prior to groundwater drawdown so that groundwater impacts can be tracked during monitoring and appropriate mitigation applied.

Mitigation Measure 6-8 already includes mitigation for sensitive plant species from operational drawdown (page 6-68). It refers to Mitigation Measure 6-1c through 6-1d as measures to mitigate impacts to sensitive plants species associated with sensitive habitats from groundwater drawdown. Mitigation Measure 6-8 also states that “General mitigation measures for consultation with the state or federal agencies for known populations [stated] below will also minimize impacts to these [groundwater impacted] populations.” The requirement under Mitigation 6-8 to consult with the regulatory agencies prior to development will assure that sensitive plant population impacts will be mitigated. However, to clarify that potential groundwater impacts are included in this consultation, see additional text added to the first bullet on page 6-69 of the DEIR:

- ▲ If special-status plant species are found that cannot be avoided during construction or because of operational groundwater drawdown, the project applicant shall consult with CDFW and/or USFWS, as appropriate depending on species status, to determine the appropriate mitigation measures for direct and indirect impacts that could occur as a result of project construction and will implement the agreed-upon mitigation measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include preserving and enhancing existing populations, creation of off-site populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals. Potential mitigation sites could include suitable locations within or outside of the project area. A mitigation and monitoring plan will be developed describing how unavoidable losses of special-status plants will be compensated.

This addition does not change the determination of a less-than-significant impact following mitigation for sensitive plant species, because it would ensure that project implementation would not result in unmitigated take of special status plant species.

Additionally, see response to comment 08b-46, which describes climate change impacts relating to changes in snowmelt and rainfall that might impact to sensitive habitats and associated sensitive plants species in the future.

- 09-62 The comment references and repeats information from the Conservation Biology Institute (CBI) Biological Resources Report provided as Exhibit 2 to this comment letter and responded to as comment letter 08b in this FEIR. See response to comment 08b-3 with respect to characterization of riparian habitat in perennial and intermittent streams.
- 09-63 See response to comments 08b-4 through 08b-12 with respect to separating certain types of sensitive habitat among different categories and estimates of the project's impacts to these habitats.
- 09-64 See response to comment 08b-14 with respect to discrepancies between Tables 6-1 and Table 6-4.
- 09-65 See response to comment 08b-16 and the Master Response regarding water supply with respect to including severe drought conditions into groundwater drawdown analysis. The DEIR also discusses current drought conditions and potential effects on already stressed trees at page 6-76.
- 09-66 The DEIR identifies riparian, wetland, and other vegetation based on biological assessment surveys completed by Salix Consulting for various locations in the project site that will be impacted by ground disturbing activities (see pages 6-1 and 6-2 of the DEIR for the list of reports). This level of analysis is consistent with CEQA requirements for project level and programmatic analysis levels. See response to comment 09-59 regarding the programmatic nature of the document and the level of analysis necessary for a programmatic document. Also see response to comment 09-60 regarding the ability to complete additional surveys after an EIR is complete.
- Indirect impacts from operational groundwater drawdown were analyzed with the best available data including the Todd Groundwater (2014) groundwater/surface water modeling report and the vegetation data provided by the Salix Consulting reports. See response to comment 09-58 that describes the use of the best availability information for the groundwater/vegetation analysis. While the groundwater/vegetation impact descriptions outside the creekbed may be more generalized due to the nature of the supporting data available, the impact itself is not ignored as implied by the commenter. Extensive information is included in the discussion of Impact 6-1 evaluating the potential effects on various vegetation communities that could occur from changes in groundwater elevation. The comment takes the DEIR's disclosure of the contents and limitations of the best available information that supported the discussion of Impact 6-1 and incorrectly contends that this information results in a lack of impact evaluation. The six plus page discussion of Impact 6-1 provided on pages 6-40 through 6-46 of the DEIR clearly evaluates impacts on sensitive habitats "more than one foot away from Squaw Creek", such as the evaluation of effects on meadow vegetation beginning on page 6-44.
- 09-67 See response to comment 08b-16 and the Master Responses regarding water supply with respect to including current drought conditions and future climate change scenarios into groundwater effects analysis.

- 09-68 The comment refers to comments made by CBI in letter 08b, which argue the inadequacy of the analysis on project-related groundwater drawdown impacts to riparian vegetation. See response to comments 08b-15 through 08b-18 with respect the conclusion of a less than significant impact to established riparian vegetation, the available literature on black cottonwood mortality from groundwater changes, and the 10-foot groundwater threshold for determining riparian vegetation mortality.
- 09-69 See responses to comments 08b-19 through 08b-22 regarding water requirements for seed germination and evidence supporting conclusions in the EIR related to changes in the frequency of dry year conditions.
- 09-70 The comment takes a statement from the middle of the overall discussion of impacts on meadow vegetation on Page 6-44 of the DEIR; “would not be substantial since any reduction in meadow vegetation or vegetation productivity during dry years would be minimal and temporary”, and incorrectly implies that this is the ultimate impact conclusion. However, as shown at the end of the impact discussion on page 6-45 of the DEIR, the impact is considered potentially significant because of an acknowledgement that the statement referenced by the commenter may not apply under all circumstances. The comment further requests that the DEIR specify the duration that groundwater levels drop below the threshold and provide a map with locations. This data was available and referenced for the reader in the DEIR. The text on page 6-44 references the locations of graphs that show the depths and duration of groundwater levels modeled by Todd Groundwater (2014) and reference in the groundwater/vegetation analysis. The text also refers to the map in Chapter 13 that shows the locations of the cells discussed in the groundwater/vegetation impact analysis. Additionally, see response to comment 08b-17 which expands on the impact analysis on page 6-44 and further clarifies impacts to meadow vegetation and cites the specific locations of those impacts according to the modeled cells in the Todd Groundwater (2014) report. Also, see response to comment 08b-15, which supplements information on acres of sensitive habitat (including meadows) potentially affected by groundwater drawdown.
- 09-71 With regard to impacts to perennial and annual meadow vegetation from project-related groundwater drawdown, see responses to comments 08b-29 through 08b-32. With respect to evidentiary proof, see response to comments 09-70 and 08b-17.
- 09-72 The comment states that the DEIR lacks evidence for its conclusion that the proposed restoration of Squaw Creek would offset effects of groundwater drawdown. The comment implies that the deduction made in the DEIR that increased water holding capacity and increased infiltration would reduce groundwater level decline and thus reduce adverse effects to riparian and meadow habitats is unsupported. The DEIR analysis provides the evidence to support this deduction by referencing the conclusions of modeling done by Balance Hydrologic (2014a and 2014b) in Chapter 6 on page 6-46 and in Chapter 13 on page 13-7. The DEIR states on page 6-45 that “While the amount of riparian and meadow habitat adversely affected by reduced groundwater elevation in the western and upper eastern reaches is unknown, the long-term benefits from creek restoration would offset at least some of these effects once restoration is completed.” This statement means that groundwater level reduction could be less in the restored area and restoration would reduce some of the adverse effects to riparian and wetland habitats. The evidence to support this statement is supplied by the citing of the Balance Hydrology report (2014a) whose modeling shows that restoration will allow for a greater water holding capacity in the restoration area- thus enhancing wetland functionality. Based on the modeled data in the Balance Hydrology report (2014a) and the Balance Hydrology (2014b) memo that used this modeling information to conclude benefits to riparian and wetland habitat, the DEIR states on page 6-45 that restoration area “is expected to result in a net increase of wetted habitat...” The evidence is also supplied in the Chapter 13 analysis on pages 13-75 and 13-76, “The preliminary creek restoration design would return the Squaw Creek trapezoidal channel to a wider corridor with a meandering alignment (also termed

“planform”) (see Exhibits 3-18 and 3-19 in Chapter 3, “Project Description”). Overall conveyance would be increased and an inset floodplain would allow sediment deposition upstream of the meadow and detain water in the alluvial fan reach.... The new portion of the channel would contain several grade control structures and depressions to slow channel velocities and allow for the settling of sediment as well as increase water retention. Increased detention of runoff will promote water infiltration into the aquifer, especially during summer rain events. The expansion of wetlands along the Olympic Channel would enhance the functionality of the wetland system and provide mitigation for Specific Plan impacts to existing wetlands or waters of the United States and State of California.”

Additionally, the caution stated on page 6-45 of the DEIR regarding the lack of combined hydrologic and vegetation modeling expresses a concern related to specific estimates of how much benefit would occur and detailed acreages of wetted habitat increases that was stated in the Balance Hydrologics (2014b) memo. It was not a concern about the deduction that there would be some benefit from the restoration design. The DEIR responds to these concerns by identifying the anticipated and potential benefits from Squaw Creek Restoration, but not relying on these benefits to support a less-than-significant conclusion regarding groundwater effects as the specific extent of benefit is not currently known. However, further information on the benefits of the Squaw Creek restoration is provided in the Master Response regarding water supply.

See response to comment 08b-16 and the Master Responses regarding water supply with respect to including current drought conditions and future climate change scenarios into groundwater analysis as much as possible to mitigate for any degradation or loss of sensitive habitats.

With regard to conducting hydrologic monitoring that incorporates plant species distribution models, see response to comments 09-58 and 09-66 that address using the best and available information for the CEQA analysis.

With regard to considering wetland species-specific data from literature or reference sites, see responses to comments 09-61 and 08b-29.

09-73 The comment provides a summary of detailed comments provided above. See the specific responses to comments 09-66 through 09-72.

09-74 With regard to habitat impacts to Sierra Nevada yellow-legged frog, see response to comment 08c-2 which clarifies the unsuitability of habitat throughout the project site and within designated critical habitat boundaries. Because predatory fish are currently present in Squaw creek and, likely, its tributaries, these areas (including the meadow area around the Olympic Channel) do not contain the Primary Constituent Elements that define the breeding and non-breeding components of critical habitat for Sierra Nevada yellow-legged frog. Therefore, implementing the Specific Plan would not substantially affect critical habitat for Sierra Nevada yellow-legged frog.

With regard to impacts to Sierra Nevada yellow-legged frog from the proposed restoration of Squaw Creek, see the above paragraph concerning the lack of suitable habitat in the project area and response to comments 08c-2 through 08c-6 concerning the potential impacts from Squaw Creek restoration on Sierra Nevada yellow-legged frogs. Although it is highly unlikely that Sierra Nevada yellow-legged frogs occur in the project area, in an abundance of caution, Mitigation Measure 6-2 is provided in the DEIR to address the remote possibility that a frog could be affected during project construction.

09-75 The comment states that the DEIR lacks evidentiary support for its conclusion that impacts on Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, and mule deer would be

less than significant because riparian and meadow habitat could potentially decrease through operation groundwater reduction. The comment further states that the DEIR does provide evidence that supports its conclusion that impacts to Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, and mule deer would not be significant.

With regard to groundwater impacts to Sierra Nevada mountain beaver, the DEIR states on page 6-58 that suitable Sierra Nevada mountain beaver habitat is found in the eastern portions of Squaw Creek meadows and within the east parcel within the project area. The DEIR continues to state that groundwater/surface water analysis and the groundwater/vegetation analysis concluded that impacts from groundwater drawdown would have little effect on groundwater elevations and vegetation in these areas, and therefore, foreseeable significant adverse impacts to Sierra Nevada mountain beaver habitat would not occur. In summary, the area of potential groundwater effects on vegetation does not geographically overlap with areas of potential Sierra Nevada mountain beaver habitat. The DEIR does not state that restoration would improve Sierra Nevada mountain beaver habitat, as the comment suggests, because again, the Squaw Creek restoration area does not geographically overlap with the locations where potential habitat for Sierra Nevada mountain beaver might occur (the eastern portion of the project site along the perennial portion of Squaw Creek, by the East Parcel [DEIR Table 6-3, p. 2-23]). See Exhibit 3-5, DEIR p. 3-12, showing Squaw Creek Restoration Area and East Parcel.

With regard to groundwater impacts to mule deer habitat, the DEIR states on page 6-64 that mule deer are present in the area during non-winter months and that fawning could occur in the dense willow or riparian habitat in Squaw Creek meadows and in the east parcel. This is further clarified on page 6-65 where it states that likely fawning habitat in these areas would occur in the lower reach of the meadows and the east parcel where the densest habitat occurs. The text further states that these areas are least affected by groundwater pumping and not likely to have vegetation impacts, and therefore fawning habitat would not be affected by operations. The same lack of geographic overlap identified above for Sierra Nevada mountain beaver also applies to mule deer. In addition, the DEIR does not state that restoration would improve mule deer habitat, as the comment suggests.

With regard to Sierra Nevada snowshoe hare, the DEIR does not state that restoration would improve Sierra Nevada snowshoe habitat, as the comment suggests. It states on page 6-60 that the restoration “could increase meadow and riparian habitat (if it offsets groundwater reduction or creek restoration planting is successful...”. The comment suggests that the statement in the DEIR was a matter of fact by using the word “would”, while the DEIR use of the word “could”, identifying that it may happen but not that it will happen. This is an important distinction because the less than significant impact determination in the DEIR is not based on the supposition that restoration of the channel would improve habitat for Sierra Nevada snowshoe hare.

The DEIR states that suitable habitat for Sierra Nevada snowshoe hare is located within the upland montane riparian habitats and seeps and springs in the Village area. Those areas with dense enough vegetation for suitable habitat are located in the main channel and directly off the main channel, in the Olympic Channel. Additionally, the seeps and springs located close and intermixed with mixed conifer habitat have too narrow or sparse willow or shrub habitat for snowshoe hare. Further, these areas are likely already disturbed by ongoing human use and thus unsuitable for the snowshoe hare. This was not clarified in the DEIR text and is assumed in the details under the Operations subsections. This is clarified starting on page 6-59 with the following text modifications:

Sierra Nevada snowshoe hare is designated as a species of special concern by CDFW. The species has been documented within five miles of the plan area near Lake Tahoe. In California, they are found primarily in montane riparian habitats with thickets of alders and willows, and in stands of young conifers interspersed with

chaparral. The early seral stages of mixed conifer, subalpine conifer, red fir, Jeffrey pine, lodgepole pine, and aspen are likely habitats, primarily along edges, and especially near meadows. They prefer dense cover in the understory thickets of montane riparian habitats, or in shrubby understories of young conifer habitats. Locations within the plan area that might have high habitat potential would be upland riparian areas and seeps within the Village area, Squaw Creek middle and lower meadow reach, and the meadow and riparian areas in the East Parcel. The potential habitat in the Village area would not likely serve as suitable habitat due to the high amounts of disturbance from tourists and recreationalists. Therefore, the only suitable habitat in the analysis area would be located in the Squaw Creek middle and lower meadow reach, and the meadow and riparian areas in the East Parcel.

CONSTRUCTION

In the short term, activities related to construction of the Village area and the East Parcel could temporarily disturb snowshoe hare and/or their habitat located within the plan area. If snowshoe hare use the plan area for foraging or breeding, increased noise, human activities, or other factors associated with construction activities (vegetation removal, clearing, grading, building, and excavation) could temporarily disturb foraging, movement, or reproductive activities and temporarily displace individuals. Also, individuals could alter their behavior by avoiding the plan area during construction, potentially using alternative areas where they could be more susceptible to predation or other adverse effects. In addition, mortality or injury could occur as a result of collision with construction equipment, although individuals are mobile and would likely avoid active construction areas.

Sierra Nevada snowshoe hare is a potential prey species for raptors and mammal predators (e.g., coyote). Vegetation removal during construction could reduce cover and increase predation risk for this species, if it uses habitats within and near construction areas.

In addition to potential temporary effects on individuals described above, the removal of trees and vegetation ~~for the main Village area and in the~~ East Parcel, and temporarily for the Squaw Creek restoration, would also result in the permanent or temporary loss of habitat suitable potentially suitable for snowshoe hare.

Because construction-related effects of Specific Plan implementation may cause disturbance or injury and mortality to Sierra Nevada snowshoe hare, the impact would be **significant**

OPERATIONS

Operation impacts occur in much the same area as current Squaw Valley operations. New residences and buildings will occur in areas that are already exposed to human disturbance. It is unlikely that further human activity associated with the new structures will limit potential foraging opportunities within Olympic Valley. While human traffic and noise may increase through riparian areas, meadows, and trails in the project area as a result of increased residency, the areas to be visited by people will not be substantially different from existing conditions where human disturbance already occurs. Therefore, there would likely be no change in disturbance to Sierra Nevada snowshoe hare from operational impacts. Additionally, the proposed creek restoration could increase meadow and riparian habitat (if it offsets groundwater reduction or creek restoration planting is successful with Mitigation Measures 6-1a and 6-1b) along the western portion of Squaw Creek. This could increase habitat

availability for snowshoe hare around the creek in the Village area if recreational disturbance does not continue to restrict habitat use as it seems to do currently. Potentially reduced meadow or riparian vegetation in the upper meadow reaches of Squaw Creek due to ground water reduction are not likely to impact Sierra Nevada snowshoe hare habitat since the dense willow and alder areas that provide habitat for this species are located in the middle and lower portions of the meadows downstream of where groundwater effects are anticipated.

Operational impacts to snowshoe hare would be **less than significant**.

The text additions to Impact 6-5 do not change the determination of significance for Snowshoe hare, because construction-related effects may still cause disturbance or injury and mortality to Sierra Nevada snowshoe hare, the construction impact would be significant. Operational impacts to snowshoe hare would continue to be less than significant because snowshoe hare habitat will not be impacted by operations of the VSVSP.

- 09-76 The comment states that DEIR fails to adequately evaluate impacts to special-status plants because special-status plant surveys have not been completed for the entire area. See response to comment 09-59 that addresses the programmatic nature of this document and the level of analysis required. With regard to biological resources, see response to comment 08b-34. As described in these responses, all reasonably foreseeable impacts to special-status plant species are fully evaluated. Mitigation, including methodology to collect additional presence/absence data and performance standards for actions to implement if a resource is encountered, is provided to fully address all known potentially significant impacts. While species specific surveys had not been completed in all areas at the time that the DEIR was prepared, the DEIR correctly determined the types of significant impacts that may occur based on likely habitat in the general area where ground disturbance or operational impacts may occur.
- 09-77 With regard to the adequacy of the impact analysis for trail construction on biological resources, see response to comments 09-59.
- 09-78 The comment states that the DEIR fails to adequately discuss the impacts of water quality degradation during construction with regard to assuming adequate best management practices (BMP) implementation. The fish and aquatics resources discussion on page 6-75 through 6-76 references Impacts 13-1 and 13-2 which discusses the local, federal, and state regulations regarding water quality and their associated BMPs. Additionally, the Impact 6-11 discussion does not rely solely on BMPs to come to a less-than-significant determination. It also relies on proposed mitigation measures 13-1 and 13-2 which contain success criteria and performance standards for BMPs, assessing the use of the BMPs that meet these success criteria and performance standards to reach a conclusion of less than significant.
- 09-79 The comment states that the wellfield will not be configured and operated as modelled for the WSA and this will affect fish and aquatic resources. See the Master Response regarding water supply regarding the analysis of impacts of groundwater drawdown based on the number of wells actually anticipated to be built. Also see Section 2.2, "Updated Water Supply Assessment and Groundwater Data," of this FEIR regarding additional groundwater modeling, including model runs with different numbers of wells. See Mitigation Measure 6-13 in the DEIR that incorporates Mitigation Measure 13-4 that, "requires that well-field configuration and operation are consistent with the parameters of the WSA and applicable groundwater plans. By confirming that groundwater management is implemented in a manner that is consistent with operational parameters described in the WSA, Mitigation Measure 13-4 would also result in confirmation that groundwater pumping does not result in losses of riparian vegetation..." or that longer and more frequent drying periods would not occur that would threaten the maintenance of the fish community.

- 09-80 With regard to the adequacy of the groundwater hydrology analysis and its effect on the biological resources analysis, see various responses to comments provided in letter 08b that address this issue and the Master Response regarding water supply.
- 09-81 The comment states that the DEIR failed to satisfy the CEQA requirement for feasible mitigation measures that are "fully enforceable" through permit conditions, agreements, or other legally binding instruments. The comment does not provide any specification as to how the DEIR failed to comply with this CEQA requirement. The comment introduces a topic that is addressed in more detail in subsequent comments does not provide sufficient detail for any further response.
- 09-82 With regard to the DEIR failing to provide adequate mitigation for the loss of Sierra Nevada yellow-legged frog habitat, see response to comment 09-74, as well as responses to comment letter 08-c which deals exclusively with Sierra Nevada yellow-legged frog. These responses identify substantial evidence in the record supporting the EIR's conclusion that no suitable habitat will be adversely affected by the project because no suitable habitat occurs within the project area, mitigation for the alleged loss of habitat is therefore not required.
- 09-83 The comment states that many of the mitigation measures in the biological resources section are excessively vague, unenforceable, unnecessarily deferred, and lacking performance criteria. The comment refers specifically to Mitigation Measure 6-1a. Mitigation acres for sensitive habitats cannot be quantified because verification with the proper agencies such as USFWS, Lahontan RWQCB, CDFW and Placer County has not occurred. Potentially impacted acres are identified in the DEIR, but were not further refined in the mitigation measure because delineation had not been verified. Additionally, as described in the mitigation measures, the ratios of mitigation will be at a minimum 1:1 ratio and in accordance with the aforementioned agencies. (See also *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1031-1032 [upholding EIR prepared for a habitat conservation plan and related agreements, reasoning that it "is unnecessary to engage in "sheer speculation as to future environmental consequences," . . . Until specific measures or projects are adopted and the details fleshed out, the environmental impacts remain 'abstract and speculative"].)

Please also see response to Comment 09-59 that discusses the CEQA requirements of a programmatic document such as this EIR with respect to quantification of impacts.

With respect to describing what replacement wetlands would look like, Mitigation Measure 6-1a requires the project proponent to replace all wetlands by acreage and function. Permit approval will determine what the wetlands function and composition will look like. This is a sufficient performance criteria to ensure mitigation of the related impact.

With respect to providing evidence that project hydrology would support wetland replacement, see response to comments 09-110, 09-111, and 09-112.

With respect to whether supplemental irrigation will be required for restoration purposes or what the demands on groundwater supply will be for supplemental irrigation, see responses to comments 08b-35 and 08b-15 and the Master Response regarding water supply.

With respect to not including specific criteria and standards by which effectiveness of the mitigation would be measured, the following text will be added to Mitigation Measure 6-1a (text inserted after the fourth full paragraph on page 6-47) to elaborate on the content of the Mitigation and Monitoring Implementation Plan:

- ▲ The Mitigation and Monitoring Implementation Plan shall, at a minimum, include the following specific criteria, standards, and information:

- Baseline locations of jurisdictional habitat including species along the western and upper eastern channel of Squaw Creek (West Cells E through J and East Cells A through E) within the plan area shall be documented before initiation of construction of the VSVSP. Conduct vegetation monitoring or additional groundwater modeling as described in Mitigation Measure 6-1c below. Any jurisdictional habitat lost within the western portion of Squaw Creek from groundwater drawdown that affects streambank instability shall be replaced with native vegetation (riparian preferably) that will stabilize the streambank and prevent sediment mobilization.
 - identification of compensatory mitigation sites and criteria for selecting these mitigation sites onsite and offsite;
 - in kind reference habitats within the Tahoe-Truckee region for comparison with compensatory wetlands habitats (using performance and success criteria) to document success;
 - monitoring protocol, including schedule and annual report requirements (compensatory habitat shall be monitored for a minimum of five years from completion of mitigation or last human intervention [including recontouring and grading and irrigation], or until the success criteria identified in the approved mitigation plan have been met, whichever is longer);
 - ecological performance standards, based on the best available science and including specifications for native wetland and riparian plant densities, species composition, amount of dead woody vegetation gaps and bare ground, indicators of stress that might result in mortality, and survivorship; at a minimum, compensatory mitigation planting sites must achieve 80 percent survival of planted wetland species by the end of the five-year maintenance and monitoring period or dead and dying species shall be replaced and monitoring continued until 80 percent survivorship is achieved;
 - corrective measures if performance standards are not met;
 - responsible parties for monitoring and preparing reports; and
 - responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.
- ▲ The project applicant shall follow requirements outlined in the MMIP and CSRMP for vegetation restoration success in all areas of onsite and off-site mitigation or restoration.

With regard to the lack of inclusion of specific criteria and standards for effectiveness of compensatory mitigation for special status plant species in Mitigation Measure 6-8, see the text on page 6-69 that describes the success criteria required for preserved and compensatory populations.

With regard to the lack of inclusion of specific criteria and standards for effectiveness of compensatory mitigation for fish and aquatic resources in Mitigation Measure 6-12, there is no mitigation and monitoring plan required under Mitigation Measure 6-12; only a fish rescue plan is required.

09-84

With regard to stating a specific buffer for construction disturbance to yellow warbler and olive-sided flycatcher nests, the mitigation measure states that buffers will be determined after consultation with CDFW. Because the regulating agency (CDFW) will be consulted to

determine buffer distances, this mitigation measure is adequate for the protection of these species' nests. Consultation with the regulatory agency to determine wildlife disturbance buffers is also an appropriate and frequently used practice as a variety of factors can influence the appropriate buffer distance, such as the amount of existing disturbance individual animals may have become acclimated to, the presence of physical screening (e.g., topography, buildings, vegetation) between the animal and the disturbance, and the specific type of activity being undertaken.

With regard to Mitigation Measure 6-3 relying on Mitigation Measures 6-1a, 6-1c, and 13-4, see previous responses to comments addressing their adequacy. See also responses to comments 09-110, 09-111, and 09-112.

- 09-85 The comment misinterprets Mitigation Measures 6-4 and 6-5. Each of these measures states that "if circumstances exist such that future activities would result in the abandonment of the burrow,...an appropriate exclusionary buffer would be established by[the applicant], in coordination with CDFW." The confusion may lie with the statement within each measure that a buffer would not be established if a reproductive individual were found to be within disturbance distance of construction after construction began. The measures state that the continued use of the area by the beaver or hare would indicate that the animal had become acclimated to construction and thus a buffer was not necessary. The measures also state that an exclusionary buffer of 200-feet will also be established around reproductive burrows if the area cannot be avoided by construction.
- 09-86 With respect to the suggested inadequacy of Mitigation Measure 6-1c, see response to comment 08b-15 which adds text to clarify criteria in the mitigation and impacts from irrigation. As discussed in response to comment 09-66, the best information available (Todd Groundwater 2014, and Salix Consulting reports) was used for the analysis. Because this information could not provide enough specific data to identify detailed impacts with certitude, the monitoring required in Mitigation Measure 6-1c will ensure mitigation for any degradation or loss of riparian habitat from project-related groundwater reduction. CEQA mitigation measure requirements have been met because specific actions meeting identified performance criteria are required following monitoring if the monitoring results show future adverse effects to the resource being monitored.
- With regard to extending the monitoring period in Mitigation Measure 6-1c, see response to comment 08b-38.
- With regard to corrective measures such as irrigating vegetation and the impacts from this irrigation, see responses to comments 08b-35 and 08b-15.
- 09-87 The comment states that Mitigation Measure 6-1c allows the analysis of vegetation impacts from groundwater reduction after the EIR is finalized. The comment also states that monitoring should not be forgone if future groundwater/vegetation modeling shows no impacts to vegetation. See response to comment 08b-15 for a discussion of Mitigation Measure 6-1c, including revisions that deleted the option of relying solely on modeling to determine if riparian vegetation is being affected by groundwater pumping.
- 09-88 With regard to the adequacy of Mitigation Measure 6-6, the comment states that the measure is deficient because the required roost removal would not lessen the project's impact. The comment misinterprets the mitigation measure. The measure is to mitigate for disturbance or loss of bat roosts from construction. Those roosts that could be temporarily disturbed from construction activities will be either excluded during construction (for non-maternity roosts) or if a maternity roost, they will be buffered from construction activities until the reproduction period has ended. These roosts will not be removed and will continue to be permanent habitat after construction has ended. The exclusion or buffering during

construction will prevent harm, injury, or mortality to the bats using this roost during construction. Those roosts planned for removal for construction purposes will be removed with caveats to protect individual bats and reproduction, as is stated in the mitigation measure. If there are no bats found during surveys in potential roost trees that were planned for removal, then those are the trees that will be immediately removed. The removal is analyzed in the document and the mitigation measure minimizes injury or mortality to the bats in the areas of removal through exclusion or buffering of maternity roosts.

With regards to the adequacy of Mitigation Measure 6-13, because it relies on the implementation of Mitigation Measures 13-4 and 6-1c, see previous responses to comments addressing these measures.

09-89 The comment states that the DEIR lacks evidence to support a conclusion that the restoration of Squaw Creek would mitigate for the project's significant impacts. With respect to Chapter 6, Biological Resources, all impacts that state that restoration may mitigate for impacts to biological resources are based on the Impact 6-1 analysis and mitigation measures. The combination of the performance criteria and expected permitting requirements from the agencies charged with protecting riparian and wetlands resources and water quality will provide assurance that the channel is restored in a manner that results in environmental benefits. See response to comment 09-72 that refers to the discussion of restoration benefits and mitigation to sensitive habitats in Impact 6-1. Also, see response to comment 09-111 that discusses the adequacy of Mitigation Measures 6-1a, 6-1b, and 6-1c, which the restoration would fall under if used as mitigation for impacts by the project proponent as planned. Regarding potential impacts from restoration to Sierra Nevada yellow legged frog, see responses to comment 08c-2 through 08c-6 and 09-74. Also, see response to comment 08-b15.

See also response to comment 09-59 regarding the requirements for a program EIR, and response to comment 09-83 that adds specific criteria to the MMIP.

09-90 The commenter's opinion that Sierra Nevada meadows are "some of the most altered, impacted, and at-risk landscapes in the area" is noted. No factual data is provided in support of this statement. Nevertheless, with respect to the DEIR failing to adequately address the project's contribution to cumulative loss or adverse effects on meadow habitat, see response to Comment 08b-44. In summary, Mitigation Measures 6-1a, 6-b, and 6-1c will ensure that any loss of meadow habitat be compensated for at a minimum 1:1 no net loss basis at a location agreeable to USACE and the Lahontan RWQCB, both of whom prioritize mitigation proximate to the location of the impact, and therefore, there will be no contribution to the cumulative degradation of sensitive habitats within the region or bioregion.

09-91 The comment questions text in the DEIR indicating that because the project's impacts on fish and aquatic species would be mitigated to less-than-significant levels that the VSVSP would not make a cumulatively considerable and therefore significant contribution to an otherwise existing cumulative impact on those resources. The comment specifically references the cumulative effects section on fish and aquatics resources on page 18-13 of the DEIR.

The comment is correct that, generally, an otherwise direct and less than significant impact may nevertheless result in a cumulatively considerable contribution to an already significant cumulative impact, particularly if a resource is already found to be in a degraded condition. As indicated in the discussion of Impact 18-11 beginning on page 18-12 of the DEIR, the existing degraded condition of Squaw Creek is evidence that a significant cumulative impact has already occurred based on past and present projects (namely the existing golf course). The current 303(d) impaired water listing for sediment, and associated sediment TMDL (both are described in DEIR Chapter 13, "Hydrology and Water Quality") are indications of this existing significant adverse cumulative effect. The question then becomes whether the

proposed project would result in a reasonably foreseeable and cumulatively considerable contribution to this existing significant cumulative effect.

Not all contributions to a significant cumulative effect must be considered substantial contributions. For example, adding one car to an 8-lane freeway segment already operating at LOS F would not be considered a significant contribution to the existing cumulative effect. An example in the DEIR related to fish and aquatic species is Impact 6-2, Disturbance or loss of Sierra Nevada yellow-legged frog habitat. Although the potential for Sierra Nevada yellow-legged frogs to occur in the project area is very low, in an abundance of caution, the potential take of individual frogs during construction is identified as a significant impact. Mitigation Measure 6-2 further reduces the potential for take of Sierra Nevada yellow-legged frogs leading to a less than significant conclusion. Although there is still some potential for take even with implementation of Mitigation Measure 6-2, the possibility is so remote that although the impact is identified as less than significant, the project would not make a significant contribution to any significant cumulative impact related to Sierra Nevada yellow-legged frog. For each project specific impact to fish and aquatic resources, the project's contribution to cumulative effects was assessed and a determination was made that the less than significant individual project effects (there were no significant and unavoidable project effects relate to fish and aquatic resources) would not make a significant contribution to significant cumulative impacts.

- 09-92 The comment states that the cumulative effects analysis for fish and aquatic species did not account for contribution to the cumulative degradation of the Truckee River's water quality and affects to aquatic species in the Truckee River. See response to comments I319-4 and L1-4, the portion of the water supply Master Response related to effects on the Truckee River, and response to comment 09-56. The proposed project would not have adverse effects on the Truckee River related to water volume or quality, and therefore would not have an adverse effect related to fish.
- 09-93 The comment states that the DEIR must consider the cumulative impacts to sensitive habitats for those projects that are approved, under construction, or finalized and then analyze the combined impact of the effects of those projects. The comment also states that the combined effects of probable future projects listed in Table 18-2 of the DEIR (pages 18-3 through 18-5) are not evaluated. The comment does not provide specific examples of these suggested deficiencies or evidence that they are likely to occur. Ample evidence is available in the analysis of cumulative impacts in the DEIR that the deficiencies suggested by the commenter are not present. For example, the discussion of cumulative biological resources impacts beginning on page 18-9 identifies both general categories of past, present, and reasonably foreseeable future projects that contribute to cumulative impact, as well as specifically referencing the projects listed in Table 18-2. The effects of past, present and probable future projects on special-status wildlife are characterized in the discussion of Impact 18-7 on page 18-10. Also, see response to comment 08b-46 concerning cumulative effects on sensitive habitats which references Table 18-2 and discusses climate change impacts to these habitats.
- 09-94 The comment provides a summary of detailed comments provided below. See responses to comments 09-57 through 09-93.
- 09-95 See responses to comments 08a-4b, 08a-22, and 08a-29.
- 09-96 See response to comment 08-36a.
- 09-97 The NPDES permit program for construction is described on page 13-33 of the DEIR. As discussed on page 13-52 of the DEIR, temporary surface water diversions and dewatering of streams would occur during installation of some sewer and drainage lines and for periods of time during creek restoration. These construction activities would be limited in duration, and

would occur in the construction season (primarily summer months) when water levels in the creek are low to non-existent. Therefore, as discussed on page 13-52, the amount of surface water that would need to be diverted around or pumped from surface water would be small or nil. In addition to the NPDES requirements, the analysis presented in Impact 13-3 explains that construction activities in the stream would also require a streambed alteration agreement (described on page 6-30 of the DEIR), and would be subject to Mitigation Measures 13-2(a) and (b), which include extensive measures to protect water quality during all construction activities, including those that would occur within the creek (on pages 13-49 through 13-51 of the DEIR). Taken together, these measures and regulatory requirements can reasonably be assumed to protect water quality in the creek during the short periods of time when construction activities occur within the creek.

09-98 See responses to comments 08a-47 and 08a-48.

09-99 See response to comment 08a-50.

09-100 The commenter suggests that the DEIR improperly foregoes identification and discussion of a “possible significant groundwater impact” under a scenario where all the wells identified in the WSA are not built. The commenter claims such an analysis is required because there is no guarantee that the wells would be constructed in a manner consistent with the WSA, and because of the DEIR’s statement that, if fewer wells are constructed, the effects may be “more locally severe” in the vicinity of some wells than modeled. (DEIR page 13-73.)

See response to comment 08a-3 regarding an analysis of the effects of a 6-well pumping regime.

Under Mitigation Measure 13-4, if the SVPSD (or other water provider) and/or applicant propose an individual well and/or all or a portion of a well-field to meet water demand associated with the project that would differ from the well field analyzed in the WSA, the new well(s) shall not be installed until the applicant provides additional modeling demonstrating that the following thresholds, or their functional equivalent, would be met. SVPSD must be consulted during preparation of the analysis:

- i. Average saturated thickness in the western well-field wells does not fall below 65 percent for more than three consecutive months or more than four times total for the entire study period;
- ii. Drawdown from wells in proximity to the upper meadow (modeling Cells A through E) does not cause substantially more refugia pool drying than shown in the 2014 Potential Impacts of Increased Groundwater Pumping on Fisheries;
- iii. The well placement and well-field operation would meet all applicable criteria identified in the applicable groundwater plans; and
- iv. Any additional measures requested by the SVPSD (or other water provider) or the County to address operational concerns and protection of water quality.

(DEIR page 13-64.)

Future groundwater plans, whether a Pumping Management Plan, Groundwater Management Plan update, or Groundwater Sustainability Plan, will also guide installation and operation of groundwater wells needed to supply the proposed project. Therefore, any changes to the well field analyzed in the WSA must be consistent with and incorporated into the groundwater plans. The DEIR therefore adequately considered, and mitigated, the potential effect identified by the commenter.

- 09-101 The DEIR states that *without monitoring, adaptive management, and assurances of ongoing funding to support these activities*, creek restoration could result in greater disturbance to hydrologic conditions and degradation of water quality than benefit. The DEIR then refers to Mitigation Measures 6-1a and 6-1b, which would ensure that restoration efforts are monitored, that measures be taken if monitoring indicates that the creek restoration is not successful, and that funding is available. With implementation of these measures, the creek restoration would be beneficial, and there would not be a greater disturbance to hydrologic conditions or degradation of water quality due to the restoration. The requirements of Mitigation Measures 6-1a and 6-1b, the associated regulatory permitting processes (for Clean Water Act section 404 and California Fish and Game Code section 1600 permits), and accompanying oversight by the County, CDFW, and USACE provide sufficient assurance that the restoration will succeed as planned. The potential for adverse impacts to the environment, compared to existing conditions, is thus considered to be highly unlikely. Were the restoration component not to succeed, however, the most likely foreseeable impacts from failure would be the potential for erosion and vegetation failure. Erosion could exacerbate existing sediment problems in Squaw Creek (which is already 303(d) listed for sediment). Although there is very little riparian vegetation there now, if the restoration plan were to fail completely, there could be a net reduction in riparian vegetation compared to existing conditions. If habitat conditions end up being worse than they are now, this would result in a negative impact on associated fish and wildlife species. There would also be the potential for increased creek velocities resulting in incision and downcutting. Flood risk would not be increased because if the restoration failed, the capacity of the creek would still be greater than it is now.
- 09-102 See response to comment 08a-55.
- 09-103 See response to comment 08a-56.
- 09-104 See response to comment 09-56.
- 09-105 CEQA requires recirculation of a DEIR when the lead agency adds “significant new information” to an EIR after public notice is given of the availability of a DEIR for public review, but before EIR certification (State CEQA Guidelines CCR Section 15088.5). Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact in which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but which the project proponent declines to adopt (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (State CEQA Guidelines CCR Section 15088.5[b]). See the Master Response regarding recirculation.
- As discussed in responses to comments 08a-96 through 08a-104, the DEIR analysis of impacts on water quality is adequate, and the commenter does not provide evidence that a new or substantially more severe significant impact related to water quality would occur as the result of the project. Additional analyses conducted since the DEIR was prepared support the findings of the DEIR. Therefore, recirculation is not warranted.
- 09-106 Mitigation Measure 13-2a is intended to address the effects of grading on water quality, in part by requiring that revegetation occur in all temporarily disturbed areas which otherwise currently support vegetation (i.e. not buildout of existing parking lot areas) (see DEIR page 13-49, third bullet). The measure also requires installation and maintenance of erosion control and winterization before, during and after project construction. These measures would protect water quality by minimizing the exposure of soils in temporarily disturbed areas

to wind or rain. The intent of the plantings in this measure is to provide vegetation to stabilize soils and prevent erosion. The density and extent of planting would be addressed in the revegetation plan required by the County's Grading Ordinance (Section 15.48.320). Planting vegetation to control erosion in temporarily disturbed areas is a very common practice and appropriate planting methods to achieve desired erosion control effects are well established. These plantings, as a construction erosion control activity, would be included in the Improvement Plan/winterization plan reviewed and monitored by the County, and in the construction water quality protection measures included in the final drainage report. This plan and report are both identified in Mitigation Measure 13-2a. The Mitigation Measure also identifies sources for standards direct erosion control efforts, including the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development/Redevelopment, and for Industrial and Commercial. Mitigation Measure 13-2a provides ample information regarding the implementation and enforcement for temporary erosion control plantings.

Regarding irrigation of temporary erosion control vegetation, watering to establish such vegetation would occur while the project is under construction. The WSA, WSA update, groundwater modeling, and the DEIR identify that there is adequate water to support demand for full buildout of the project, including watering newly planted vegetation required as mitigation. Therefore, as the project is under construction, and not all project facilities are in place, there would be water "available" within the full buildout demand estimate to "divert" water from development that is not in place to irrigation for temporary erosion control vegetation. Therefore, irrigation of temporary erosion control vegetation would not increase the overall project water demand at full buildout.

The comment is also incorrect in characterizing temporary erosion control vegetation as "what may be a very large swathe of newly planted vegetation." As indicated in the DEIR, the anticipated buildout period for the proposed project is 25 years. Large portions of the project area would not be under construction at any one time. Within areas actively under construction, locations with temporarily disturbed soil requiring erosion control planting (e.g., soil stockpile areas) would be a relatively small portion of the overall construction area. Therefore, any water needed for irrigation to adequately establish temporary erosion control vegetation would be a small fraction of the overall project water demand.

- 09-107 This comment number was inadvertently skipped during the comment numbering process.
- 09-108 This comment number was inadvertently skipped during the comment numbering process.
- 09-109 This comment number was inadvertently skipped during the comment numbering process.
- 09-110 The term "on or off-site" in the context of Mitigation Measure 6-1c was intended to reference locations within the VSVSP boundary (on-site) or within portions of the Squaw Creek channel or meadow (where impacts could occur) but outside the VSVSP boundary (off-site). It is acknowledged that this distinction is not clear within the wording of Mitigation Measure 6-1c. See Chapter 2, "Revisions to the DEIR," for revisions to this mitigation measure.
- 09-111 The comment suggests that the impacts of restoration of Squaw Creek will not be assured by the applicable mitigation. Before addressing the specific comment, it is important to point out that the restoration plan is part of the project and is intended, in part, to restore to a more natural condition the portion of Squaw Creek that was straightened and placed within a trapezoidal channel as part of the area's modifications to accommodate the 1960 Winter Olympics. The plan itself is not mitigation. Under its current configuration, this portion of the creek channel experiences rapid runoff and flows that result in higher sediment transport, one of the major issues with water quality in Squaw Creek. The proposed project includes reconstruction of the trapezoidal channel to create a meandering channel and revegetation to

create a more natural condition along with better sediment management. See page 3-33 of the DEIR. Because this component of the project will affect wetlands (reconstruction of the channel would, technically, result in “fill” of wetlands although these same wetlands would be restored and improved by this effort), the USACE, USFWS, CDFW, and the Lahontan Regional Water Quality Control Board will all be involved in the permitting of the creek restoration and development and implementation of mitigation for impacts to resources under each agency’s jurisdiction resulting from restoration activities. Mitigation measures 6-1a, 6-1b, and 6-1d all include regulatory requirements and performance standards aimed at proper restoration and long-term benefits from the environmental improvement. No-net loss criteria for wetlands acreage and function, water quality protection standards, long term monitoring, and success criteria (vegetation survivorship targets, replacement requirements, and monitoring) are all included in the mitigation measures. As to funding, any project phase that proposes or triggers stream restoration would require submittal of a deposit for 125 percent of the total estimated cost of the stream restoration mitigation monitoring program, including projected costs of adaptive management. The deposit would be payable to the County prior to approval of Improvement Plans. The combination of the performance criteria and expected permitting requirements from those agencies charged with protecting wetlands resources and water quality will provide assurance that the channel is restored in a manner that results in environmental benefits, and that impacts associated with creating a restored channel will be mitigated. Also see response to comment 09-59 regarding the requirements for a program EIR.

- 09-112 See response to comment 09-111.
- 09-113 See response to comment 09-56.
- 09-114 The comment states that the DEIR fails to adequately analyze the project’s transportation impacts, and provides a summary of the detailed comments provided by MRO Engineers, Inc. (letter 08d) as an attachment to the Sierra Watch comment letter (letter 08). Cross-references are provided below to the responses to comment letter 08d.
- 09-115 See response to comment 08d-2.
- 09-116 See response to comment 08d-3.
- 09-117 See response to comment 08d-3.
- 09-118 See responses to comments 08d-4 through 08d-8.
- 09-119 See response to comment 08d-8.
- 09-120 See response to comment 08d-6.
- 09-121 See response to comment 08d-4.
- 09-122 See response to comment 08d-13.
- 09-123 See response to comment 08d-13.
- 09-124 See response to comment 08d-13.
- 09-125 See response to comment 08d-9.
- 09-126 See response to comment 08d-15.
- 09-127 See the portion of the traffic Master Response regarding transit service.

- 09-128 See the portion of the traffic Master Response regarding transit service.
- 09-129 The comment states that the DEIR contains no analysis of the project's impacts on regional transit facilities within the Tahoe Basin. See the Master Response regarding TRPA thresholds. See response to comment 03-6 regarding the intersections and roadway segments within the Tahoe Basin that were studied in the DEIR. Regarding the Tahoe City Transit Center, it is unclear from the comment what specific "impacts" were allegedly not evaluated. Buses and riders may use the transit center (which is its purpose) to board buses to the project, but it is not clear (and not stated) how this would result in an environmental impact.
- Regarding the comment that the County is required to consult with the Tahoe Metropolitan Planning Organization, see response to comment 03-5.
- 09-130 The comment states that the DEIR's assertion that its proposed mitigation measure will reduce the transit impacts to a less-than-significant level is unsupported by evidence. The comment further states that the applicant should be required to provide fair share funding for TART now, and not when ridership approaches capacity, as suggested in the DEIR. Mitigation Measure 9-7 in the DEIR requires the applicant to contribute fair share funding or create a Community Service Area (CSA) or a Community Facilities District (CFD) to cover increased transit service. Specifically, the measure states that the project applicant shall commit to providing fair share funding to TART or forming a CSA or a CFD prior to the recordation of the Initial Large Lot Final Map. Next, the measure states that prior to recordation of the Initial Small Lot Final Map, the project applicant shall work with TART to conduct winter and summer season monitoring of ridership on bus routes to/from, and within Olympic Valley. As stated on page 9-66 of the DEIR,
- When ridership approaches capacity, and based on the previously agreed upon provisions, the project applicant shall make a fair share contribution to TART to support transit service, or create a CSA or a CFD to fund the costs of increased transit services.
- This mitigation measure meets the intent of Specific Plan Policies CP-2 through CP-4, and clarifies how the project would contribute to enhanced transit operations. Increased service may consist of more frequent headways, longer hours of operations, and/or different routes. The fee calculations shall consider both capital expenses and on-going operations and maintenance expenses.
- Implementation of this mitigation measure, as explained in the DEIR, would reduce the impact to a less-than-significant level because the creation of a CSA/CFD to provide additional funding would ensure that increased TART service would be supported and is feasible. The commenter's assertion that the DEIR has no basis to conclude that the impacts would be reduced to a less-than-significant level does not provide any evidence supporting its claim. The commenter does not explain why Mitigation Measure 9-7 is not specific, does not provide a reasonably enforceable plan, and is not sufficiently tied to the actual mitigation of the traffic impacts at issue. Therefore, no further response is required.
- Also, see response to comment I41-7 for a discussion of the Mitigation Monitoring and Reporting Program (MMRP), and see the portion of the traffic Master Response regarding transit service.
- 09-131 See response to comment 08d-16.
- 09-132 See response to comment 08d-14.
- 09-133 See response to comment 08d-14.

09-134

The comment lists the transportation and circulation impacts that were identified as significant and unavoidable in the DEIR, and questions the DEIR conclusions, asserting that there are ample ways to mitigate the project's transportation impacts. The comment further suggests that the trip reduction measures included in Mitigation Measure 10-2 to reduce operational emissions of ROG and NO_x, be implemented to reduce the project's transportation impacts. As stated in the text of Mitigation Measure 10-2 (on page 10-17 of the DEIR), and reiterated by the comment:

Types of reduction and offset measures implemented by the project applicant may include, but are not limited to, the measures listed below, so long as the combination of selected measures results in calculated emissions below the target threshold. Note that not all of these measures need to be implemented; rather, the project applicant will be required to implement a combination of those measures needed to reduce ROG and NO_x emissions below the 82 lbs/day threshold:

It is acknowledged that implementation of a combination of these measures would serve a dual purpose of reducing air quality as well as transportation impacts. However, as noted above, not all of the trip reduction measures are required to be implemented to reduce ROG and NO_x emissions. However, while there may be dual benefit, some of these measures may be more effective in reducing air quality emissions than traffic. For instance, the measure related to Amtrak tickets (providing a shuttle for visitors who use the train) may reduce a few longer vehicle trips (affecting air quality), but would only reduce traffic if each train carried more visitors (on that train) than would otherwise arrive by car, because there would still be the need to transport the passenger from the train (via a vehicle) to the resort. This measure would likely have limited benefit, given that there is very limited train service (currently only one stop per day from Sacramento at Truckee, for example), and the train typically takes far longer to transport people from Sacramento and the Bay Area than cars (again, the trip from Sacramento to Truckee is 3 ½ to 4 ½ hours each way versus approximately 1 ½ to 2 hours by car). This is why these measures are included as part of a menu that can be combined in anyway feasible to reduce air quality impacts, but are not included as transportation mitigation. Further, their effectiveness in reducing traffic impacts would be speculative and therefore would not be conclusive in reducing significant transportation impacts. However, the Placer County Planning Commission and Board of Supervisors will consider the addition of these measures in deliberations on the project.

Further, the project does include some transportation elements that are similar to the suggested trip reduction measures. Chapter 9, "Transportation and Circulation," describes the project's proposed transportation management plan (see pages 9-36 and 9-37). Some of the elements of this plan would include:

- ▲ Preferred Parking for Carpoolers – Convenient parking spaces would be designated for vehicles arriving with four or more occupants. This is intended to encourage higher occupancy rates in arriving vehicles. If the project is approved, this would be monitored as part of the MMRP.
- ▲ Transit Center and Services – The Transit Center would be centrally located to provide a convenient transit hub for both public and private transit services traveling within, to, and from the Village Area. Low-emission vehicle shuttle service would be provided within the Village, as warranted, to provide mobility for visitors, guests, and employees. Transit service would be operated between the Village Area and the other key lodging and residential areas within the Olympic Valley (e.g., Resort at Squaw Creek). The goal of this service is to provide a viable alternative to the private automobile for residents and guests in the Olympic Valley traveling to and from the Village Area. As demand dictates during the peak ski season, transit service provided by TART and other providers to the Truckee/North Tahoe region would also be provided, promoted, and/or supported.

- ▲ Provide Bicycle Parking Facilities – These facilities would be provided at all major lodging/resort-residential facilities, as well as at other major activity centers.
- ▲ Other Strategies to Encourage Alternative Transportation Options – Strategies, such as these below, will be considered and implemented, where feasible, to reduce private automobile use and expand mobility options:
 - Offer Activities to Extend Day Skier Stays – Activities such as night skiing, the Mountain Adventure Camp, and ice skating could be promoted to reduce the proportion of day skiers exiting during the peak afternoon traffic period. On days forecast to have particularly high levels of skier activity, events (concerts, live performances, etc.) would be held to encourage day skiers to linger in the Village area until after exiting traffic volumes recede.
 - Provide access to bicycles for visitors and guests to encourage cycling within Olympic Valley and beyond.
 - Real-time Traffic Communication Systems – Subject to support and cooperation from Caltrans, install and operate real-time traffic communication systems within the Village to advise guests of existing travel conditions and approximate travel times out of the area.
 - Provide continuous Class I Multi-Purpose Path linkage between the East Parcel (employee housing) and the Village.

Some of the measures listed above would likely result in a net decrease in project trips during the Saturday Winter AM peak hour and Sunday Winter PM peak hours. Preferential parking for carpools could have the net effect of transporting guests in fewer vehicles. Special afternoon activities could result in a more distributed pattern of departing vehicles during the afternoon/evening periods. Real-time traveler information services that advise motorists of current travel conditions can be effective in allowing motorists to time their trip to avoid congestion. Despite the above measures and their likelihood of being effective in reducing peak-hour, peak-direction of travel, the transportation impact analysis in the DEIR conservatively did not take any trip reductions for these activities because data did not exist to justify specific trip decreases.

Notwithstanding the above elements, the DEIR identified several transportation and circulation impacts that would be significant and unavoidable. These are identified in Chapter 9 as well as Section 18.2, “Significant Environmental Effects Which Cannot be Avoided,” in the DEIR. See also the Master Response regarding significant and unavoidable impacts, and the Master Response regarding the GHG analysis for a further discussion of trip reduction measures.

09-135

The commenter contends that the analysis of the level of health risk associated with construction-generated emissions of TACs is cursory. The commenter states that the analysis concludes “that the project would not expose nearby sensitive receptors to toxic air contaminant (“TAC”) emissions. This characterization of the impact conclusion is incorrect. Under Impact 10-4, on page 10-23, the DEIR concludes:

Therefore, considering the relatively low mass of diesel PM [particulate matter] emissions that would be generated during even the most intense season of construction, the relatively short duration of construction activities seasonally and within specific portions of the plan area, the distance to the nearest off-site sensitive receptors, the transient occupancy characteristics of most sensitive receptors, and the highly dispersive properties of diesel PM, construction-related TAC emissions

would not expose sensitive receptors to an incremental increase in cancer risk that exceeds 10 in one million or a hazard index greater than 1.0.

As shown by this paragraph, the analysis acknowledges that nearby receptors could be exposed to some TACs and examines whether the level of exposure would result in an exceedance of the applicable thresholds recommended by PCAPCD or, more specifically, whether the level of TAC exposure could result an incremental increase in cancer risk that exceeds 10 in one million or a hazard index greater than 1.0 (PCAPCD 2012:E-3). As explained in the DEIR, moreover, the demolition of existing structures is limited as most of the project area includes paved surface (parking) areas and grubbing/clearing/grading of those areas will also be limited for the same reason. The comment does not address the analysis in the DEIR and where it may be flawed, so a direct response beyond the discussion herein is not possible.

09-136

The commenter states that the project site is located close to sensitive receptors and “there is simply no excuse for not studying the effect that construction-related air pollution would have on the community.” Construction-generated emissions of CAPs and precursors are analyzed under Impact 10-1, starting on page 10-14 of the DEIR. For this analysis, the California Emissions Estimator Model (CalEEMod) was used to estimate levels of CAPs and precursors and these estimates were compared to PCAPCD-recommended mass emission thresholds. Construction-generated emissions of TACs are analyzed under Impact 10-4, which begins on page 10-22 of the DEIR. This analysis takes into account important parameters of the proposed project, including the type and intensity of construction activity and equipment, the proximity to nearby receptors, the duration in which TAC-emitting construction activity would occur, the transient occupancy characteristics of most sensitive receptors, and the highly dispersive properties of diesel PM. The analysis focuses on the concept of dose and explains that the dose to which receptors are exposed is the primary factor used to determine health risk, that dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance, and that dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for any exposed receptor. TAC concentrations dissipate rapidly with distance. The sensitive receptors that are closest to the TAC sources are existing housing approximately 75 feet away. The TAC impact analysis considered impacts to sensitive receptors as close as 75 feet from the source. The existing schools are located further from TAC sources than the existing housing. Because the impact is considered less than significant for the closest receptor, impacts to schools also would be less than significant.

09-137

The commenter states that “other agencies recognize the need to conduct quantitative health-risk assessments for construction projects that are smaller than the proposed project...” and refers to an HRA prepared for a residential project in San Jose in December 2013. This is anecdotal information regarding a different project, in a different location, under different circumstances, and for a different lead agency. While it may be tempting to try to apply seemingly similar circumstances to different projects, the comment—which acknowledges that the HRA in question resulted in a less-than-significant impact determination—does not address the methodology used in the VSVSP DEIR and why it allegedly does not provide substantial evidence in support of the DEIR’s conclusions. CEQA requires each lead agency to determine whether an impact may be significant, based on substantial evidence in the record. Placer County is not privy to information regarding the City of San Jose project and the City’s rationale for requiring the HRA (or if the City required it) and that is not relevant to the VSVSP DEIR. As to similarities to project circumstances, the commenter also suggests that the nearest receptors to the construction site evaluated in San Jose are farther from TAC-generating activity than receptors located near the plan area of the proposed Village at Squaw Valley Specific Plan. This suggestion is not accurate. The HRA in San Jose examined exposure to year-round residential

land uses located immediately adjacent to the construction site it studied. See responses to comments 09-135 and 09-136.

- 09-138 The commenter states that the DEIR fails to analyze the project's construction-related health effects and fails to disclose the environmental consequences of the project to the community. This is inaccurate. Please refer to the responses to comments 09-135 to 09-137 above.
- 09-139 The commenter criticizes the approach used to evaluate the cumulative impact of health risk exposure in Section 18.1, "Cumulative Impacts," of the DEIR. The commenter writes, "the DEIR inappropriately asserts that the proposed project construction would generate very little PM₁₀ emissions." Under Impact 18-27, Cumulative emissions of particulate matter, the DEIR explains that project construction would generate very little PM₁₀ because there would not be a substantial amount of ground disturbance at any point in time. It further explains that the area of ground disturbance would be relatively limited and that much of the project area is already paved, which limits the amount of PM₁₀ generation from vehicle travel on unpaved surfaces. As shown in the revised Table 10-4 included in the Master Response regarding construction emissions, maximum daily emissions of PM₁₀ would be approximately 15.3 pounds per day (lbs/day). This is considered to be "very little" compared to PCAPCD's mass emission threshold of significance of 82 lb/day. PCAPCD uses this threshold to determine whether a project's PM₁₀ emissions would contribute to pollutant concentrations that exceed the NAAQS or CAAQS. Also, all 15.3 lb/day of PM₁₀ emissions would not be generated at the same location, as this total accounts for construction activity at the Village, at the East Parcel, and along the sewer line corridor. The analysis under Impact 10-1 further explains that because construction-generated PM₁₀ emissions would be less than the applicable threshold of 82 lb/day, and because PM_{2.5} is a subset of PM₁₀, it is not anticipated that construction activity would result in concentrations of PM_{2.5} that would violate or substantially contribute to a violation of the ambient air quality standards for PM_{2.5}.
- The commenter also asserts that PM₁₀ emissions associated with construction of the PlumpJack Squaw Valley Inn Project were not adequately addressed in the cumulative analysis. According to an air quality analysis prepared for the PlumpJack project, maximum daily construction emissions of PM₁₀ could reach 35 lbs/day (Ascent Environmental 2014:19). Thus, if construction at the PlumpJack project site and Village at Squaw Valley site occurred simultaneously the combined mass emission level of PM₁₀ would not exceed 50.3 lbs/day. This combined total is less than PCAPCD's threshold of 82 lbs/day. (Despite being smaller in terms of floor area and acreage, construction of the PlumpJack project would generate a higher maximum daily level of PM₁₀ than the peak construction year of the VSVSP because it would involve demolition of the existing 61-room PlumpJack Squaw Valley Inn and the construction of an underground 135-space parking structure. Both demolition of the existing facility and excavation of the underground parking structure are the types of construction activities that result in higher levels of PM₁₀ and PM_{2.5}.) Moreover, as the DEIR explains, it is unknown whether construction at these two sites would occur at the same time and that the PM₁₀ emissions generated at the two sites may not affect ambient concentrations at the same sensitive receptors.
- The commenter suggests that the cumulative impact of diesel PM₁₀ and PM_{2.5} emissions generated by construction activity at the project site and at the PlumpJack site should be examined as part of a health risk assessment because this approach was used for a project in San Jose (as mentioned in Response to Comment 09-137 above). An important difference between the San Jose project and projects in Olympic Valley is that typical ambient background concentrations of diesel PM and PM_{2.5} in San Jose, like other urban areas, are much higher than ambient background concentrations of these pollutants in Olympic Valley. Thus, the air quality analysis for the San Jose project examined whether project-related emissions of PM_{2.5} could result in a local exceedance of the ambient air quality standards for

PM_{2.5}. This is one of the reasons the Bay Area Air Quality Management District (BAAQMD), whose jurisdiction includes San Jose, has different guidance than PCAPCD about how potential air quality impacts should be evaluated.

Again, the DEIR examined the combined risk of exposure to diesel PM under Impact 18-29, which begins on page 18-32 of the DEIR.

09-140

The commenter asserts that the DEIR fails to adequately evaluate the project's contribution to climate change. The commenter specifically states, "the document's conclusion that the project... with estimated emissions of 45,403 metric tons of carbon dioxide ("CO₂") each year would not have significant GHG-related impacts in 2020 is astonishing. By any rational measure, the project would have a significant impact related to climate change, even in its initial phases." However, this comment does not provide specific reasons specifying why they believed the emissions quantity is substantial and why the GHG threshold used in the DEIR is inadequate. Please refer to responses to comments 09-141 through 09-165 for responses to the commenter's more detailed claims about the analysis of GHG emissions in the DEIR as well as the Master Response regarding the GHG analysis, including a recalculation of emissions based on more recent data.

At its core, the comment essentially focuses on the threshold of significance recommended by the PCAPCD with regard to GHG emissions. The PCAPCD is the local air district and is presumed, by its role, to have expertise on the matter of air emissions, including GHG. They recommend using the same GHG threshold as the adjacent Sacramento Metropolitan Air Quality Management District (SMAQMD), as well as other air districts in the Sacramento region. The threshold is similar to concepts adopted by BAAQMD. Placer County is thus left to judge whether the expertise of its local air district, as well as other air districts in California should be relied upon over the objections of the commenter, and whether the commenter provides substantial evidence that would lead the County to conclude its reliance on these thresholds is misplaced. This threshold used in the DEIR is two-tiered. As described in the DEIR, if a mass emission limit is exceeded, then the project is reviewed to determine if the emissions are generated in a manner that is consistent with an efficiency metric, which is discussed in more detail below. With this in mind, after the estimate of 45,403 metric tons of carbon dioxide-equivalent per year (MT CO₂e/year) is presented in Table 16-2, the DEIR explains that, because this value exceeds the Tier I threshold of 1,100 MT CO₂e/year, the analysis then focuses on the GHG efficiency with which the proposed project would operate. This approach is consistent with PCAPCD guidance.¹

The comment asserts that the DEIR "...fails to adopt feasible mitigation for the crucial first phase..." Consideration of the first phase of the project, including mitigation, has been revised in the Master Response regarding the GHG analysis; mitigation now applies to all project phases for the reasons explained in that response.

The commenter also states that the DEIR underestimates the project's GHG emissions. The County disagrees and, in fact, the DEIR very likely overestimates GHG emissions attributed to the project, perhaps by a substantial margin. See response to comment 09-155 and the Master Response regarding the GHG analysis.

¹ The approach of PCAPCD, SMAQMD, and other agencies relying on SMAQMD guidance, recognizes that attainment of GHG goals established in AB 32 hinges in large part on the ability of projects to achieve carbon efficiency, that is, to perform in a manner that the project, when added into the Statewide mix, would achieve GHG goals intended to avoid climate change effects. Similarly, the BAAQMD established both a mass emissions threshold, and if that is exceeded, an efficiency threshold based on CO₂ emissions per employee/population. While they may use different metrics, they are built on the same concept of attainment of carbon efficiency standards. However, as it relates to the PCAPCD threshold, see the Master Response regarding the GHG analysis.

The commenter also states that the DEIR ignores that the project would conflict with various relevant GHG-reduction policies. See responses to comments 09-150 through 09-154.

09-141

The commenter asserts that the analysis of the project's operational GHGs is flawed because it does not compare the project's GHG emissions to existing no development baseline conditions (it does) and that it's not appropriate to compare "the project's emissions to a future, hypothetical 'business as usual' ('BAU') or 'no action taken' ('NAT') baseline..." The commenter repeatedly refers to the term "business as usual" although this term is not used in the analysis of GHG emissions under Impact 16-2 in the DEIR or in the cumulative impacts analysis (Chapter 18), nor in the guidance from PCAPCD upon which the analysis is based. The term "business as usual" is also not used in the justification report for the NAT-based threshold that is recommended by PCAPCD and other air districts in the Sacramento region (SMAQMD 2014a), although it is analogous to the NAT concept used in the PCAPCD thresholds employed in the DEIR. The California Supreme Court recently ruled, moreover, that a business-as-usual comparison based on the Scoping Plan's methodology may be possible for a project-level EIR upon examination of the data behind the Scoping Plans BAU model; thus, a lead agency might be able to determine what level of reduction from BAU a new land use development at a proposed location must contribute to comply with statewide GHG goals. (See *Center for Biological Diversity v. Cal. Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204, 264; herein referred to as *CBD v CDFW*.)

For reasons explained in the Master Response regarding the GHG analysis, the PCAPCD has not linked its 2020 target (21.7 percent below NAT) for land use projects in its jurisdiction to the statewide target of 21.7 percent below NAT; as a result, this efficiency standard is not substantiated and is no longer used in the FEIR as a significance threshold for this project. However, absent any other applicable measure of efficiency, this efficiency target is still presented as a metric to inform Placer County and the public about the relative GHG efficiency of the project because it is informative. Also, as noted in the Master Response regarding the GHG analysis, very little of the project would be constructed and operational prior to the 2020 target year anyway, making a 2020-based target moot at this point. For these reasons, the Tier I mass emissions threshold used by PCAPCD, 1,100 MT CO₂e, is applied to the entire project, not just the post-2020 component of the project as described on pages 16-17 through 16-19 of the EIR, as modified by the Master Response.

The comment also refers to numerous legal decisions, most unrelated to the establishment of a threshold of significance, such as the 2013 decision by the California Supreme Court in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*. In this decision the California Supreme Court held that a lead agency has discretion to omit existing conditions analyses by substituting a baseline consisting of environmental conditions projected to exist solely in the future, but to do so the agency must justify its decision by showing that an existing conditions analysis would be misleading or without informational value.

The comment confuses the concept of thresholds of significance by substituting the terms "baseline" and "business as usual" for the thresholds used in the analysis conducted in the DEIR for the proposed project. The DEIR calculates the potential emissions of the project in comparison to emissions produced under existing conditions, as required by CEQA. As stated on pages 16-16 and 16-17, the project would produce 45,403 to 46,994 MT CO₂e/year at full buildout. This represents the additional GHG emissions produced at the site compared to baseline (no development) conditions.

It is noted that the primary purpose of comparing the GHG emissions estimated for the proposed project to the NAT scenario in the DEIR was to evaluate the GHG efficiency of the proposed project. The intent of this approach was to allow for an evaluation of whether the GHG efficiency in which the proposed project would operate would be consistent with the GHG reduction target for 2020 mandated by the California Global Warming Solutions Act of 2006

(AB 32) and the AB 32 Scoping Plan (ARB 2011) developed by the California Air Resources Board to achieve that target. This is explained in the DEIR beginning on pages 16-9 and 16-14. However, with the *CBD v CDFW* decision now in effect, even though the Supreme Court embraced the concept of an efficiency metric, the pathway toward determining what the efficiency metric should be for this project (or other land use projects) is unclear. Importantly, the development of an efficiency metric for the VSVSP EIR that can somehow be linked to statewide goals (including, potentially, those expressed in the Governor's Executive Orders to hit 40 percent below 1990 GHG levels by 2030 and 80 percent below 1990 GHG levels by 2050) is challenging without further direction from the State, including ARB and the Governor's Office of Planning and Research. As the policy leaders in the State on both GHGs and CEQA practice, both these entities are aware of *CBD v CDFW*, but have not yet provided guidance on this issue. See the Master Response regarding the GHG analysis.

The comment refers to the court decision in *Woodward Park Homeowners Association, Inc. v. City of Fresno* which determined that a hypothetical office park is not a valid baseline by which to measure significance for a proposed office park project. The comment also refers to *Environmental Planning and Information Council v. County of El Dorado*, which held that an EIR for a general plan amendment must analyze the project's impacts on the existing environment, rather than simply compare the project's eventual impacts to the eventual impacts that would occur because of build-out under existing specific plan or general plan designations. These decisions, however, are not comparable to the analysis in the DEIR, which compares the project to existing conditions, then determines if it meets the performance standard used as a threshold of significance. The DEIR determines the additional GHG emissions from the site. The DEIR's analysis is focused on the CEQA checklist question that asks whether the proposed project would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. More specifically, as stated on page 16-14 of the DEIR, the analysis examines whether the project would conflict with the GHG reduction targets established by the state legislature for a future point in time, 2020, and any additional reduction targets that may be established by ARB and/or the state legislature beyond 2020. Notwithstanding *CBD v CDFW*, this is the basis of PCAPCD's Tier II threshold.

In summary, the evaluation of the proposed project's GHGs in the DEIR relies on the approach for determining significance that was recommended by PCAPCD and other air districts in the Sacramento region, and was consistent with approaches promulgated by other major air district with presumed (by their role) expertise on this issue. The evaluation of project-related emissions of GHGs is also consistent with the State CEQA Guidelines, as revised in 2010, which provide general direction about analyzing project-related GHG emissions. These revisions include a new section (Sec. 15064.4) that specifically addresses the significance of GHG emissions. Section 15064.4 calls for a "good-faith effort" to "describe, calculate or estimate" GHG emissions—the GHGs associated with the proposed project is presented in Table 16-2.

09-142

The commenter suggests the approach used to evaluate the project's GHGs is inconsistent with the ruling made in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* because the DEIR does not justify the decision to not analyze the project's effect on existing conditions and it does not explain how a comparison of the project's GHG emissions against existing on-site emissions would be misleading or without informational value. This assertion is incorrect. First, the DEIR provides estimates of the mass emission levels of GHGs that would be generated by construction and operation of the proposed project in order to disclose these values to the reader. See Table 16-1 on page 16-15 and Table 16-2 on page 16-16. Please also refer to response to comment 09-141.

Regarding a mass emission threshold, this type of threshold was used in the DEIR (Tier I), and is the basis for the project's significance determinations. See the Master Response regarding the GHG analysis.

The commenter also states that an NAT-based analysis of GHGs is flawed because of a letter the State Attorney General wrote to the San Joaquin Valley Air Pollution Control District (SJVAPCD) in 2009 about the "business-as-usual" (BAU) approach to evaluating a project's GHGs that SJVAPCD was recommending at the time. See response to comment 09-141 regarding permissible use of a BAU threshold.

In addition, as stated on page 16-13 of the DEIR, the estimation of operational GHG emissions are a conservative representation of the true emissions, because the analysis assumes that all project GHG emissions are new even though, in reality, the project will generate some new GHGs, and some project-related GHGs will replace emissions from other locations. Further, Cap and Trade Regulations already address and regulate 99 percent of the GHG emissions from the project; see the Master Response regarding the GHG analysis.

09-143 The commenter states that it is "deeply misleading" to evaluate the project's GHG emissions by comparing it to the NAT scenario. Please refer to responses to comments 09-141 and 09-142. Also see the Master Response regarding the GHG analysis.

09-144 The commenter states that it is important for the GHG analysis to compare the project's GHG emission to existing conditions "because existing conditions are such that we have already exceeded the capacity of the atmosphere to absorb additional GHG emissions without risking catastrophic and irreversible consequences." The commenter refers to the decision in *Communities for a Better Environment v. California Resources Agency* which states, "the greater the existing environmental problems are, the lower the threshold for treating a project's contribution to cumulative impacts as significant." The comment also refers to the decision in *Communities for a Better Environment v. National Highway Traffic Safety Administration* which stated, "we cannot afford to ignore even modest contributions to global warming." Starting on page 16-1 the DEIR explains the physical effects of climate change that are caused by emissions of GHGs. The DEIR also explains (on page 16-4) the statewide GHG reduction goal established by the legislature's passing of the California Global Warming Solutions Act of 2006 (AB 32). Rather than simply preventing any increases in the rate of GHGs emissions above the level that existed at the time AB 32 was passed, AB 32 requires a reduction in statewide annual emissions to the level that existed in 1990. The state then developed a Scoping Plan to achieve the statewide reduction, as explained on page 16-4 of the DEIR. The NAT-based approach used to evaluate the project's operational GHG emissions under Impact 16-2 specifically focuses on whether the proposed project would be consistent with the Scoping Plan. Regardless, see the Master Response regarding the GHG analysis.

The comment suggests that any and all projects that produce GHG emissions should be considered significant. ("Therefore, even seemingly small additions of GHG emissions into the atmosphere must be considered cumulatively considerable.") Taken to a logical extreme, using this approach virtually any project would make a significant contribution to GHG emissions and require an EIR for CEQA compliance, as almost any activity triggering CEQA review would generate GHG emissions, either via construction, operations, or changes in the regulatory environment. The Supreme Court in *CBD v CDFW* rejected this notion.

Meeting our statewide reduction goals does not preclude all new development. Rather, the Scoping Plan—the state's roadmap for meeting A.B. 32's target—assumes continued economic growth and depends on increased efficiency and conservation in land use and transportation from all Californians.

And

..a significance criterion framed in terms of efficiency is superior to a simple numerical threshold because CEQA is not intended as a population control measure.

This concept of considering any GHG emissions as significant does not recognize a key difference between GHG emissions and typical impacts. A typical impact, such as noise or air pollution, is based on whether a project would generate a certain amount of noise or air emissions, which would not be emitted if the project was not built. GHG emissions, on the other hand, are largely a reflection of the number of people in the world, how they transport from place to place, how the energy they consume is produced, and the energy efficiency of their activities. Using a housing development as an example, one could argue that any new housing project produces “new” GHG emissions. But, does it? Or does it transfer the GHG emissions from one housing location to another, as a person chooses to live one place versus another? While this comes across as a philosophical question, it is a real issue in terms of determining how GHGs are produced, and why projects that are identified as emitting GHGs, but are GHG efficient may, in the global picture, help to reduce overall GHG emissions. If an existing land use is GHG inefficient, and a new GHG-efficient land use is developed, and a person chooses to use the GHG-efficient land use, then it can reasonably be argued that GHG emissions generated by that person are, in fact, reduced. To take this argument a step further, it can be argued that as more GHG efficient land uses are developed and individuals choose the GHG efficient land uses over GHG inefficient land uses, market pressure in combination with increased state and local regulation, has and will continue to result in incremental improvements to GHG efficiency of existing land uses. Furthermore, some individuals will choose to invest in energy efficiency improvements that have a corollary GHG reduction to accrue long-term operational cost savings, up to and including redevelopment of some GHG inefficient land uses in favor of GHG efficient land uses. Although the net benefit of individual GHG-efficient land uses is often immeasurable because there are so many variables regarding how individuals and groups behave, the validity of the overall concept is a prime reason why producing GHG-efficient alternatives to existing land uses is often used by agencies as a component of ultimately achieving GHG reduction goals. This is not to suggest that the comments do not raise important questions, rather, it is why major efforts are underway at the State, regional, and local levels to develop GHG efficient land uses that are energy efficient, walkable, etc. when compared to historic development patterns. There is also a real question when considering if policies, such as Cap-and-Trade Regulations, already regulate and cap emissions associated with this and other land uses (gasoline use, propane burning, etc.), does the project “double count” emissions already assumed and capped to meet state targets? See the Master Response regarding the GHG analysis for an expanded discussion of this issue.

The commenter provides no evidence that the project would not be consistent with the Scoping Plan and that it would inhibit or contribute to inhibiting the state’s ability to achieve its legislated target for 2020. Also, see the Master Response regarding the GHG analysis, including calculations of mitigation effectiveness.

09-145

The commenter states that the two-tiered threshold used to analyze GHGs in the DEIR is not mentioned in SMAQMD’s CEQA Guide. The explanation of the Tier I and Tier II thresholds used in the analysis is provided on page 16-9 of the DEIR. On this page the DEIR cites “Green, pers. comm. 2014a”, an e-mail correspondence which is included in the administrative record. Angel Green is an Associate Planner at PCAPCD. This e-mail correspondence includes PCAPCD’s description of the Tier I and Tier II thresholds.

As explained on page 16-9 of the DEIR:

For projects with operational emissions that exceed 1,100 MT CO₂e/year, but are able to demonstrate a 21.7 percent reduction from the NAT scenario, PCAPCD allows lead agencies discretion about whether an exceedance of the Tier I threshold (i.e., 1,100 MT/year) constitutes a significant impact (Green, pers. comm., 2014a).

For the evaluation of this project, the County bases its significance determination for operational emissions on the two-tier method above, but considers that an impact would be significant if both Tier I and Tier II thresholds are exceeded.

The commenter also states that it is not clear whether the projected level of operational emissions includes emissions from existing developed land uses in Squaw Valley. The estimate of 45,403 MT CO₂e/year presented in Table 16-2 the DEIR is the level of additional emissions that would be generated as a result of the proposed project (at full buildout in 2037). It does not include emissions associated with existing land uses outside of the proposed Specific Plan area. As stated on page 16-15 of the DEIR, "Table 16-2 summarizes all the direct and indirect sources of GHG emissions associated with the Specific Plan upon full buildout in 2037." The area in Squaw Valley that is part of the Specific Plan is demarcated in Exhibit 3-2 on page 3-3 of the DEIR. See the Master Response regarding the GHG analysis for an expanded discussion of this issue, as well as revisions to the DEIR to reflect *CBD v CDFW*.

The commenter refers to the value of 13,765 MT CO₂e/year as the baseline level of GHG emissions. This value is presented on page 16-3 of the DEIR and is simply the upper level of annual GHG emissions associated with existing operations of the Squaw Valley and Alpine Meadows ski resorts (both operated by Squaw Valley USA, but are also part of the existing condition, not the project) for the years 2010-2013. Because the project has not been constructed, its baseline emissions are zero.

The commenter also states that the mass emissions level of GHGs exceeds the significance threshold. More specifically, as stated on page 16-16, GHG emissions associated with operation of the proposed project under full buildout would exceed the Tier I mass emission threshold of 1,100 MT CO₂e/year. As stated on page 16-18 of the DEIR, this is a significant impact.

09-146

The commenter states that the DEIR "is still required to consider evidence that the project may cause a significant GHG-related impact" and refers to the court decision in *Protect the Historic Amador Waterways v. Amador Water Agency*. This court decision, which centered not on GHGs but rather on the reduction in water released to six streams caused by a proposed water pipeline project, concluded, "in preparing an EIR, the agency must consider and resolve every fair argument that can be made about the possible significant environmental effects of a project, irrespective of whether an established threshold of significance has been met." This court decision reinforces the need for an EIR to consider any impact for which there is a "fair argument" that the impact may be potentially significant. The DEIR achieves this mandate.

With regard to the issue at hand, GHG emissions, the DEIR fully evaluates the potential impact of the project with respect to GHG emissions. The conclusions in the DEIR on this issue with respect to both the 2020 targets (less than significant impact) and post 2020 development (potentially significant impact), as modified by the Master Response, address the issue fully and completely, and there are no impacts left unevaluated. The commenter raises none, and provides no substantial evidence to suggest the DEIR reached an incorrect conclusion. Even if the commenter did provide substantial evidence to question the approach and conclusions of the GHG analysis, as stated in Section 15151 of the CEQA Guidelines, "(d)isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts." In the case of these

comments, the commenter does not claim to be an expert on GHG's and their effects on climate change but offers opinions that the thresholds established by the PCAPCD and SMAQMD are wrong. Opinions are not considered substantial evidence in CEQA and the comments are not provided by an expert (unlike the thresholds and the analysts involved in the analysis of impacts).

The commenter mentions that, in the 2013 EIR prepared for the Northstar Mountain Master Plan (NMMP), the County found that a project's GHG emissions would result in a significant impact and points out that its mass emissions of GHGs would be one quarter of those estimated for the proposed VSVSP.

It is important to note that the No Action Taken (NAT)-based approach jointly recommended by PCAPCD and other air districts had not yet been developed at the time the EIR for the NMMP was prepared and the County had not adopted a quantitative threshold (Placer County 2013:16-14). However, in light of *CBD v CDFW*, see the Master Response regarding the GHG analysis.

09-147

The commenter states that there is no evidence supporting the idea that new development with a GHG efficiency that is 21.7 percent better than the NAT scenario will help achieve California's emission reduction objectives. The threshold used in the EIR is supported by a report titled *Justification for Greenhouse Gas Emissions Threshold of Significance* (SMAQMD 2014a). With regard to this threshold, it was developed by a regional Threshold Committee, including, SMAQMD, PCAPCD, and other air districts in northern California (SMAQMD 2014b). This threshold was developed by reviewing those thresholds developed by air districts in other parts of California and using guidance from *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act* published by the California Air Pollution Control Officers Association (CAPCOA 2008; SMAQMD 2014b). It was subject to public comment including a public workshop (SMAQMD 2014b). The Tier 1 threshold of 1,100 MT CO₂e/year ensures that the GHG emissions of 90 percent of land use development projects are evaluated for their GHG efficiency and reviewed to assess the need for additional GHG reduction measures (SMAQMD 2014a:10). This "90 percent capture" rate is congruent with guidance in CAPCOA's *CEQA & Climate Change* guidance document, which determined that a 90 percent "capture rate" serves as a strong basis for demonstrating that cumulative GHG reductions are being achieved across the state (CAPCOA 2008:42 to 44). This same capture rate was used by air districts in other regions to develop their GHG thresholds, including BAAQMD, the South Coast Air Quality Management District, and the San Luis Obispo Air Pollution Control District (SMAQMD 2014a:6 to 8). To determine the quantity of GHG reductions necessary to obtain the statewide reduction goals of the California Global Warming Solutions Act of 2006 (AB 32) the Threshold Committee relied on the emission reduction targets established under ARB's Scoping Plan and associated update (ARB 2011; ARB 2014b). Based on an inventory of statewide GHGs, ARB estimated that a 21.7 percent reduction in GHGs from the NAT scenario would be necessary to demonstrate emissions reductions consistent with the AB 32 Scoping Plan. However, in light of *CBD v CDFW*, the Tier II threshold is no longer recommended. See the Master Response regarding the GHG analysis.

The commenter also points out that the ability for new development to be planned and designed to operate in a GHG-efficient manner is greater than existing development because new development has the opportunity to incorporate GHG-efficient attributes such as being high-density, mixed use, and transit oriented. The County generally agrees with this statement and this point very much drives some of the project's objectives, including but not limited to the following objectives stated on page 3-7 of the DEIR:

- ▲ Create a resort facility that provides a wide range of destination resort services and amenities to guests and residents on site.

- ▲ Focus resort-related development in proximity to the existing Village and mountain ski area.
- ▲ Focus project development primarily on previously disturbed/developed areas.
- ▲ Provide a connected, walkable, tourist-serving mixed-use development.
- ▲ Provide a level of development compatible with existing uses and development practices.
- ▲ Provide a cohesive building design and circulation patterns that integrate project elements with each other, existing development, and the mountain/ski facilities.
- ▲ Provide a comprehensive multi-modal circulation, transit, and parking plan that minimizes reliance on the automobile for movement in and out of the plan area and within the plan area.

The proposed project would also bring more employee housing to Squaw Valley, reducing potential VMT. Moreover, it's possible that implementation of the proposed project would result in existing land uses in the Village operating in a more GHG-efficient manner than under existing conditions. The Master Response regarding the GHG analysis included both a refined analysis of potential project GHG emissions and GHG reduction potential of various measures. As described, with a combination of various mitigation measures in place, project GHG emissions would be reduced to the point that they would be 38 percent below the NAT scenario.

The commenter again asserts that the method used to analyze GHGs in the EIR has been determined to be inappropriate by the Attorney General but provides no evidence to support this assertion. Please refer to the responses to comments 09-141 and 09-142 regarding this assertion.

The commenter suggests that construction-related GHG emissions should be amortized over four years if the project is completed by 2020. The reason for this comment is unclear. The commenter argues that the way construction-related GHGs were amortized "further skews the results..." but does not explain why. The project would not be constructed in four years; the analysis in Table 16-3 is illustrative of how the project, at full buildout, would compare to 2020 emissions targets.

Full buildout of the proposed project would take an estimated 25 years, as stated on 3-33 of the DEIR. Construction-related GHGs are discussed under Impact 16-1 in the DEIR. Analysis of operational GHG emissions and the GHG efficiency of the proposed project is presented under Impact 16-2 of the DEIR and, in order to be conservative, amortized construction emissions are accounted for in the operational emissions total and the estimation of the project's GHG efficiency.

09-148

Referring to Pub. Res. Code Section 21082.2(c), the commenter asserts there is not scientific or factual basis to support the claim that new development that is 21.7 percent more GHG efficient than its NAT scenario will not interfere with California's GHG reduction target for 2020. Please refer to response to comment 09-147, particularly the summary of the *Justification for Greenhouse Gas Emissions Threshold of Significance* (SMAQMD 2014a) on which the threshold is based. This threshold is used by PCAPCD, SMAQMD, and other air districts in the region. The commenter also refers to the 2005 court decision in *Californians for Alternatives to Toxics v. Department of Food and Agriculture*, which states that "conclusory statements do not fit the CEQA bill." Justification for the approach and threshold used in the GHG analysis begins on page 16-7 of the DEIR, under the heading, "CEQA Direction." Please also refer to response to comment 09-141 for additional discussion.

- 09-149 The commenter suggests that the EIR should compare its emissions in 2020 to emissions in the project area in 1990, and references an EIR for a project in San Diego. The year 1990 was 22 years before the NOP was issued on this project. As explained in response to comment L3-19, the CEQA Guidelines normally require that the baseline against which project impacts are compared are those conditions at the time the NOP was released (in this case, 2012), unless it would be misleading to utilize such a baseline (*Smart Neighbors* case). The comment provides no rationale or authority for setting the project's baseline or significance threshold at 1990 levels for the GHG analysis. Not only would this be impractical—one would have to speculate on 1990 conditions—without any explanation regarding why this would be appropriate for the VSVSP project, no response can be provided.
- 09-150 The comment provides a summary of comments further detailed in comments 09-151 through 09-154. See responses to those detailed comments below and the Master Response regarding the GHG analysis.
- 09-151 The commenter asserts that the DEIR should analyze the project's consistency with the Sacramento Council of Governments' (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). The commenter states that SMAQMD's CEQA Guide specifically identifies the MTP/SCS as an applicable plan that should be analyzed in a project's CEQA document. First, the project site is located in Placer County and in PCAPCD's jurisdiction and, as stated on page 16-9 of the DEIR, the analysis of the project's GHG emissions was conducted in accordance with guidance from PCAPCD and its staff.
- Further, the project's relationship to the MTP/SCS is discussed on page 16-18 of the DEIR. Here it is explained that the MTP/SCS strives to achieve per capita reductions in the levels of GHG emitted by passenger cars and light trucks and that these targets cannot be directly translated to a threshold by which to evaluate the proposed project, which would generate GHGs from both transportation and non-transportation sources. The commenter argues "this is no reason not to address the project's consistency with the MTP/SCS" and suggests that the DEIR could conservatively assume that the per capita reduction targets should apply to the project as a whole and determine whether the project would be consistent with these targets. In effect, the commenter suggests that the DEIR should compare the sum of all project-related emissions, including emissions associated with vehicle trips, energy and water consumption, and compare this total to targets that pertain only to transportation emissions (or, more specifically, trips by passenger vehicles and light duty trucks). Not only would this approach be exceedingly "conservative", it would be an "apples-to-oranges" comparison. This would be an inappropriate approach for evaluation of this, or any, project. Moreover, the commenter makes no suggestion about how non-transportation GHG emissions associated with the proposed project should be assessed. The threshold used in the DEIR, on the other hand, addresses all emissions related to the construction and operation of the proposed project.
- Page 16-18 of the DEIR explains that the project would not be consistent with the MTP/SCS because the project is shown in the SCS as "Lands Not Identified for Development" during the SCS planning period (through 2035). The DEIR determined that the proposed project would be additional to the growth assumed in the MTP/SCS; this is one reason why the DEIR concludes that in the long term, the project could result in potentially significant impacts related to GHG emissions.
- 09-152 The commenter states that the DEIR fails to recognize the project's inconsistency with the MTP/SCS. This is incorrect. See the discussion under Impact 16-2 of the DEIR, specifically page 16-18, which explains that the project is not included in the MTP/SCS growth predictions and, if development follows the trends and predictions for growth in the SCS for the SAGOC region over the next 20 years, development at the project site would be additional to SCS assumptions. See response to comment 09-151 for further discussion.

The commenter states, “if the [SACOG] area grows in a way that is inconsistent with [the MTP/SCS]... the region may no longer be able to meet the [SCS/MTP] targets” and “this would be a significant impact under CEQA.” This is the same reasoning and conclusion presented on page 16-18 of the DEIR. The DEIR discloses that the potential long term impacts to GHG’s are significant, and the discussion in the DEIR and in this response further points to this issue. Placer County will consider this information in its decision to approve the project.

The commenter argues that the DEIR must provide mitigation for this potentially significant impact. See Mitigation Measure 16-2, which begins on page 16-19 of the DEIR.

09-153

The commenter argues that the DEIR should evaluate the project’s consistency with the reduction targets stated in Governor Schwarzenegger’s 2005 Executive Order S-3-05 and Governor Brown’s Executive Order B-30-15. As stated on page 16-4 of the DEIR, Executive Order S-3-05 establishes the target of reducing the level of GHG emissions California to 80 percent below 1990 level by 2050. Executive Order S-3-05 was subsequently partially reinforced by the legislature’s passing of the California Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32, which set the target of reducing GHG emissions to 1990 levels by the year 2020. Executive Order B-30-15, issued by Governor Brown in April 2015, is not directly discussed in the EIR because it was issued around the same time the DEIR was released. Executive Order B-30-15 adds an interim target (between 2020 and 2050) to reduce GHG emissions to 40 below 1990 levels by 2030.

The California State Legislature considered a bill in 2015 as part of the 2015/2016 legislative session that would have provided statutory mandates for B-30-15 (target of reducing statewide GHG emissions to 40 below 1990 levels by 2030). That bill, Senate Bill 32, was not passed in the 2015 session. Given the timing of this EIR, it is unlikely that a bill with new targets will pass by time this EIR is considered for certification.

The commenter criticizes the DEIR’s conclusion that it would be speculative to analyze consistency with long term goals and refers to a case, *Cleveland National Forest Foundation v. SANDAG* (San Diego Association of Governments). That case took exception to the lead agency’s failure to evaluate the consistency of a transportation plan with the goals set out in Executive Order S-3-05 of achieving 80 percent below 1990 carbon levels by 2050. On appeal, the court in that case ruled that the EIR should have evaluated consistency with the executive order, arguing that the legislature’s passage of AB 32 (2020 goals) and SB 375 (transportation emissions reduction goals for 2035) demonstrated that the order was the architecture for emissions reductions toward the 2050 goal. However, three key events have transpired since publication of that case: 1) the California Supreme Court has granted review of the case, so it can no longer be cited as precedent, at least not until a ruling is provided by the Court; 2) Governor Brown issued B-30-15, described above; and 3) the legislature did not pass a bill in support of B-30-15 in 2015, also described above. With this information, the DEIR’s conclusion that it “cannot determine if the project would meet future thresholds that have not been established because it would be speculative to do so” (page 16-18) is the only responsible conclusion that can be reached based on substantial evidence. However, also see the Master Response regarding the GHG analysis.

Regarding the commenter’s suggestion to use significance thresholds from a SANDAG EIR being prepared for the SANDAG Regional Transportation Plan/Sustainable Communities Strategies, Placer County is a different lead agency considering a different project, and has authority to utilize its own thresholds of significance; see response to comment 09-141.

Also, please refer to pages 16-7 and 16-8 of the DEIR, which explains how guidance issued by the Schwarzenegger administration stated that the adoption of appropriate significance thresholds for CEQA evaluations was a matter of discretion for the lead agency. This guidance, published as a Technical Advisory by Governor’s Office of Planning and Research,

Technical Advisory, did not require Executive Order S-3-05 to be used as a significance threshold under CEQA (OPR 2008). This technical advisory was published after Executive Order S-3-05 and by the same administration.

The commenter is correct that the DEIR did not *quantitatively* evaluate whether the proposed project would be consistent with the GHG reduction goals for 2030 and 2050 identified by the two aforementioned executive orders. On page 16-14, the DEIR recognizes that the need to examine what may occur beyond 2020, including a discussion of GHG reduction targets that may be established by ARB and/or the California State Legislature beyond 2020, what specific regulations may be developed to achieve those targets, and the ability and likelihood the project would comply with those regulations to meet those targets. Later in the DEIR, under the heading, Post 2020 Considerations (page 16-17), the DEIR provides a qualitative analysis of whether the proposed project's GHG efficiency would be consistent with targets established by the state for years after 2020. The DEIR refrains from conducting a quantitative analysis because no targets had been established and, based on experience with AB 32, regulations passed to meet established targets play a significant role in future emissions attributed to a project: vehicular gas mileage, fleet mix including electric vehicles, utilities (that provide power) reliance on fossil fuel versus renewable energy, etc. Project features and mitigation—EV charging stations, use of solar, walkability, etc.—also are important, but for instance, since the DEIR was published, SB 350 was passed in the State Assembly. SB 350 (2015) would require all California utilities to generate 50 percent of their electricity from renewables by 2030 also would double the energy efficiency in buildings by the same year. Regulations that would increase the GHG efficiency of motor vehicles may also gain traction at both the federal and State level between now and buildout of the proposed project. In other words, emissions for the year 2037 cannot be accurately estimated using the information we now have in 2015. For these reasons the ability of the project to meet GHG targets beyond 2020 is unknown and, therefore, the DEIR concludes that this impact would be potentially significant.

Instead of attempting an accurate estimate of the project's GHG emissions upon full buildout in 2037, the DEIR focuses on the mitigation necessary to ensure that any portions of the Village at Squaw Valley Specific Plan processed by the County after 2020 will be required to reduce, to the extent needed and feasible, GHG emissions such that the project operates within the targets established at the time the project is submitted for approval. Refer to Mitigation Measure 16-2 in the EIR, as modified in the Master Response regarding the GHG analysis, for additional details, including the requirement to pay any offset fees for gaps between the project and established emissions targets post 2020. This does not mean the project would not meet targets established after 2020; rather, it will be required to meet those targets in place at the time subdivision maps are submitted for approval.

09-154

The commenter argues that it is “unlawful” for the DEIR to not compare the project's GHG emissions against the post-2020 targets identified by Executive Orders S-3-05 and B-30-15. The commenter does not identify the law that this would not comply with in order to cause an “unlawful action”; therefore, a direct response to this issue is not possible.

Neither of the cited executive orders includes a provision that says how lead agencies shall determine the significance of project-related GHG impacts in CEQA documents. In fact, as explained in response to comment 09-153, guidance issued by the Schwarzenegger administration after issuance of S-3-05 clarified that the adoption of appropriate significance thresholds for CEQA evaluations was a matter of discretion for the lead agency. This guidance, published as a Technical Advisory by Governor's Office of Planning and Research, did not require Executive Order S-3-05 to be used as a significance threshold under CEQA (OPR 2008). Furthermore, as explained on page 16-8 of the DEIR, CEQA Guidelines Section

15064.4(a) states that the determination of the significance of GHG emissions calls for a careful judgment by the lead agency.

It is important to note that the County developed its mitigation to meet certain targets as a matter of compliance with State policy, as described in the DEIR. The County cannot create emissions targets for the State, but once State legislation is passed, if it is passed, or other targets are passed, the County will be able to determine if subdivisions processed after 2020 will attain targets. This is not a deferral of analysis. Rather, it recognizes the important nature of establishing official targets, building a regulatory structure that will help attain the targets, and incorporating mitigation actions into the project (including offsets) that address the current gap in available regulatory information, rather than speculating on the future actions of the state legislature and regulatory agencies.

09-155 The commenter argues that the DEIR underestimates the level of GHGs that would be emitted by project-related mobile sources. Referring to Section I.B.4 of its letter the commenter states that the number of new vehicle trips and the level of VMT that would be generated by the project are underestimated. Please refer to response to comment O8d-10 for discussion about how VMT was estimated.

The commenter also states that the DEIR appears to use unreasonably short trip lengths in its calculation of VMT. The commenter provides no evidence or reasoning as to why the average trip lengths should be different.

The commenter asserts that the DEIR included VMT from project activity in the summer and winter months but not the spring and fall. This is incorrect. Appendix H of the DEIR provides a detailed description of all calculations, model runs, and assumptions used to support the emissions analysis. Estimates of Annual mobile-source GHGs for 2020 are found in the table called "Mobile-Source GHGs, Annual, 2020 (comparison year) - Full Buildout." Estimates of Annual mobile-source GHGs for 2037 are found in the table called "Mobile-Source GHGs, Annual, 2037." The annual level of VMT used in the calculation in these two tables are from a table called "Vehicle Miles Travelled." This worksheet shows how annual VMT levels were estimated, providing a breakdown for each month of the year that is based on projected occupancy rates for the new facilities.

09-156 The commenter asserts that the GHG analysis in the DEIR should account for GHG emissions associated with air travel because it is likely that some visitors would arrive via air. The County and its consultants explored possible ways to estimate the degree to which the project could induce air travel. However, many questions came up that suggest any estimate would involve intense speculation. Foremost, it's not clear whether increasing the level of accommodation at the project site would result in more air travel. It's plausible that more visitors to Squaw Valley would be arriving from places throughout the country or even from other countries; however, it is unknown whether these visitors would have chosen to visit Squaw Valley despite the project, or otherwise engaged in air travel to other ski resort destinations, or simply stayed at other locations in the Tahoe region (e.g., Northstar, Heavenly). Further, while more air passengers could result from the project, it would be speculative to determine if flights would be fuller or more flights would occur. The California Air Resources Board has had the same challenge when developing the statewide GHG inventory, which is why the statewide inventory only includes intra-state aircraft trips (ARB 2014a). This point is particularly important because the nearest large commercial airport serving the project is Reno, which is outside of California.

Ultimately, the County and its consultants concluded that it was unlikely that the project would generate enough demand to induce new scheduled flights. The DEIR's GHG analysis was very conservative, especially as it relates to travel to and from the site. Over one third of project-related GHG emissions are related to VMT (auto travel). If a trip originates in the San

Francisco Bay Area or Sacramento Metropolitan Planning Organization (MPO), the emissions from that trip are already quantified within the Regional Transportation Plan/SCS for that MPO. Both these regions have adopted SCSs. However, the DEIR assumes that 100 percent of every trip to and from Squaw is a Squaw-generated GHG emission. Thus, the DEIR likely overestimates regional (and global) CO₂e emissions because they are both counted in the SCS and in this EIR. If any additional air traffic could be attributed to the project, it would be considered de minimus and would be within the quantity of emissions already overestimated for the project's overall transportation GHG emissions.

09-157

The commenter infers that Mitigation Measure 16-2 in the DEIR is improper use of deferred mitigation and cites CEQA Guidelines Section 15126.4(a)(1)(B), which follows:

Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.

Mitigation Measure 16-2 (as modified by the Master Response regarding the GHG analysis) is indeed consistent with this guideline because it specifies how GHG efficiency targets should be determined, requires that the target be achieved, and lists the types of GHG reduction measures, GHG offset measures, and GHG efficiency measures that should be implemented, to the extent needed and feasible, to achieve the GHG efficiency target. The County chose to craft Mitigation Measure 16-2 in this manner rather than speculate about what future GHG reduction goals are legislated by the state, the content of any future iterations of the Scoping Plan that identify how any new GHG reduction goals would be achieved, any specific regulations that may be adopted to achieve future targets, and any new technologies that may be developed that enhance the GHG efficiency of land use development projects (e.g., battery storage, electric vehicles, on-site renewable electricity generation).

The commenter states, "if the DEIR had used the proper thresholds as discussed above it would demonstrate that the project's actual GHG emissions would cause a significant impact throughout the life of the project..." It's not entirely clear which thresholds the commenter refers to. It is assumed that the commenter is referring to the Tier 1 threshold of 1,100 MT CO₂e/year; this is the threshold used to determine project significance; see page 16-18 of the DEIR. Refer to responses to comments 09-140 and 09-147 and the Master Response regarding the GHG analysis for discussion about the thresholds used in the GHG analysis.

09-158

The commenter argues that the County "should adopt all feasible mitigation for the project's known and significant GHG impacts..." The County agrees. See Mitigation Measure 16-2 as modified by the Master Response regarding the GHG analysis. Mitigation Measure 16-2 outlines the necessary steps for determining whether the project would operate in a manner of GHG efficiency that is consistent with the statewide reduction goals and Scoping Plan measures, or other similar GHG reduction plans, in place at the time. If it is found that any development would not operation in a GHG efficient manner that is consistent with the reduction goals and measures in place at the time, then all necessary GHG reduction measures shall be implemented if they are determined to be feasibility *at that time*. The County prefers this approach because it recognizes that new GHG reduction measures will likely be feasible in the future that are not feasible at the time this DEIR is published.

The commenter then lists some specific GHG reduction measures. These are similar to those proposed in the VSVSP; see the Master Response regarding the GHG analysis. Finally, the EIR includes the requirement for offsets in the event that GHG targets cannot otherwise be met. This offset requirement assures that, even if sufficient reductions are not feasible within

the project (and no information suggests this at this time), that the applicant will still be required to reduce GHG impacts to levels below established targets.

- 09-159 The commenter provides a list of documents that contain potential GHG reduction measures that could be required as mitigation in the DEIR. Many of the measures recommended in these documents, and pertaining to a project of this type, are already considered in the VSVSP and/or in Mitigation Measure 16-2. See the Master Response regarding the GHG analysis.
- 09-160 The commenter requests that the DEIR be revised to “include a full comparison of the project’s GHG-related impacts to the same impacts of the alternatives.” Each alternative in the EIR includes a comparative analysis of potential GHG effects, as required by CEQA. See the Master Responses regarding the Reduced Density Alternative and the GHG analysis.
- The comment states that such an analysis (which is provided in the DEIR per CEQA requirements) may lead the County to develop an alternative to the project. This comment is noted.
- 09-161 The commenter states that the anticipated reduction in snowpack due to climate change “could have drastic impacts for a residential and commercial development project, the main objective of which is to be a world class ski resort.” The commenter inaccurately states that the main objective of the project is to become a world-class ski resort. See the list of 14 project objectives that begins on page 3-7 of the DEIR. Nonetheless, a reduction in the Sierra snowpack as it relates to the number of visitors to Squaw Valley and the economic vitality of the valley is not inherently an environmental impact. See response to comment I41-2 for additional discussion.
- 09-162 See response to comment O8a-4b regarding climate change and its effect on Squaw Creek and the groundwater basin.
- 09-163 The commenter purports that the DEIR does not evaluate the increased energy consumption and associated GHGs that would stem from the need to make more of its own snow to adapt to the decline in snowpack that is anticipated with climate change. As stated on page 3-1 of the DEIR, the Specific Plan envisions a world-class, recreation-based, all-season resort community and development would integrate with and support existing mountain ski operations. However, the Specific Plan, as well as any of the alternatives, does not include mountain ski operations. Squaw Valley Ski Resort is a separate operation that has been in existence for decades and is separate and apart from the project. Any actions associated with ski operations would be a separate project. Furthermore, the WSA Update did assume an increase in the use of groundwater for snowmaking (see the Master Response regarding water supply).
- 09-164 The commenter states, “Reduced snow pack could also ultimately make skiing at Squaw Valley less desirable, and hence the project less profitable and potentially the project objectives less achievable.” See responses to comments 09-161 and 09-163 regarding the project’s objectives and anticipated reduction in snowpack. Ski operations are part of the existing Squaw Valley Resort, and not part of the project, except to the extent that certain existing services (e.g., Squaw Kids, mountain maintenance) would be relocated as part of the project. Nonetheless, winter-time lodging occupancy would be affected by the number of skiers at the resort. The foremost project objective, as set forth on page 3-7 of the DEIR, is to “[R]ealize a year round destination resort,” which reflects the need to be less dependent on a single season. Alternatives were selected consistent with CEQA’s direction that an EIR evaluate a range of reasonable alternatives that would feasibly attain most of the project’s basic objectives and that are capable of avoiding or substantially lessening one or more of the project’s significant impacts. While reduced snowpack could affect profitability of one aspect of the Project (ski operations), the comment offers no evidence or analysis to explain how the mere possibility of reduced profit relates to the adequacy of the range of alternatives

evaluated in the EIR, or what alternatives might be appropriate to address this concern, in light of the significant impacts identified in the EIR.

- 09-165 The commenter criticizes the conclusion in the EIR that “the addition of one fire station should be enough to combat the increase in wildfires from climate change” and later, “The DEIR provides no evidence whatsoever that one fire station would be able to handle a catastrophic wildfire affecting this isolated location.” The DEIR does not claim this. See the discussion of the potential impacts of climate change on the project under Impact 16-3, which begins on page 16-20 of the DEIR. This impact evaluates the project’s susceptibility to fire, not the susceptibility of the surrounding forest. Also see Impact 15-6, beginning on page 15-20 of the DEIR, which addresses exposure of the project to increased harm due to wildfires. The DEIR also explains that the California Department of Forestry and Fire Protection’s (CAL FIRE) plans for Placer County include continued provision of fire protection and prevention services for areas surrounding the plan area. No wildland fire of any significance is responded to solely by the local fire protection agency. Resources from multiple agencies (e.g., CAL FIRE, USFS, local agencies) are used to mount a response in accordance with California Mutual Aide Agreement, which enables CAL FIRE to request and receive assistance from other firefighting agencies. The DEIR would not suggest that the Squaw Valley Fire Department would, or should be the sole entity responding to a significant wildfire affecting Olympic Valley. The commenter states that the DEIR does not evaluate “a scenario in which a wildfire occurs when Squaw Valley Road is experiencing traffic gridlock, i.e., during the summer.” The discussion of Impact 15-4 on page 15-19 of the DEIR identifies that the existing *Wildlife Fire Evacuation Plan* for Squaw Valley anticipates conditions where evacuation via Squaw Valley Road may not be feasible (whether from traffic gridlock or other mechanisms), identifies the Squaw Valley Ski Resort parking lot as a gathering point under these circumstances, and describes how the proposed project would continue to provide parking areas suitable for this use. Also, see Chapter 2, “Revisions to the DEIR,” for a discussion of the Emergency Preparedness and Evacuation Plan that is being prepared for the project.
- 09-166 The comment is general and criticizes the noise analysis, stating it uses representative noise levels and is not sufficient. The project is a specific plan, and many of the land uses are broadly defined and lack project-level detail, which is typical at the specific plan stage. This is why a program EIR was prepared. See response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR. However, with regard to noise, maximum and representative noise levels that could be experienced at the sensitive land uses around the site were determined, traffic noise was calculated, and the noise analysis used conservative assumptions that tend to overstate likely impacts. The impacts are based on potential noise exposure, and mitigation, including performance standards, are included. See the Master Response regarding noise.
- 09-167 The comment criticizes the DEIR for not specifying how sensitive receptors were located, distances to sensitive receptors and noise sources and claims the DEIR underestimates project impacts. No substantiation is provided to support the statement that impacts were underestimated and, in fact, the opposite is true. For instance, the impacts of roadway noise is typically (by California Department of Transportation [Caltrans] and the Federal Highway Administration) based on annual average daily vehicle trips and their resultant noise levels. The DEIR, however, based the vehicle noise impacts on only the worst-case peak traffic days, which occurs on several Friday evenings in summer, under both existing and cumulative conditions. This is an unusual approach that greatly overstates impacts (compared to using the typical Caltrans/Federal Highway Administration approach), but is the basis for the DEIR’s impact conclusions. Another example is the assumption used in the construction impact analysis, that multiple construction activities occurring simultaneously in one area is basis for the degree of potential noise exposure (and concluded that some residences could be subject to maximum construction noise of 98 dB (see page 11-19).

As to the location of sensitive receptors, Exhibits 11-1 and 11-2 depict the locations of religious facilities, residences, hotels, and a school within the area that could be affected by the project. Pages 11-5 and 11-6 of the DEIR define and describe the sensitive land uses. Also, see the Master Response regarding noise and response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR.

09-168 The comment that the DEIR does not include a quantified analysis of construction noise is without merit and ignores the comprehensive analysis in the document. See response to comments 09-166 and 09-167 regarding the quantitative nature of the noise analysis. Table 11-3 in combination with Exhibits 11-1 and 11-2 clearly describe ambient noise, which is substantially quieter than the noise levels that would be experienced, at times, by sensitive land uses during construction. The impact analysis of construction noise begins on page 11-17 of the DEIR and ends on page 11-20; the reader is referred to the discussion of potential exposure of sensitive land uses to construction noise (including quantified levels), and why this is considered a significant and unavoidable impact.

The comment is correct in pointing out that the impact of construction noise on the Squaw Valley Academy, near East Parcel, was not specifically addressed. Noise from construction of the employee housing at East Parcel has the potential to create disruptive noise to the Academy as noted in the revised additional analysis. While the Academy was not specifically identified in the discussion of construction noise (it is identified as a sensitive land use in the analysis, including regarding traffic noise), Mitigation Measure 11-1a would apply to this land use. The analysis of construction noise on this land use has been added to the Final EIR, and is addressed in the Master Response regarding noise. The Final EIR also includes mitigation to reduce potential construction noise impacts to this use to a less-than-significant level. See the Master Response regarding noise.

Also, see response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR.

09-169 The DEIR considered both night and day construction activities. See the discussions on pages 11-19 and 11-20 of the DEIR, as well as Mitigation Measure 11-1b on page 11-21. Noise is relatively more disruptive at night, when people seek quiet activities such as conversation and sleep. Construction at night would be relatively rare, occurring only at most a few days per year and only in some years, when such activities are unavoidable (such as a concrete pour that requires uninterrupted activity to ensure integrity). See Master Response regarding noise and the Master Response regarding the 25-year construction period, both of which address this issue further.

09-170 See the Master Response regarding noise for a discussion of why the noise metrics used in the DEIR are a more accurate reflection of a receptors response to construction noise than the use of single event noise metrics.

09-171 The comment requests an analysis of interior noise levels from construction. Because construction is mobile, with equipment moving, completion of phases, etc., interior noise levels would be variable at different residences. As stated on the bottom of page 11-19 in the DEIR, both exterior and interior noise standards would be exceeded, although it is also noted that construction activities are exempt from Placer County's noise ordinance that specifies these limitations, except at night. An intensive construction activity could be as close as 50 feet from a sensitive receptor, which could be exposed to an exterior noise level as high as 94 A-weighted decibels (dBA) energy-equivalent noise levels (L_{eq})/98 dBA maximum noise level (L_{max}) during the day, and 79 dBA L_{eq} /84 dBA L_{max} at night during nighttime construction. Assuming typical noise attenuation of 25 dBA by walls and windows, interior noise levels could be as high as 69 dBA L_{eq} /73 dBA L_{max} during the day (high enough to cause speech disruption), and 54 dBA L_{eq} /61 dBA L_{max} at night during nighttime construction (which may cause sleep

disruption). This is why, although construction noise is exempted by ordinance, the DEIR concluded the impact would be significant, why mitigation was included and why, despite this, the impact was concluded to be significant and unavoidable.

- 09-172 See the Master Response regarding noise. The commenter is correct that the mitigation is not as specific as other mitigation may be, and that its effectiveness is not quantified. There is good reason for this; different construction activities would occur at different locations, some together with other activities, and some not. In some instances, line of sight will be disrupted (and noise reduced) by intervening structures; in other instances the noise will move as equipment moves throughout the site. When taller buildings are constructed, it will be difficult to block construction noise. It is not possible to determine these details at this planning-level, programmatic stage of analysis. Furthermore, construction typically is limited to daytime hours when most people are away from their homes and are less sensitive to noise. Generally, construction noise is very difficult to control and reduce because of these complicated factors; hence, construction is exempted from most noise ordinances in California. Generally, the measures included in Mitigation Measure 11-1a could reduce construction noise by 5 dBA, but it is not feasible to predict the ultimate amount of attenuation that would be achieved. As described in the Master Response, the DEIR takes a “do everything” to reduce construction noise approach to mitigation, yet still concludes this impact is significant and unavoidable.
- 09-173 Because the DEIR is programmatic and details of vibration potential have not been determined, the DEIR assumes a worst case, that vibration impacts may occur, certain levels of vibration may be experienced, that it may result in structural damage and annoyance, and the impact is potentially significant. Performances standards are provided as mitigation to reduce significant impacts. The comment suggests that vibration tests should be conducted as part of the DEIR, but this is a site-specific, detailed engineering analysis that is included in the engineered design of buildings. The comment does not explain why the performance standards, which would ensure vibration impacts are mitigated to a less than significant level, are insufficient. With regard to historically significant buildings, none would remain on the site, as described in Section 7 of the DEIR (although some would remain nearby, e.g., the members’ locker rooms). Also, see the Master Response regarding noise and response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR.
- 09-174 As described on page 11-22 and 11-23 of the DEIR, the vibration performance standards are consistent with Federal Transit Administrative and Caltrans design requirements for avoidance of vibration damage and adverse effects to humans. The comment does not indicate why this standard is insufficient, so no other response is provided. See also response to comment 09-175 regarding vibration impacts to buildings.
- 09-175 See response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR. Specifically, Mitigation Measure 11-2b states that setback requirements could only be breached if a project-specific, site-specific ground vibration study indicates that existing buildings would not be exposed to levels in excess of 80 vibration decibels. Therefore, construction techniques must be selected to meet this standard.
- 09-176 See the Master Response regarding noise and response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR. The commenter does not explain why the analysis of stationary noise is insufficient or why the mitigation measures would not reduce impacts, other than to ask for more detail. The commenter claims this is a project EIR, not programmatic; this expectation of project-level precision is at the heart of many of the comments. This EIR is programmatic, as stated in the introduction to the DEIR (Section 1.1). A good faith effort has been made to determine potential impacts and adequate mitigation, much of which is programmatic and performance-based because details are not sufficient for a more precise level of analysis at this planning stage. Further,

- subsequent approvals can only proceed without additional CEQA documentations and circulation for public review if it can be shown that all impacts are covered by this EIR; this is consistent with program EIR requirements (see Guidelines Section 15168). Further, building locations are not firmly established, but are depicted at a planning level of detail.
- 09-177 See response to comment 09-176, the Master Response regarding noise and response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR. The comment does not express why the mitigation is inadequate and no further response can be provided.
- 09-178 The comment is general and claims the County cannot mitigate unanalyzed impacts by redesigning the project. The claim that the DEIR relies on mitigation without identification of impacts is unfounded, and no instance (other than unsubstantiated claims) of this approach has been identified by the commenter. Information regarding the project is provided at a level of detail unusual for a programmatic EIR analysis. Nevertheless, certain highly specific elements of the project, such as the location of HVAC equipment, cannot be known until building plans are submitted to the County, and those plans will be guided by the performance standards in the mitigation measures identified in the EIR. See the Master Response regarding noise and response to comment 09-59 regarding the appropriate level of detail for an analysis in a programmatic EIR.
- 09-179 See response to comments 09-176 and 09-39 regarding the programmatic nature of the DEIR and see the Master Response regarding noise.
- 09-180 As described in the master response regarding noise, mitigation has been included in the DEIR that would result in a noise study being conducted to determine the most appropriate measures (including building design, orientation, or location) to ensure noise levels comply with Placer County Noise Ordinance. The mitigation is not limited to only relocating buildings on the project site. That is one way that noise may be mitigated. The site-specific study would determine the most appropriate and effective approach. If a new location of a building would be needed, it would be evaluated as described in response to comment 09-176. However, meeting the noise performance standards included in the DEIR would not require a novel approach; for the most part the measures require shielding, building orientation (within the identified site) and similar decisions standard for noise reduction. It is noted that the entire project site was evaluated for loss of habitat and visual impacts.
- 09-181 See the Master Response regarding noise for a discussion of transportation noise.
- 09-182 See the Master Response regarding noise for discussion of impacts to existing residences and the FEIR for additional mitigation proposed. With regards to noise increases on Squaw Valley Road affecting pedestrians and bicyclists using Squaw Valley Road, no analysis is warranted here. Noise standards are intended to protect people from unwanted disturbances and noise levels during times where increased noise levels can disrupt sleep or other activities where quiet is essential. Someone using the bicycle lane or walking alongside a roadway would not be considered a sensitive receptor as they would have the expectation of noise exposure; further, as described in the Master Response regarding noise, noise from increased traffic would only be substantially noticeable without mitigation on infrequent occasions (Friday evenings in August), and mitigation has been added to this FEIR that would reduce the project's contribution to this impact to a point where increases in noise would be imperceptible. No further discussion is needed in the DEIR.
- 09-183 See the Master Response regarding noise for discussion of impacts to existing residences, including additional mitigation added to the FEIR that would reduce this impact to a less-than-significant level.

09-184 Although in agreement with the conclusions reached in the DEIR, the comment contends that the DEIR should have provided a more robust analysis of aesthetic impacts. In particular, the comment states that visual changes to the existing Squaw Valley Village and views of the mountains surrounding the Valley are not addressed in the DEIR. In fact, these two elements are discussed throughout the visual analysis related to adverse effects on a scenic vista (Impact 8-1), degradation to the existing visual character or quality of the site and its surroundings (Impact 8-2), and damage scenic resources as viewed from Squaw Valley Road (Impact 8-3). Specifically, changes to views of the existing Village are analyzed on pages 8-48 through 8-56 of the DEIR. Effects on views of the mountain range are implicitly described on pages 8-48 through 8-50 and 8-54 through 8-55 of the DEIR.

Moreover, in addition to *describing* impacts, the DEIR *illustrates* the visual impacts through a series of 12 visual simulations, independently prepared by the EIR consultant. In the spirit of “a picture is worth a thousand words”, the DEIR has endeavored to comprehensively depict project changes so that decision makers and the public are fully informed of the visual impacts, both in words and pictures.

For further discussion of effects on scenic vistas and community character, see the Master Response regarding the visual impact analysis.

09-185 The comment states the DEIR did not include visual simulations that fully depict the magnitude of the project’s effects on public views. See response to comment 09-184. Ten viewpoints and 12 views were simulated; the viewpoints were selected based on extensive site visits by the EIR consultant and County staff; they were determined to be some of the most sensitive viewpoints available to the public, or most widely available views, but also include views from residential streets that would be seen by only a few residents, and even from the balcony of an existing residence in the Village at Squaw Valley. (See *North Coast Rivers Alliance et al., v. Marin Municipal Water District Board of Directors* (2013) 216 Cal.App.4th 614 [lead agency, in preparing an EIR, has discretion to define significant aesthetic effects to exclude consideration of private views].)

The comment suggests that the DEIR is deceptive because it did not follow the commenter’s NOP request to install “story poles” so that its visual impacts could be assessed. The commenter explains that story poles are three dimensional, full-scale silhouette structures that outline the buildings that would be constructed on the site. The technique suggested by the commenter is not commonly used to prepare EIRs; it may have been used more frequently in the past, but with the advancement of effective and accurate computer simulations, the use of physical representations on a project site is much less frequent. Story poles are poles with lines and fabric that contractors can use to outline a building, like a house, so that a builder can understand size and scale. It is a poor method for simulating the various elements of how a project would appear in the environment, as it does not express texture, color, or more detailed building elements such as windows, balconies, and architectural features. At best, story poles would appear in a photograph as a simple framework of poles and fabric. The approach selected for the DEIR analysis relies on methods (computer simulations) that are considered a “best practice” in terms of their ability to depict how an environment can be changed by introduction of a building or other structure. Unlike a story pole, a computer simulation can precisely depict height, proposed materials, view blockage (instead of poles, simulations show solid buildings), color, architectural features, landscaping, and other project components. Pages 8-46 and 8-47 of the DEIR explain the methodology used to create simulations.

The simulations used in the DEIR analysis meet industry and CEQA standards for analysis and provide substantial evidence upon which to describe and evaluate effects of the proposed project. Further, as described in the DEIR (see Mitigation Measure 8-2b), all project phases will be required to undergo review and approval from the Placer County Design/Site

Review Committee prior to approval of Improvement Plans or Building Permits. Information to be reviewed and approved by the County includes: location and use of existing and proposed structures; setbacks from property lines; exterior building elevations for all sides of proposed buildings; and the relationship of proposed buildings to all other structures within 100 feet and their height. This mitigation addresses the comment's concerns about thorough assessment of the location and massing of proposed structures.

09-186

As indicated on page 8-46 of the DEIR, "Photograph (photo) locations for the simulations were selected in coordination with Placer County staff to express representative viewpoints of the proposed project from a variety of locations." The 10 vantage points and 12 simulations provide a thorough characterization of the proposed development. Although an effort was made to depict various aspects of the project, the mountain maintenance facility is not shown in the simulations. Nevertheless, design information provided in the Village at Squaw Valley Specific Plan Development Standards and Design Guidelines provides sufficient information to fully and accurately analyze this aspect of the project in the EIR analysis. Simulations are not a CEQA requirement. Rather, they aid in understanding the visual impacts of the project, which are concluded to be significant and unavoidable.

Simulation of nighttime views was completed for a vantage point from the residential area north of the Valley (View Point 2, see Exhibit 8-7 in the DEIR), and from the ski slopes south of the project site (View Point 7, see Exhibit 8-7 in the DEIR). Both of these viewpoints are slightly elevated, which would increase visibility of the project site. As these vantage points are the nearest to the plan area, the effects from any more distant viewpoints can be concluded to be similar to, or less than, those modeled in these simulations, and there is no compelling reason to model additional viewpoints further from the site.

Views within the project were not modeled because this information was not necessary to evaluate the project in relation to the thresholds of significance established in Appendix G of the State CEQA Guidelines and the Placer County CEQA checklist (see Section 8.3.1, "Significance Criteria," in Chapter 8, "Visual Resources"). These significance criteria focus on views of the site, not within the site. However, a view that is virtually within the site is provided; see Viewsheds 9 and 10 in Exhibits 8-17 and 8-18, which depict how the project would appear from the balcony of buildings within the existing Village.

09-187

The commenter both criticizes the DEIR for not including enough viewpoints and including viewpoints from a variety of locations. The viewpoints used in the DEIR analysis were selected to represent a variety of public vantage points from which the project site can be viewed, including parking areas and roadways. Viewpoint 5 and 6 (which are shown in Exhibits 8-13 and 8-14) are located on the west side of the Resort at Squaw Creek and express a viewpoint widely available

This is a location from which many individuals would view the site, across the intervening meadow and golf course. From the western edge of the golf course, the proposed buildings would be more prominent, as the comment suggests, because they would be in the foreground rather than the middleground of the view. This phenomenon is described in the DEIR and considered in the evaluation of effects. Additional simulations from the western boundary are not necessary to accurately depict the project.

Many of the simulations do not show existing structures. This is because the proposed buildings would either require removal of existing structures or would shield them from view from Squaw Valley Road and other public vantage points. Where they would be seen, the existing buildings are shown in the simulations. See Exhibits 8-13 through 8-15 and Exhibit 8-17 in the DEIR.

09-188 Wide-angle photography was not used in the EIR or simulations because of its tendency to distort the photo. Rather, the simulations use a panorama technique that attempts to depict the wide viewing area available from this particular viewpoint, but to do this as would be viewed in real-life relative dimensions. According to the comment, the panoramic view shown in Exhibit 8-17 both portrays the scenic views of the area effectively and diminishes the magnitude of the development. The comment does not provide further explanation of how use of this view might skew depiction of development. This photograph was selected by Placer County staff and the EIR to show the full viewshed, as viewed from Interwest Village near the center of the plan area.

See response to comment 09-187 regarding depiction of existing structures in the simulations and response to comment 09-184 regarding evaluation of the project's compatibility with existing development.

09-189 CEQA requires that a good faith effort is exerted to accurately characterize and evaluate the effects of a proposed project. The 12 simulations prepared for the project fulfill that mandate. It is not necessary, to simulate all possible views of the project or each project phase, nor are simulations even needed to determine the impacts of the project. As explained on page 8-47 of the DEIR, the simulations are based on full buildout of the plan, with trees and other landscaping assumed to be roughly 10 to 20 years old. The maturity is shown because it is intended to be used for screening and would be installed in earlier phases of the project (included in the 25-year construction period). It would be mature when the project is fully implemented (i.e., at buildout, which represents all of the building proposed on the project site). The analysis in Chapter 8, "Visual Resources," considers impacts during construction and the effects of immature vegetation are addressed in this component of the analysis.

09-190 The comment indicates that "no real measures" are proposed in the DEIR for the project's significant visual impacts. The commenter's opinion is noted. In fact, the DEIR proposes mitigation measures designed to reduce identified impacts to the extent feasible. These include:

- Mitigation Measure 8-1: Install screening to reduce the visual effects of construction.
- Mitigation Measure 8-2b: Comply with plan area development standards and obtain Design Review approval.
- Mitigation Measure 8-5a: Install landscaping on the north and west sides of the East Parcel to screen night lighting for adjacent residential areas.

The comment references pages 8-50 and 8-60 of the DEIR, which is the discussion of operational impacts related to light or glare. Mitigation Measures 8-2b and 8-5a are identified to address this impact, which would remain significant and unavoidable. Mitigation related to design of the project is contained in Mitigation Measure 8-2b, which would ensure that the project is consistent with development standards related to building heights, density, and massing. The comment does not provide any specific mitigation measures related to project design that can be considered by the County. Alternatives were also prepared to address, among other issues, the significant and unavoidable impacts of the project on visual resources. See, for instance, the Reduced Density Alternative in Chapter 17 of the DEIR.

09-191 See the discussion of night sky views and light pollution in the Master Response regarding the visual impact analysis.

- 09-192 See the discussion of night sky views and light pollution in the Master Response regarding the visual impact analysis.
- 09-193 See the discussion of night sky views and light pollution in the Master Response regarding the visual impact analysis.
- 09-194 As indicated in the DEIR (page 8-60), the project would create a new source of nighttime lighting in the area and would potentially increase skyglow conditions. Although the analysis does not specifically address the contribution of snow to light pollution during the winter, any such contributions would be similar to existing conditions. While fresh snow does amplify light that is directed onto it, most exterior light generated by the project would be located within the development, in parking areas and along streets and walkways where snow is regularly cleared, which would limit reflection of night lighting from snow. Therefore, although the project could increase artificial light in the Valley, the potential for this new light to be reflected off of snow would be limited. In addition, consistent with the design guidelines and Placer County codes, lighting would be kept to the minimum necessary to provide for safety. Further mitigation to address the reflective qualities of snow may not be consistent with these guidelines, which direct the shielding of lights to reduce direct light pollution. Further, the project would not increase the quantity or duration of time during which snow is present in the plan area, and there is no feasible mitigation through which the reflective qualities of snow could be subverted.
- 09-195 The baseline for the visual analysis is described in Section 8.1, “Environmental Setting,” in Chapter 8, “Visual Resources,” of the DEIR. Existing light and glare conditions, as well as TRPA’s observation that Squaw Valley contributes to regional sky glow, are discussed on page 8-39. It is generally understood that existing Squaw Valley Resort facilities create a sky glow that can be perceived from various locations within the Basin. The project would remove some existing light sources and add new lighting; the result would be a net increase in the light emitted from the property. The Granite Chief Wilderness Area is a large area. As established in Section 8.1.5, “Summary of Viewing Conditions,” in the DEIR, trail users would generally have limited views of the Valley due to terrain and vegetation.
- The DEIR concludes that new light and glare generated by development in the main Village would have a significant and unavoidable impact on views of the area. As indicated in the analysis (see page 8-60), standard practices and design guidelines would reduce the effect of additional lighting. However, more lighting and associated sky glow may still be perceived as a significant change. This is true both within the immediate vicinity of the project and from remote viewing locations, including the Granite Chief Wilderness Area and the Basin. Therefore, additional consideration of the project’s potential effects on neighboring jurisdictions would not change the analysis conclusions of the DEIR. For further discussion of the existing light and glare conditions as viewed from neighboring jurisdictions, refer to the Master Response regarding the visual impact analysis. For a discussion of the project’s consistency with TRPA policies, see the Master Response regarding TRPA thresholds.
- 09-196 The comment suggests that mitigation requiring that light be shielded would be more effective than the mitigation proposed in the DEIR. Note that the text provided in the comment to characterize the proposed lighting (“...the DEIR...only states that light ‘will be shielded to the maximum extent possible.’ DEIR at 8-60.”) is not actually a quote from the DEIR. As required by Mitigation Measure 8-2b, an Improvement Plan would be developed that includes a detailed lighting and photometric plan. Design elements that must be specified in the plan include shielded streetlights and building lighting. This would effectively reduce potential light and glare impacts of the proposed development. It should be noted that this mitigation measure would not require the shielding of all potential light sources that might be introduced as a result of the project. For example, holiday lights, or certain types of special event lighting would not be subject to this mitigation. However, there is no evidence to

suggest that impacts from holiday lights or temporary special event lighting would have a significant impact.

The project would be consistent with the Appendix B, “Development Standards and Design Guidelines,” of the VSVSP, which include a Master Lighting Plan. As described on pages B-88 through B-94, these standards address light and glare impacts by committing to measures related to shielding, spectrum, and quantity of light. Specific requirements include shielding outdoor lighting, use of full cut-off luminaires for street lighting, use of energy-saving and warm-toned lamps, and a list of prohibited lighting types. These guidelines meet or exceed Placer County’s requirements. For further discussion, refer to the discussion of night sky views and light pollution in the Master Response regarding the visual impact analysis.

09-197 See the discussion of night sky views and light pollution in the Master Response regarding the visual impact analysis.

As described in the comment, use “of yellow light sources (high-pressure sodium and PC-amber LED, or low-pressure sodium and AlInGaP “narrow-band” amber LED) for the majority of lighting uses can reduce sky glow by 70% to almost 90% when compared to white sources,” and high pressure sodium lighting would be used exclusively in parking areas and preferred for buildings and pedestrian spaces. These applications would constitute the majority of the lighting with potential to result in sky glow and would therefore, be expected to reduce sky glow as described in the comment. While fluorescent lights are not required, they are sometimes the preferred option, especially for interior retail and workspaces. The Specific Plan has been amended to limit fluorescent lighting use to interior spaces only.

09-198 The DEIR provides sufficient information for decision makers to understand the potential changes in the lighting of the property, potential on- and offsite effects, and measures that can be reasonably implemented to reduce the adverse effects of such lighting. CEQA does not require detailed analysis of every potential source of light on the property, quantification of light production, or use of any particular methodology in conducting the analysis. For additional information regarding night sky views and light pollution, see the Master Response regarding the visual impact analysis and mitigation of impacts. While proposed mitigation does not include lumen caps, it serves the same overall purpose of reducing effects of night lighting.

09-199 See the discussion of night sky views and light pollution in the Master Response regarding the visual impact analysis, and responses to comments 09-196 through 09-198, above.

09-200 The comment expresses concern that State Historical Designated Site No. 724, Pioneer Ski Area, is not mentioned in the DEIR. The comment is correct that the historical landmark is not mentioned in the DEIR. As a “Pioneer Ski Area,” Squaw Valley is designated as a California Historical Landmark for its role in the VIII Olympic Winter Games of 1960, which commemorated a century of sport skiing in California beginning in 1860. The reason for the designation, the Winter Olympics of 1960, is best expressed by the remaining 1960s Olympic-related buildings (the Olympic Valley Lodge and the Far East Center). In addition, Pioneer Ski Area is designated site No. 724, and the Office of Historic Preservation has made the decision that any site numbered 1 through 769 needs to be reevaluated for its eligibility as a California Historical Landmark using current standards (California State Office of Historic Preservation 2004). The marker itself, located near the tram building, is not eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR).

As described in Chapter 7, “Cultural Resources,” of the DEIR, the historic significance of these buildings were evaluated using NRHP and CRHR criteria. Impacts to historic resources, including the 1960s Olympics-related buildings, have been adequately addressed in the DEIR

under Impact 7-1 (Demolition of historically significant buildings) and mitigation measures have been provided. Even with mitigation, the loss of these historic resources was found to be significant and unavoidable.

- 09-201 See page 7-9 of Chapter 7, “Cultural Resources,” of the DEIR for a discussion of the integrity of the eight buildings that were determined not to be eligible for listing in the CRHR or NRHP. The analysis summarizes information from a technical report prepared on this subject, the *Squaw Valley Ski Resort Historic Resource Evaluation Report*, prepared by Carey & Co. Inc. Architecture. This report, though cited in the DEIR, was withheld from the administrative record for required confidentiality; it can only be released to a qualified professional who meets the Secretary of the Interior’s standards for access to the California Historical Resource Information System (CHRIS) inventory.
- 09-202 The comment states that the EIR must evaluate whether there is feasible mitigation that would avoid or substantially lessen the significance of Impact 7-1 (Demolition of historically significant buildings). Mitigation to lessen the significant and unavoidable impact of the demolition of these buildings is discussed on page in Chapter 7, “Cultural Resources,” beginning on page 7-18. The comment states that preservation of these buildings should be considered as viable mitigation measures and that the EIR must provide analysis regarding the feasibility of alternatives that would preserve these buildings. Chapter 17 of the DEIR, “Alternatives,” discusses the Preservation of Historical and Wetlands Resources Alternative beginning on page 17-35. This alternative would preserve the Olympic Valley Lodge (formerly Athlete’s Center) and the Far East Center (formerly Nevada Spectator’s Center), both of which are potentially significant historical buildings that would be demolished under the proposed project. The discussion concludes that this alternative would attain many of the project objectives, but not to the extent that the proposed project would. This alternative might not meet the project objective related to providing a resort with sufficient size and services to be on par with peer world class North American ski destinations and that is economically sustainable. See the Master Response regarding the Reduced Density Alternative for a discussion of the financial feasibility of alternatives.
- 09-203 See response to comment 09-202.
- 09-204 The comment states that the DEIR defers mitigation for potential impacts to archaeological site CA-PLA-164. As discussed under Impact 7-3 (Disturb archaeological resources or ethnic and cultural values), the records search and archaeological survey of the Specific Plan area found that only one resource, CA-PLA-164, appeared to meet NRHP and CRHR criteria of significance. Mitigation Measure 7-3a (Conduct Native American monitoring) specifically discusses resource CA-PLA-164 and states that a monitor from the Washoe Tribe shall be on site for all earth-disturbing construction and pre-construction activities within 100 feet of site CA-PLA-164. Additional measures (identification and treatment to the satisfaction of tribal representatives) are provided in the event any resources are found. Mitigation Measure 7-3b addresses a worker awareness program that outlines procedures in the event a resources is discovered, and Mitigation Measures 7-3c and 7-3d provide for several other actions in the event a resource is uncovered. These measures are consistent with CEQA Guidelines Section 15064.5:

As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be

available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.

Regarding the commenter's statement that the DEIR fails to support its determination that impacts to site CA-PLA-164 would be less than significant after mitigation, this is incorrect. See the following text from page 7-23 of the DEIR,

Significance after Mitigation

Implementation of Mitigation Measures 7-3a, 7-3b, 7-3c, and 7-3d would reduce potentially significant impacts to known and currently undiscovered archaeological resources because actions would be taken to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, this impact would be reduced to a **less-than-significant** level.

- 09-205 The comment expressed concern that the five archaeological isolates located during the archaeological field survey were not analyzed. As stated in the DEIR, isolates are defined as one or two artifacts occurring by themselves and not associated with an archaeological site and therefore have no historical context. Historic context provides the basis for evaluating the significance and integrity of a resource based on a cultural theme and its geographical and chronological limits. Because isolates cannot be evaluated against a historical context, they are generally not eligible for listing in California Register of Historic Resources or National Register of Historic Places and are not considered resources according to CEQA Guidelines Section 15064.5(a).
- 09-206 The comment states that the DEIR should be recirculated to provide additional analysis of cultural resources impacts. Chapter 7, "Cultural Resources" provides thorough analysis of the potential impacts to archaeological resources, historical resources, and resources of special concern to Native Americans. See responses to comments 09-200 through 09-205 for additional discussion. There are no new significant impacts to either historic or archaeological resources that would require recirculation of the DEIR. See also the Master Response regarding recirculation.
- 09-207 The comment states that mitigation measures related to earthquake and avalanche hazards are improperly deferred. This comment addresses Mitigation Measures 12-1 and 12-3, which reduce risks of earthquakes and avalanche hazards, respectively, on project components.
- CEQA, the CEQA Guidelines, and a series of court decisions establish a framework for properly deferring the details of mitigation measures when it is not feasible to define the specifics at the time a plan or project is approved. The requirements articulated in CEQA Guidelines Section 15126.4(a)(1)(B) state: *"Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way."* CEQA case law provides a "road map" of principles for properly deferring the details of mitigation measures, when it is not feasible to provide them during the CEQA review process. The principles from CEQA court decisions include the following:
- ▲ The lead agency must commit to adopt and implement the mitigation.
 - ▲ If mitigation details must be deferred, the lead agency must explain why they cannot be feasibly or practically described now.

- ▲ The lead agency needs to provide performance standards or criteria that deferred mitigation measure details must attain.
- ▲ Reliance on future permits is acceptable, if it can be demonstrated that reduction of the significant impact can be reasonably expected as a result of the permitting process.
- ▲ Deferral of engineering design details can be acceptable, if it is not feasible to complete the design now.
- ▲ The intent to defer mitigation details must be disclosed to the public for review (i.e., in the draft environmental document).

Impact 12-1, Exposure of structures and persons to effects of ground rupture and shaking, addresses earthquake hazards associated with the project site. As described under Impact 12-1, fault traces cross the Olympic Valley, including potentially active fault traces through the main Village area. This impact was determined to be significant because there is uncertainty regarding potential activity status of on-site fault traces, limiting the ability of standard practices (i.e., California Building Code) to adequately assure minimization of potential risks (see page 12-21 of the DEIR). To reduce this impact to a less-than-significant level, Mitigation Measure 12-1 requires preparation of a final fault evaluation and implementation of its recommendations.

Mitigation Measure 12-1 requires preparation of a focused study of the fault traces with uncertain activity status to be made for any building or structure proposed within 200 feet of the mapped trace of Fault 2 or Fault 5, as identified in the Fault Evaluation Report. This mitigation measure contains the following requirements:

- ▲ Prior to the recordation of each Small Lot Tentative Map for any parcel that proposes a habitable building or structure within 200 feet of the mapped trace of Fault 2 or Fault 5, including podium parking and parking structures, the project applicant shall prepare and submit a Final Fault Evaluation Report produced by a California Registered Civil Engineer, Registered Geologist, Certified Engineering Geologist, or Geotechnical Engineer. The Final Fault Evaluation Report shall make recommendations which, at a minimum, include:
 - A written text addressing existing conditions, evidence suggesting geologically recent fault activity, all appropriate calculations, logs, cross sections, testing, and test results, fault trace location map(s) overlaid with proposed on- and off-site improvements, and site maps showing applicable building setbacks, or possible setbacks, based on various scenarios resulting from the final investigation.
 - In accordance with the Alquist Priolo Earthquake Fault Zoning Act and standard engineering practice, appropriate setbacks shall be established to reduce any hazards related with any determined surface rupture risks.
 - The maps shall be of a suitable scale to accurately locate structure setbacks. Corresponding building setbacks shall also be shown on Final Subdivision Map(s).
- ▲ Once approved by the Placer County Engineering and Surveying Division (ESD), two copies of the Final Fault Evaluation Report shall be provided to the ESD and one copy to the Building Services Division for its use.

This mitigation measure requires a report that would be prepared at a future, designated date (i.e., prior to the recordation of each Small Lot Tentative Map), and contains examples of design modifications that may be implemented as a result of the Final Evaluation Report: setbacks or reconfigurations of building layouts. This is a standard approach at this

programmatic stage, where the location of buildings is conceptual and design-level engineering is not possible. The performance standard for this mitigation is approval by the Placer County Engineering and Surveying Division to ensure that the project adheres to applicable seismic code such that the magnitude and probably of impacts are reduced to an acceptable level consistent with other development in the region. For these reasons, the Mitigation Measure 12-1 is consistent with requirements described above, and is therefore sufficient and is not improperly deferred.

As discussed under Impact 12-3, the proposed project would include construction of structures within areas currently designated as snow avalanche hazard zones (PAHAs). The project would comply with recommendations of additional studies to guide building design standards within the lower risk zone ('potential' PAHA), and prepare and implement an Avalanche Hazard Mitigation plan. However, if the proposed risk reduction measures and Avalanche Hazard Mitigation Plan are not properly developed and implemented, or current avalanche control practices and related mountain operations that affect avalanche risk are altered, project development could increase the number of persons at significant risk in the event of an avalanche. Mitigation Measure 12-3 requires confirmation of implementation of an Avalanche Hazard Mitigation Plan. The plan will include all elements identified in the project specific Avalanche Hazard Study (Heywood 2014), as well as the following additional element:

- ▲ On-site structures: The Building Services Division shall review building permit applications for structures within moderate PAHAs to confirm that they incorporate the structural specifications of the Geotechnical Engineering Report.
- ▲ Up-slope conditions: Policy procedures and necessary agreements and permissions shall be included to ensure that operations on the ski terrain of Squaw Valley continue to implement avalanche mitigation programs and that slope development and management avoids the creation of new long continuous openings that could increase the potential for avalanche release and movement that could affect Specific Plan developments. No new large openings shall be created on slopes steeper than 30 degrees that could influence avalanche runouts leading to the Specific Plan area.
- ▲ Persons in identified PAHA areas: Policy and practices shall be included to inform and educate workers, visitors and residents congregating in identified PAHA areas about the on-site geological hazards, particular snow avalanche, and to include mapped information and physical noticing in outside areas within a PAHA as well as indoor spaces as required by the existing County ordinance. Educational information shall include preparedness guidance and specific emergency response and evacuation instructions at locations within PAHAs. Plans and measures shall be instituted to effectively provide notice of any urgent warnings, watches, or evacuation orders using multiple media and/or venues to communicate.

This mitigation measure requires a report that would be prepared at a future, designated date (i.e., prior to the recordation of each Small Lot Tentative Map for lands within a PAHA). Specific elements, in addition to those already identified in the Avalanche Hazard Study prepared for the project set performance criteria, as listed above. The plan will be subject to review and approval by the County and the SVFD, and map approval will be conditioned on ongoing implementation of the plan. This cannot be accomplished at the time of release of the DEIR because specific details involving the project, which are pertinent to this impact, are typically completed after project approval (i.e., building permit applications). This mitigation measure is consistent with requirements under CEQA, described above, and is therefore sufficient and is not improperly deferred.

09-208

The comment states that impacts related to earthquake and avalanche hazards cannot be mitigated to a less-than-significant level because there is an inherent risk in siting more

development in the project area. In the post-mitigation significance discussion for both Impact 12-1 and 12-3, which address earthquakes and avalanches, respectively, it is noted that recommended mitigation measures would not eliminate risks entirely. However, mitigation measures would lower the magnitude and probability of the impacts to an acceptable level. This is standard; the vast majority of California, for instance, is subject to seismic hazards from earthquakes and development continues to be approved, subject to adherence to building codes (without the need for EIRs). Some degree of risk is inherent in nearly every activity, from walking on a sidewalk to riding a bicycle or driving to the grocery store, and more people are injured in these activities than earthquakes, avalanches, etc. The determination of what an acceptable level of risk in this instance would be with Placer County, as the approval agency for the recommended Fault Evaluation Report and Avalanche Hazard Study.

09-209 The comment expresses concern that the DEIR does not thoroughly describe the history of wildfires and examine the potential for the proposed project to exacerbate hazardous conditions. Wildland fire hazards are described on page 15-2, and shown in Exhibits 15-1 and 15-2 in the DEIR. Impact 15-6 describes risks of wildfire associated with the project, stating that they are, “an existing, substantial threat to the plan area and vicinity due to location of people and structures at an interface with heavy fuel loads, steep terrain, summer dry conditions, and multiple ignition sources.” Also, see Chapter 2, “Revisions to the DEIR,” for a discussion of the Emergency Preparedness and Evacuation Plan that is being prepared for the project.

09-210 The comment provides a list of information that could be included in the setting of an EIR to address the risk of wildfire associated with the project. This list includes information related to the number of major wildland fires in the Sierra, the adequacy of fire response, the number of people and homes in Squaw Valley, and the percentage of the lands in the Sierras that have experience frequent, but low-intensity, surface fires.

Impacts associated with wildfires and emergency response are described in Chapter 15, “Hazards Materials and Hazards,” and Chapter 14, “Public Services and Utilities.”

The Sierra Nevada mountain range covers 25 million acres. CEQA Guidelines Section 15125(a) contains provisions for environmental setting discussions, as follows (*emphasis added*):

An EIR must include a description of the physical environmental conditions *in the vicinity of the project*, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

Wildland fire hazards are described on page 15-2, and shown in Exhibits 15-1 and 15-2 in the DEIR. These discussions explain, and the exhibits show, that the project site is located in zones designated as very high fire hazard severity and moderate severity. This provides adequate information to determine if the project would meet the significance criteria related to wildfires: expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The environmental setting for wildland fire provides sufficient information to conclude that impacts related to exposure of people or structures to a significant risk of loss, injury, or death involving wildfire. As required by CEQA Guidelines Section 15125 (a), the environmental setting provides enough information to determine that

this impact would be significant. Furthermore, Impact 18-42 describes cumulative wildland fire hazards, which describes fire hazards from a regional perspective. It is thus unnecessary to include extraneous details suggested by the comment.

Section 14.1.7 of the DEIR provides information related to Fire Protection and Emergency Medical Services. Impact 14-7 describes impacts related to increased demand for fire protection and emergency medical services. As required by CEQA Guidelines Section 15125 (a), the environmental setting provides enough information to determine that this impact would be significant.

09-211

The comment incorrectly states that Impact 15-4 is not adequate because it does not evaluate how the project would interfere with emergency evacuation and response. As described in Section 9.3.3 in the DEIR, in the traffic chapter: “The project would include an extensive [Emergency Vehicle Access (EVA)] system. EVA routes would be provided across Squaw Creek at each of the three bridge crossings as well as Chamonix Way (see Exhibit 3-9 in Chapter 3, “Project Description”). Several EVA routes would traverse the Village Core and Village Neighborhoods. EVAs would be a minimum of 16 feet wide. In summary, the project provides an adequate system of EVA routes to connect with Squaw Valley Road. Impact 14-7 describes impacts related to increased demand for fire protection and emergency medical services, as follows:

As discussed in the environmental setting, the current SVFD standard staffing does not allow the fire department to respond to two simultaneous events in a reasonable amount of time. When emergency calls occur, the entire crew of three to four firefighters from Station 21 is committed and out of service to respond to other emergencies. Because the SVFD responds to a large service area, the crew may be taken outside of Squaw Valley, further extending travel time if the crew were to immediately receive a second call in the west end of the Valley.

An independent review of the fire and emergency medical service risks associated with the project was conducted for the SVPSD. This report concluded that, to avoid impairment to service in the Valley, a new fire station would be required when approximately 50 percent of the lodging units have been constructed in the plan area (Citygate 2014). If provision of additional staff and construction of the substation is not concurrent with the demand generated by the proposed development, there could be short-term effects on fire protection services.

As described in Section 3.4.3, “Public Services and Utilities,” the project would make a fair share contribution to the establishment of a West Valley Fire Substation somewhere in or near the Village area that is of sufficient size to house a two person crew and provide two apparatus bays. This facility and the staff located there would support more rapid responses in the Village area, particularly during periods of inclement weather or heavy traffic on Squaw Valley Road that could slow emergency vehicles travelling from the existing fire station on the east side of the Valley.

The project applicant may provide land within the main Village area to the SVFD for construction of the substation. The substation may also ultimately be constructed outside the VSVSP, or the “old” fire station on Chamonix Place could be renovated to serve as the substation. The potential impacts of a new fire substation within the plan area are addressed in this DEIR. Separate permitting and environmental review would be required if the substation were built outside the plan area, as indicated in Section 3.4.3, “Public Services and Utilities.” If the new substation were established at the old station on Chamonix Place, renovations would likely be relatively minor; resulting in few environmental effects. Construction of a new facility would have similar environmental effects to other relatively small development projects in

Olympic Valley, including construction and operational traffic, air emissions, and noise (see Chapter 11, "Noise," for a discussion of noise impacts from emergency facilities).

Thus, the comment is incorrect, as the DEIR does address the potential adverse effects on fire protection and emergency services. Also, see Chapter 2, "Revisions to the DEIR," for a discussion of the Emergency Preparedness and Evacuation Plan that is being prepared for the project.

- 09-212 See response to comment 09-211, where impacts related to fire and emergency medical services are discussed.
- 09-213 See response to comment 09-211, where impacts related to fire and emergency medical services are discussed.
- 09-214 See response to comment 09-211, where impacts related to fire and emergency medical services are discussed.
- 09-215 See response to comment 09-211, where impacts related to fire and emergency medical services are discussed. No changes to the DEIR are required.
- 09-216 The comment states that risks associated with propane storage is not discussed in the DEIR. Hazardous materials, including propane, which would be stored, used, and transported to the project site are described under Impact 15-1: Use of hazardous materials. As discussed, use would occur consistent with applicable federal, state, and local regulations that would minimize the potential for upset or accident conditions. Therefore, the potential for release of hazardous materials that could create a significant hazard to the public or the environment would be less than significant.
- 09-217 The comment suggest that an explosion, similar to one experienced at a Blue Rhino facility in Florida, could occur as a result of propane storage tanks proposed on the site. The explosion at Blue Rhino is believed to be caused by a spark from a forklift, which ignited a cloud of gas that was the result of bleeding tanks. While this event was certainly a horrific event, it is not typical. As a result of this event, Blue Rhino has received notices of violation from OSHA.
- CEQA requires that reasonably foreseeable environmental impacts are disclosed (CEQA Guidelines Section 15064[d]). The explosion that occurred at the Blue Rhino facility is not a reasonably foreseeable event because regulations had been violated. All propane handling within the project area will be done in accordance with federal, state, and local regulations. Furthermore, the type of propane storage that would be used within the project would be underground storage rather than surface storage, and would support different uses than the Blue Rhino facility. Thus, this impact is correctly identified as less than significant because it would be consistent with applicable federal, state, and local regulations that would minimize the potential for accident conditions.
- 09-218 See response to comment 09-217 for issues related to comparison of the project to the explosion event at the Blue Rhino facility. The Blue Rhino facility was not operated in accordance with applicable standards.
- 09-219 See response to comment 09-217 for issues related to of the project to the explosion event at the Blue Rhino facility. Impact 15-6 describes the potential to expose people or structures to a significant risk of loss, injury, or death from wildfires that could occur as a result of project implementation. No changes to the document are required.

09-220 As noted by the comment, CEQA requires that environmental impact reports considers consistency with a general plan or other local plan goals and policies that were enacted in order to protect the environment. However, it is important that policies are looked at in total as they support an overall goal. At times, and as written, one policy may appear to conflict with another, although both would support an overall goal. This is an important consideration as the County Planning Commission and the Board of Supervisors examine the goals and policies of the General Plan and the project's overall consistency. This approach is used as a significance criterion in Chapter 4, "Land Use and Forest Resources," in the DEIR. The comment misstates the DEIR conclusions. The DEIR concludes that the project would result in the need for minor adjustments to the General Plan and describes what those adjustments are (revisions to the avalanche hazards policy), but would not conflict "with the overall intent" of relevant plans. In other words, the DEIR states that minor adjustments do not result in conflict with the general plan; it does not state that the project would not result in conflicts if the general plan is modified to conform to the project. See the supporting analysis on pages 4-21 through 4-25 of the DEIR, including a discussion of proposed changes to the SVGPLUO. Also see the Master Response regarding the SVGPLUO.

Regarding overall consistency with general plan policies, in addition to the Master Response regarding the SVGPLUO, see the Master Response regarding significant and unavoidable impacts.

09-221 The comment states that the project is not consistent with all General Plan policies but does not provide specific instances. Ultimately, the Planning Commission and Board of Supervisors will determine whether the project is consistent with the applicable General Plan policies and the SVGPLUO. See responses to comments 09-222 through 09-260 for details associated with specific traffic issues.

09-222 This comment introduces issues associated with General Plan policies pertaining to transportation. See the Master Response regarding the SVGPLUO and responses to comments 09-223 through 09-228.

09-223 The comment states that the project is not consistent with General Plan Policy 3.A.7. As discussed under Impact 9-2: Impacts to Placer County intersections, Policy CP-1 of the VSVSP would allow for an LOS F standard for intersections within the plan area during peak ski/occupancy days. This policy change is part of the proposed project. Consequently, the impact at these intersections would be less than significant, and consistent with land uses plans, upon project approval. It is noted that LOS and its relationship to environmental impacts has always been a policy issue, versus other impacts truly tied to adverse physical environmental change (example, conversion of a wetland is nearly always a significant impact whereas and LOS of C, D, E, or F may or may not be considered "significant" based on lead agency policies regarding the level of congestion considered acceptable.) It is, perhaps, instructive, that the State legislature passed a bill in 2013, Senate Bill 743 modifying CEQA to eliminate traffic-related congestion metrics such LOS as a significant impact, except in areas specified, once the State Office of Planning and Research passes implementing guidelines. As stated in CEQA Section 21099(b)(2):

Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.

Guidelines have not been certified for this CEQA provision, as of this writing, so it is not known if locations, such as Placer County, will be excepted. Irrespective, this statute

demonstrates that LOS is a discretionary standard for determining environmental impact, at most, and may no longer be applicable in the future.

It should also be noted that the Board of Supervisors, rather than the EIR, would determine whether the exceptions to the LOS standards identified in Policy 3.A.7 would be met.

For issues related to transportation, see the Master Response regarding the SVGPLUO and responses to comments 09-114 through 09-134; for issues related to public safety, see responses to comment 09-207 through 09-219.

- 09-224 The comment states that the project would violate Placer County General Plan Policy 3.A.8, because there would be significant and unavoidable transportation and circulation impacts associated with LOS set by neighboring jurisdictions. However, this is not a violation of Policy 3.A.8, which as indicated in the text quoted in the comment, simply requires that the County work with neighboring jurisdictions on solutions for the circulation network. The policy does not preclude development that would affect roadways in neighboring jurisdictions.
- 09-225 See the Master Response regarding significant and unavoidable impacts, which includes a discussion of Placer County General Plan Policy 1.G.1.
- 09-226 The comment states that the project would violate Placer County General Plan Policy 3.A.13, because the project would result in significant and unavoidable traffic impacts to local and regional intersections and highways; and, the project applicant should be required to contribute funding to cover the project's impacts on the local and regional transportation system. The DEIR identifies mitigation measures that would offset the project impact on the local circulation network where such measures are available and feasible (see for example, Mitigation Measure 9-1, 9-2, and 9-4). In addition, the project would be subject to County traffic fees, which are intended to fund improvements to roadways and intersections within the County, including those that would be affected by the project. The project would also provide public benefits, such as promoting year-round activities within Olympic Valley (consistent with the SVGPLUO), and the generation of property and transit occupancy tax revenues which could be used by the County for a variety of public benefits. While Policy 3.A.13 provides low income housing and needed health facilities as examples of benefits, it does not require that a project provide these specific benefits (although it should be noted that the project will provide for employee housing). Ultimately, the County Planning Commission and Board of Supervisors will determine if the project meets their interpretation of public benefit in deliberations on the project.
- 09-227 The comment states that the project would violate Placer County General Plan Policy 3.A.9 because the project is 100 percent auto-based and would result in LOS F at numerous intersections along local and regional highway. 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 (emphasis added). This policy does not require that every project in the County have a balanced project and/or provide alternatives to the automobile. The comment is also incorrect that access to the existing Squaw Valley Resort is "100% auto-based." In addition to passenger vehicles, travelers to the Squaw Valley Resort use shuttles, transit, and charter buses. There is bike trail that terminates at the entrance to Squaw Valley Resort. Approximately 18 percent of day skiers use these alternative modes of travel to the resort (see page 9-7 of the DEIR).
- The project would expand upon the alternatives to automobiles by extending the bike trail (see Exhibit 3-10, Proposed Bicycle Network), which is also used by pedestrians, providing a transit center, and contributing to increased transit services (for example, Mitigation Measure 9-7 requires that project applicant to contribute fair share or create a community service area or a community facilities district to cover increased transit services). Therefore, the project is

consistent with the intent of Policy 3.A.9, even though the policy applies to the Countywide system and does not prescribe particular features for specific projects.

09-228 The comment states that the project violates Placer County General Plan Policy 3.B.9. As discussed in response to comment 09-227, the project includes a transit center and would provide for expanded transit services. Therefore, it is not inconsistent with this policy.

09-229 The comment summarizes perceived inconsistencies with the General Plan Policies associated with biological resources and water quality. See responses to comment 09-230 through 09-141 for specific issues.

Ultimately, the Planning Commission and Board of Supervisors will determine whether the project is consistent with the applicable General Plan policies and the SVGPLUO. With respect to protection of biological resources, implementation of Mitigation Measures 6-1a through 6-1d would reduce significant impacts on sensitive habitats to a less-than-significant level because they would ensure that sensitive habitat is avoided to the extent feasible, that groundwater wells are installed and operated consistent with the parameters of the WSA and applicable groundwater plans, water quality degradation is avoided, and that sensitive habitats that cannot be avoided are restored following construction or compensated for in a manner that results in no net loss of these habitats. Thus, through implementation of mitigation measures, the project would be consistent with General Plan policies intended to protect these resources. Moreover, the County Planning Commission and Board of Supervisors will ultimately determine whether the project is consistent with general plan policies in their deliberations on the project.

See also the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies

09-230 The comment states that the project violates Placer County General Plan Policy 6.A.1. However, the comment only chooses selective components of the policy. As stated on page 6-32 of the DEIR, in addition to the text provided by the commenter, policy 6.A.1 states:

Based on more detailed information supplied as a part of the review for a specific project, the County may determine that such setbacks are not applicable in a particular instance or should be modified based on the new information provided.

Squaw Creek, an intermittent stream, is channelized through the project site, so its existing condition is already degraded. The proposed restoration of this stream would provide additional separation from adjacent buildings and parking areas. As explained in response to comment 09-229, the DEIR identifies mitigation for fill of wetlands and riparian areas.

09-231 The comment states that the project violates Placer County General Plan Policy 6.A.3, because the project would destroy at least 4.16 acres of riparian vegetation. This is correct; however, Mitigation Measure 6-1b (Obtain and comply with a lake and streambed alteration agreement; compensate for unavoidable loss of stream and riparian habitat) would reduce these impacts to a less-than-significant level because it would compensate for net permanent riparian habitat impacts at a minimum of a 1:1 ratio, construction all or a portion of replacement riparian habitat onsite, and implement a Compensatory Stream and Riparian Mitigation and Monitoring Plan. Thus, the project would be made consistent with the Placer County General Plan Policy 6.A.3 by replacing all functions of existing riparian vegetation that is lost to project development. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.

09-232 The comment states that the project would violate General Plan Policy 6.A.8 because it would not revegetate or otherwise stabilize Squaw Creek. Policy 6.A.8 addresses the use of

Low Impact Development measures, not revegetation of disturbed areas (see 2013 Placer County General Plan, available at <http://www.placer.ca.gov/departments/communitydevelopment/planning/documentlibrary>). A prior version of the General Plan did include a policy 6.A.8 that addressed stream environment zones, but that policy has been renumbered to 6.A.11 in the 2013 General Plan. The project would include LIDs, and would comply with NPDES permit requirements, so it would be consistent with Policy 6.A.8.

09-233

The comment states the project would violate Placer County General Plan Policy 6.C.1, because the project would result in significant effects on unique habitats of several endangered and threatened species. Chapter 6, “Biological Resources,” in the DEIR addresses impacts to unique habitats of several endangered and threatened species, including the following:

- ▲ Impact 6-1: Removal or degradation of sensitive habitats (jurisdictional wetlands, wet meadows, and riparian vegetation).
- ▲ Impact 6-2: Disturbance or loss of Sierra Nevada yellow-legged frog habitat.
- ▲ Impact 6-3: Disturbance to nesting raptors and special-status birds.
- ▲ Impact 6-4: Disturbance or loss of Sierra Nevada mountain beaver and its habitat.
- ▲ Impact 6-5: Disturbance or loss of Sierra Nevada snowshoe hare or its habitat.
- ▲ Impact 6-6: Disturbance or loss of spotted bat, pallid bat, western red bat, and Townsend’s big-eared bat and their habitat.
- ▲ Impact 6-7: Disturbance or loss of animal movement and migratory corridors
- ▲ Impact 6-8: Disturbance or loss of special-status plants

Although these impact discussions described why these would be significant or potentially significant impacts, mitigation measures recommended in the EIR would reduce them to a less-than-significant level. As a result, substantial ecological resource areas and other unique wildlife habitats critical to protecting and sustaining wildlife population would be maintained, and the project would be consistent with Placer County General Plan policy 6.C.1.

See responses to comment 09-57 through 09-94, where specific comments are addressed. See the Master Response regarding significant and unavoidable impacts, which includes a discussion of Placer County General Plan Policy 1.G.1. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.

09-234

The comment states that the project would violate Placer County General Plan Policy 6.C.2 because it would destroy habitats and result in destruction of habitat for the Sierra Nevada Yellow-Legged Frog. The project has been carefully planned to maintain, and enhance, habitat within the Squaw Creek corridor and Olympic Channel. As explained in response to comment letter O8c, the project site does not have particular value for Sierra Nevada yellow-legged frog (SNYLF). The majority of the project site is already developed or heavily disturbed, so it does not provide valuable habitat for wildlife. Where such habitat is present, as described in response to comment 09-233, mitigation measures related to SNYLF, special-status birds, Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, spotted bat, pallid, bat, western red bat, and Townsend’s big-eared bats and their habitat would reduce significant impacts on these species to a less-than-significant level. Therefore, the project would not substantially degrade wildlife habitat.

No specific evidence is provided in this comment that implies these mitigation measures would not reduce the significance of these impacts as described in the DEIR.

- 09-235 The commenter states that the project is inconsistent with Placer County General Plan Policy 6.C.5 because the DEIR lacks evidence that impacts on stream habitats would be fully mitigated, or that wetland and riparian mitigation would occur on site. The DEIR does include mitigation for impacts on stream habitat. Regarding whether the mitigation will occur entirely onsite, the comment ignores the word “should” (“Such impacts should be mitigated” on-site or in the stream system.) “Should” is not a mandate. Moreover, these actions would be completed through implementation of Mitigation Measure 6.1b, which would be implemented to avoid or compensate for the loss or degradation of stream or riparian habitat (all of which may be via the Squaw Creek restoration and elsewhere along Squaw Creek), ensure consistency with Fish and Game Code Section 1602 and County Policies, and further reduce potential adverse effects on riparian habitats. Thus, this comment is incorrect and the project would be consistent with General Plan Policy 6.C.5 upon implementation of Mitigation Measure 6.1b.
- 09-236 Placer County General Plan Policy 6.C.6 encourages the County to acquire sensitive species habitat when practical and feasible and to encourage other agencies to do the same when it is not practical for the County. The policy does not preclude encroachment into the habitat of endangered and other special-status species as stated in the comment. There are no County plans to acquire habitat within the project area. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies. Further, with regard to habitat of threatened, endangered, or other special-status species, see response to comment 09-233.
- 09-237 Placer County General Plan Policy 6.D.14 is in support of the General Plan goal pertaining to preservation and protection of “valuable vegetation resources of Placer County” and the supporting policies all address vegetation resources, not wildlife. In regards to the project’s effects on ecologically-fragile areas, see response to comment 09-233. Note that the project would be developed primarily on land that is already developed and/or disturbed, rather than within undisturbed habitat. Squaw Creek would be disturbed for restoration of the creek, but the restored creek would have greater habitat value than currently exists. Where there would be encroachment on special-status species habitat and riparian areas, implementation of the mitigation measures described in Chapter 6 of the DEIR would ensure that those impacts are not significant. Further, regarding SNYLF, the project includes several measures to avoid take of this species (which is not expected to be present, anyway; see Mitigation Measure 6-2), as well as measures that would restore habitat (see the various measures including in Mitigation Measure 6-1). See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.
- 09-238 The comment states that the project would increase impervious surface on the site by approximately 4.5 acres and states this violates Placer County General Plan Policy 4.E.10. Policy 4.E.10 is not a prohibition to create any impervious areas in Placer County. Rather, the policy states that the County will *strive* to improve water quality through use of appropriate design measures, and identifies a number of low-impact provisions, including use of porous pavement. The project includes features to reduce long-term management of runoff volumes, peak flows, and snow storage, and risks of potential degradation to water quality (see Impact 13-7), and to improve existing water quality conditions. Policy PU-6 requires use of best management practices (BMPs). In addition, Mitigation Measure 13-7 would reduce long-term water quality degradation from snow and runoff management. These features are consistent with General Plan Policy 4.E.10. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.

- 09-239 The comment states that the project would violate Placer County General Plan Policy 4.E.15 because the project would add impervious surface. However, Policy 4.3.15 does not prohibit, or even mention, new impervious surfaces. Consistent with the policy, the project would include LID features (see pages 6-12 and 6-13 of the VSVSP), to the maximum extent practicable as noted in Impact 13-7 and described above in response to comment 09-238. Thus, the project would be consistent with General Plan Policy 4.E.15. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.
- 09-240 The comment states that the project would violate Placer County General Plan Policy 6.A.11 because it does not include measures intended to revegetate or otherwise stabilize Squaw Creek. To the contrary, the proposed creek restoration provides for riparian habitat plantings within the widened channel, and vegetated bank stabilization measures (see page 3-33 of the DEIR). Further, partially buried logs with rootwads intact would be anchored in channel to protect the banks during high flows, as well as other measures to address bank stabilization. Further, Mitigation Measure 6-1b would require compensation for any lost riparian habitat. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.
- 09-241 The comment states that the project would violate Placer County General Plan Policy 6.A.13 because it would degrade water quality, and that water demand would be met by groundwater rather than surface water, and that the project would not use treated wastewater for groundwater recharge. The policy does not preclude use of surface water to meet water demand, nor does it require using treated wastewater for groundwater recharge. Wastewater from the project would be treated at the wastewater treatment plant in Truckee, and there is no infrastructure to return treated wastewater to the Olympic Valley to be used for recharge of the aquifer. Issues related to degraded water quality are discussed under Impact 13-4: Long-term land cover changes and increased groundwater production effects on groundwater patterns, recharge, and aquifer storage in the Olympic Valley Groundwater Basin. Mitigation Measure 13-4 would reduce this potentially significant impact to a less-than-significant level. It is anticipated that water demands would be met upon implementation of Mitigation Measures 14-1a, 14-1b, and 14-1c. The comment gives no evidence to suggest that these mitigation measures are not sufficient.
- 09-242 The comment correctly states that there would be significant and unavoidable impacts on Visual Resources. See Chapter 8, "Visual Resources," of the DEIR for detailed discussions.
- 09-243 The comment states that the project is not consistent with Placer County General Plan Policy 1.K.1: The County shall require that new development in scenic areas (e.g., river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes) is planned and designed in a manner which employs design construction, and maintenance technique that; (a) avoids located structures along ridgelines and steep slopes; (b) incorporates design and screening measures to minimize the visibility of structures and graded areas; and (c) maintains the character and visual quality of the area.
- The project would add structures with mountain-village type architecture to an area that is largely paved and developed, and is adjacent to other resort buildings (main Village area). The increase in number and size of structures at the main Village area would increase the visibility of the built environment and would obscure the lower slopes on the mountain. However, the mountain peaks surrounding the resort would remain the primary point of visual interest and would continue to dominate the west end of the Valley. The increased prominence of structures would also be offset by the implementation of the VSVSP design guidelines, which would result in a unified architectural style and landscaping that would screen the lower portions of the new structures. The project appears to be visually consistent with the character of the project area, even if it would result in significant visual impacts. Further, the project would: (a) avoid locating structures along ridgelines and steep slopes; (b)

- incorporate design and screening measures to minimize the visibility of structures and graded areas; and (c) maintain the character and visual quality of the area. Whether the project is consistent with General Plan Policy 1.K.1 will be subject to the interpretation of the Planning Commission and Board of Supervisors. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.
- 09-244 The project has been designed to minimize the visual impacts of parking and utilities. The project would not construct new roads outside of the plan area, and new utility lines would be located underground (see Policy SR-2 in the VSVSP). See the Master Response regarding the visual impact analysis and Section 2.1 of this FEIR for changes to the project description that would further reduce the visual intrusion of the parking structure. As described, project design would minimize visual impacts; thus, the project would be consistent with General Plan Policy I.K.5. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.
- 09-245 See the Master Response regarding the visual impact analysis and Section 2.1 of this FEIR for changes to the project description that reduce the visual intrusion of the parking structure. As described, project design, which includes numerous elements to enhance the aesthetic character to buildings and would require ongoing design review, would meet the overall objectives General Plan Policy I.L.3. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.
- 09-246 The comment states that the project is not consistent with General Plan Policy 1.F.3: The County shall require public facilities, such as wells, pumps, tanks, and yards, to be located and designed so that noise, light, odors, and appearance do not adversely affect nearby land uses. Public facilities are discussed in Chapter 14 of the DEIR. None of the proposed public facilities would result in significant and unavoidable impacts to noise, light, odors, or have an appearance that would adversely affect nearby land uses and no evidence is provided in support of this comment. See Chapter 8, "Visual Resources," Chapter 10, "Air Quality"; and Chapter 11, "Noise."
- 09-247 The comment provides a summary of detailed comments provided below. See responses to comments 09-248 and 09-249.
- 09-248 The comment states that the project is inconsistent with General Plan Policy 1.D.10. This policy states that the County shall **encourage** the preservation of historic and attractive buildings in existing downtowns/village centers, and encourage new development to enhance the character of downtowns/village centers. The comment is correct that the project would result in the demolition of historic buildings; however, this policy does not mandate the preservation of buildings, and therefore the project would not be inconsistent with the policy. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies. Also, see Section 17.3.6, "Preservation of Historical and Wetlands Resources Alternative," in the DEIR, which addresses an alternative to would preserve historic resources.
- 09-249 The comment states that the project is inconsistent with General Plan Policy 5.D.6 which states that the County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. The DEIR identifies the loss of historic structures as a significant and unavoidable impact. Also, General Plan Policy, in support of the same overall cultural resources goal (5D: To identify, protect, and enhance Placer County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.), states (**emphasis** added):

The County shall require that discretionary development projects are designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. **Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data.** Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question.

Mitigation Measures 7-1a and 7-1b meet the objectives outlined in this goal by providing for intensive documentation and development of an interpretive display. Thus, the County Planning Commission and Board of Supervisors would determine whether the project is consistent with the overall intent of the General Plan based on their view of these policies, and the importance ascribed to the buildings as historic resources. If these decision makers deem that the project would be inconsistent with the General Plan, they have the option of approving Alternative 17.3.6. See the Master Response regarding the SVGPLUO with respect to interpretation of general plan policies.

- 09-250 The comment states that the project is inconsistent with General Plan Policy 8.C.1, which requires the County to ensure that development in high-fire hazard areas is designed and constructed in manner that minimizes the risk for fire hazards and meets all applicable state and county fire standards, because the project site is located in a very high-fire-hazard severity, and would allow roads to operate at LOS F. Fire hazards are discussed under Impact 15-6, in the DEIR. As stated, the Specific Plan would expose people and structures to an area with a high risk of wildfire. However, with implementation of Mitigation Measures 15-6a and 15-6b, appropriate precautions would be in place so that there would not be a significant risk of loss, injury, or death. The requirements include verification of compliance with state and local regulations, and the project applicant would be required to enter into an agreement with the SVFD to ensure that they will be afforded the necessary assets to maintain or improve the level of service currently provided to existing customers; this agreement would include appropriate benchmarks and thresholds to correlate infrastructure needs with phases of development (see Mitigation Measure 14-7b). Also see Chapter 2, "Revisions to the DEIR," for a discussion of the Emergency Preparedness and Evacuation Plan that is being prepared for the project. For all these reasons the project would be consistent with General Plan Policy 8.C.1.
- 09-251 The comment states that the project conflicts with Placer County General Plan Policy 8.C.2 because there would not be fire breaks, fire-resistant vegetation, or other forms of fuels management. This policy requires that discretionary permits for new development in fire hazard areas be conditioned to include requirements for fire-resistant vegetation, cleared fire breaks, or a long-term comprehensive fuels management plan. As stated on page 14-27 of the DEIR, the specific plan includes policies that require adherence to these General Plan Policies. Specific Plan Policy PS-1 requires compliance with fire safety measures and protocols; Policy PS-2 requires incorporation of design features to comply with applicant safety regulations and risks, and Policy PS-3 requires the project to be designed in a manner that minimizes fire hazards and meets all State, County, and Squaw Valley Fire Department fire safety standards. This is sufficient assurance, at this programmatic stage in project design, to assure adherence with General Plan Policy 8.C.2.
- 09-252 The commenter provides an overview of the SVGPLUO, as a community plan document and zoning document. The comment is an introductory statement and does not address the content, analysis, or conclusions in the DEIR. Therefore, a response is not provided here.
- 09-253 The comment does not include the entire two paragraphs from page 43 of the SVGPLUO which state:

The major challenge for the 1983 General Plan is to find a type of development which will not aggravate present or future traffic problems. The destination resort concept, in theory, appears to meet this criterion. It must be acknowledged that much uncertainty exists regarding the traffic characteristics of destination resorts—particularly if located within driving distance of a metropolitan area. However, a combination of destination resort characteristics including the following could actually *reduce* present and projected peak traffic flows: “containment” commercial development, prolonged visitor stays within Squaw Valley, greatly expanded and improved transit, a reduced number of day-skiers, and management of traffic from both new and existing development (including employees). However, each of the above changes must occur in order to avoid major impacts on traffic from potential development. Assuming that:

- a) projections from the traffic section of the EIR and Technical Supplement are correct; and
- b) the Capital Improvement Program is implemented; and
- c) build-out does not exceed 80% of Plan capacity,

acceptable levels of service can be maintained through critical points in the traffic system on average days.

Traffic projections assume management of new condominium and hotel units as a destination resort. The combined effect of such management practices is assumed to be a 50% reduction in peak hour traffic generation. If these units are not managed in this manner, the potential number of such units must be reduced by 50% to keep peak-hour traffic within acceptable levels.

The SVGPLUO goes on to state that, “The major existing development is the ski hill, which causes most of the present peak-traffic problems,” and then goes on to identify standards for new winter sports/recreation development, including that they not increase peak-period congestion and delay (SVGPLUO, page 44).

The VSVSP is consistent with this section of the SVGPLUO, and would further the stated intent because it includes the components of a “destination resort” listed in the text. The VSVSP would provide lodging in close proximity to the Squaw Valley ski resort. As stated on page 3-13 of the DEIR, the proposed project includes a range of commercial uses that would encourage guests to remain in the Village with fewer trips outside of the Village during each stay, such as restaurants, retail uses, and the MAC. The proposed project would also expand transit services by providing a transit center within the Village area, a shuttle for employees, guests and visitors, and support of regional transportation through subsidies and/or funding (see page 9-65 of the DEIR and Policies CP-2 through CP-4 of the Specific Plan). The DEIR includes mitigation requiring traffic management along Squaw Valley Road (Mitigation Measure 9-1a).

While the VSVSP would not restrict the number of day skiers, it is reasonable to assume that a portion of the day skier population would choose to stay at the VSVSP development, rather than elsewhere in the region. The DEIR traffic analysis is conservative in that it assumes that all trips associated with the VSVSP are new trips, without displacing any of the existing day skier trips. Because of this and the features of the project that encourage users to stay at the site longer (restaurants, the MAC, overnight accommodations, etc.), it is likely that peak hour trips are overestimated. Because this is unpredictable, the DEIR took the more conservative approach that the trips would all be new and that they would follow existing peak hour patterns.

For the above reasons, the number of trips resulting from the VSVSP would be expected to be lower than would be attributed to a non-destination resort, or to myriad lodging and commercial projects under fragmented ownership. In addition, the VSVSP would develop substantially fewer bedrooms than allowed under the current zoning. The VSVSP allows for a maximum of 1,493 bedrooms (up to 850 units) compared to a maximum of 3,754 bedrooms (up to 1,877 units) under the existing zoning (see Tables 7-1 and 7-2 in the DEIR). This is a reduction in bedrooms of approximately 60 percent and a reduction in the number of units of approximately 55 percent. Therefore, the VSVSP would reduce the potential number of units within the VSVSP area by over 50 percent compared to the number of units allowed under the SVGPLUO zoning.

It is important to note that the discussion in the SVGPLUO refers to “average” days—“acceptable levels of service can be maintained through critical points in the traffic system on *average days*” (emphasis added). The DEIR examines the impacts of the project on the 5th to 7th busiest hour of the winter season, which is far more conservative than analyzing an average day. Nonetheless, the traffic impacts on Squaw Valley Road and its intersections can be mitigated to less-than-significant levels and adoption of VSVSP Policy CP-1 as discussed in Impact 9-1 (pages 9-55 through 9-57), Impact 9-2 (pages 9-57 through 9-59), Impact 18-19 (pages 18-18 through 18-23 and Impact 18-20 (pages 18-23 through 18-24).

09-254 See response to comment 09-253.

09-255 The comment states that the project conflicts with the SVGPLUO relating to encroachment into areas designated as conservation preserve.

The intent of this district is to identify lands which should remain in, or be restored to, a natural or near-natural state. This district is necessary to preserve the existing aesthetic character of the area, provide a natural area along watercourses, provide a buffer area along major roadways, preserve natural areas for recreation uses and prohibit development on lands with severe constraints such as steep slopes, unstable soils, and/or floodplains (SVGPLUO Section 260). To provide a more cohesive project, some areas currently designated as Forest Recreation and Conservation Preserve are proposed to be redesignated and rezoned for development, whereas other areas currently designated for development are proposed to be redesignated/rezoned for Village – Forest Recreation and Village – Conservation Preserve. Because amendments to the SVGPLUO are proposed, the project would be consistent with the *Placer County General Plan* and the SVGPLUO, as amended. However, even without the amendments, the project would be consistent with the overall density and development types allowed by the current General Plan and the SVGPLUO. Upon approving amendments to the GP, the project area would result in a net gain of over 10 acres of land designated as Conservation Preserve (Table 4-3 of the DEIR). Thus, the project would be consistent with development densities allowed by the SVGPLUO, although the project applicant proposes to amend the SVGPLUO land use designations to make relatively minor changes to the locations where development would be permitted.

09-256 The comment states that the project is not consistent with the SVGPLUO in regards to and ordinance that states: “in an ecologically sensitive area such as Squaw Valley, development beyond a certain capacity will damage the recreational and living experience of current and future users.” However, the project proposes less development than assumed in the SVGPLUO; thus, it would not be affecting the environment greater than considered under the SVGPLUO and the project is consistent with the Ordinance.

09-257 The comment states that the project is inconsistent with the SVGPLUO in regards to an ordinance that states that both quality and quantity of development must be planned to conserve, protect, and enhance the aesthetic, ecological, and environmental assets of Squaw Valley. However, no evidence is provided to suggest that the project is not consistent

with the SVGPLUO; rather, the commenter provides arguments and opinion that, for instance, indoor uses would result in significant effects without describing how. To the contrary, the SVGPLUO clearly anticipates development of the west end of the valley with a dense mix of uses (see also response to comment 09-255).

- 09-258 The comment provides a summary of issues addressed above. See responses to comment 09-252 through 09-257. No changes to the EIR are required.
- 09-259 See the Master Response regarding TRPA thresholds.
- 09-260 See the Master Response regarding TRPA thresholds. The policies of the TRPA do not govern the project; the project is located outside the jurisdiction of TRPA.
- 09-261 The comment provides an overview of requirements associated with the evaluation of impacts related to population, employment, and housing, although it confuses the requirements of considering direct and indirect impacts. (The *Vineyard* decision, for instance, concerned itself with the direct impacts of a large planned development on availability of water to serve the proposed development; nothing in that case pertains to indirect growth associated with a project providing employment.) The comment is an introductory statement and does not address the content, analysis, or conclusions in the DEIR. Therefore, a response is not provided here.
- 09-262 The comment states that an EIR must consider the growth that a project would directly and indirectly cause, and the environmental effects of that growth. These types of impacts are discussed in Chapter 5, “Population, Employment, and Housing,” and Section 18.4, “Growth-Inducing Impacts of the Proposed Project,” in the DEIR.

More specially, the comment states that, while the DEIR discusses direct population growth, it does not consider that the project would also indirectly induce additional people to move to the area. First, this comment incorrectly refers to a statement in the DEIR concerning whether it would indirectly induce growth. This discussion, in Chapter 5 of the DEIR considers whether the project would remove an impediment to growth by expanding urban services; it would not. The issue of indirect growth is addressed in more detail in Section 18.4, “Growth-Inducing Impacts of the Proposed Project” in the DEIR. As described in the second paragraph on page 18-61, “The construction workers and project-related employees, as well as economic activities associated with the project operations, could result in indirect growth in the region. Demands for tourist-related goods and services ...could result in demand for new restaurants and other commercial activities.”

Potential issues related to emergency services are described under Impact 14-7. This impact is determined to be potentially significant and mitigation measures are proposed that would maintain emergency vehicles access and fire protection. As described under Impact 14-8, Placer County’s Sheriff’s Department (PCSD) “... would provide a “will serve” letter to proponents of new residential projects, indicating that PCSD would serve the project to the best of their ability.”

The comment notes that Squaw Valley President and CEO Andy Wirth has stated that the project would eventually create more the 2,300 jobs. This statement is in reference to both construction-related jobs, and jobs associated with project implementation (e.g., ski-instructors, retail). Regardless, this is a quote from a newspaper, and does not refute that the project would generate an estimated 573 full time (equivalent) employees.

For a more in-depth discussion of potential growth associated with the project, see responses to comment letter O12b.

- 09-263 The comment states that the analysis does not consider the impacts from the project's indirect job creation. As described in the second paragraph on page 18-61, "The construction workers and project-related employees, as well as economic activities associated with the project operations, could result in indirect growth in the region. Demands for tourist-related goods and services ...could result in demand for new restaurants and other commercial activities." However, it is important to note that services are currently available within Olympic Valley and nearby in Tahoe City (approximately 5 miles southeast) and Truckee (approximately 9 miles north). Furthermore, within the plan area, a total of approximately 297,733 square feet of tourist-serving commercial space is proposed. This square footage estimate includes hotel common areas, conference rooms, retail, restaurant, and similar commercial uses. Although, approximately 91,522 square feet of existing commercial space within the main Village area is proposed to be removed as a result of Plan development, the project would result in a net increase in commercial uses. These new commercial services in addition to those available in Olympic Valley, Tahoe City, and Truckee would provide services to employees and visitors to Squaw Valley. These issues are discussed in terms of economic activities and public services and utilities in Section 18.4, "Growth-Inducing Impacts of the Proposed Project," in the DEIR. Also see responses to comments O12b-2 and O12b-8.
- 09-264 See the Master Response regarding occupancy assumptions. The statement that seasonal fluctuations in occupancy have no bearing on housing supply is incorrect. Because employment is seasonal, a large percentage of employees will seek temporary housing. Fifty percent of the FTE housing would be provided by the project, either directly (at Lot 8) or as otherwise described in the DEIR. Because much of the employment is seasonal, those employed at Squaw (and other ski resorts) typically rent rooms in existing homes in the region or find similar accommodations. They do not, typically, require (or can afford) new housing accommodations. Also, see responses to comments O12b-2, O12b-3, O12b-10, and O12b-14.
- 09-265 See the Master Response regarding occupancy assumptions. Employment would be expected to fluctuate seasonally, concurrently with use (occupancy) of the project. Thus an average population increase is reasonable to assume.
- 09-266 The comment states that the project would not meet employee housing requirements set by the County's General Plan (see impact 5-3: Displace substantial numbers of housing or people). This is not accurate. The project proposes to construct employee housing on the East Parcel to meet a portion of its housing obligation. Specific Plan Policy HS-1 requires that the project meet its affordable housing obligation (as defined by the General Plan through one or a combination of measures, including construction of housing on or off site, dedication of land and/or payment of in lieu fees. Mitigation Measure 5-3 also requires employee housing to be provided for in one of the following ways: construction of on-site employee housing; construction of off-site employee housing; dedication of land for needed units; and/or payment of an in-lieu fee. Under the proposed project, development would occur over a period of approximately 25 years. The employee housing would be built at a rate that would accommodate employee generation. Thus, during the earlier phases, the employee housing standard would be met. As a result, Mitigation Measure 5-3 would likely be implemented later in project build-out if it becomes necessary. Currently, Placer County is developing a program to address the use of in-lieu fees. This program is expected to be available by December 2015. Typically, whether or not a project would provide employee housing is a social issue, except to the extent it would result in a physical change in the environment. This issue is addressed as an environmental issue because the County General Plan has a policy that requires that 50 percent of workforce housing is provided for projects in the Sierra Nevada, and the policy includes various means by which this requirement can be met. Because this Mitigation Measure 5-3 would make the project consistent with Placer County General Plan Policy C-2, it is not considered to be deferred mitigation as it meets the

requirements set therein. The potential environmental issues associated with induced population are discussed in Chapter 5, “Population, Employment, and Housing” and Section 18.4, “Growth-Inducing Impacts of the Proposed Project.”

- 09-267 The comment states that the Mitigation Measure 5-3 would necessarily involve construction of new housing for employees, which would have a significant impact on the environment. This is not necessarily true; in lieu fees may provide subsidies for housing in existing units or new units could be constructed, which could occur at a development site already under consideration (see discussion of cumulative impacts in Section 18 of the DEIR). This is noted in the fourth paragraph on page 18-60, where it is stated: “If the project applicant builds additional housing, or if in-lieu fees are used for additional housing, the construction would result in potential impacts, depending on where it is located. Additional traffic, air emissions, noise, and other resources could be affected as a result of this indirect population growth.” It would be speculative to determine the extent of impacts associated with this mitigation, when details associated with implementation are not yet known. See, also, response to comment O12b-2.
- 09-268 The comment states that the DEIR should be revised to address the issues associated with population and housing addressed in comment letter O9. See responses to comments O9-261 through O9-266.
- 09-269 The comment describes CEQA requirements associated with growth-inducing impacts. These are discussed in Section 18.4, “Growth-Inducing Impacts of the Proposed Project,” in the DEIR.
- 09-270 See the Master Response regarding occupancy assumptions and responses to comments O9-269 through O9-276 regarding the extent to which the project would induce growth.
- 09-271 The comment claims that the DEIR attempts to downplay the significance of bringing in new employees to the area by describing employment as seasonal, although the resort would be used year-round. While the resort is intended to be used year-round, this is not to suggest that use would be at the same level throughout the year. For instance, snow sports—which drive higher occupancy—would only be available during the winter months. Likewise, a variety of summer-related activities, such as mountain biking, hiking, and boating are not generally feasible during the winter months. Generally, the shoulder seasons (spring and fall) do not provide the same extent of tourist-related activities, which results in lower employment opportunities. Thus, the statement that “employment would be mostly seasonal,” is correctly stated because it is assumed that job opportunities would fluctuate with the available attractions within and near to the project throughout the year. Occupancy assumptions are based on seasonal fluctuations, and it would be expected that employment would follow this trend.
- 09-272 The comment misinterprets a discussion related to population growth associated with the project. While it is correct that the DEIR assumes that on-site amenities, such as the proposed convenience store, would serve the employee population by providing access to necessities and limiting the need to frequent off-site retailers (third paragraph, page 18-60), it goes on to discuss other employment growth and other economic-related growth effects. For instance, in the second paragraph on page 18-61, the analysis discusses the demand for tourist-related goods and services (e.g., restaurants, grocery for employees), as well as a potential for indirect growth associated with construction workers, project-related employees, and project operations. The DEIR makes no attempt at stating that employees would remain on site throughout a term of employment. See response to comment O12b-2.
- 09-273 The comment states that the DEIR does not consider employees that could reside outside of Squaw Valley. Impact 5-2 discusses induced population growth and housing demand during

operation. As stated, many employees “may currently reside in the general project area, and may commute to Olympic Valley from an existing residence (last paragraph, page 5-11).” Furthermore, the comment provides not specific details related to the needs of employees that should have been discussed. Thus, no further response can be provided. Also, see responses to comments O12b-2 and O12b-10.

- 09-274 The comment states that the DEIR does not discuss the growth-inducing impacts of expanding water supply and sewer capacity. This is not correct. As described on page 18-61, the project would only provide funding for wells that would serve the project. It would provide for expanded sewer capacity, and the well field would be redesigned such that additional wells could be constructed to serve other growth in the valley. As stated, this growth is fully evaluated in Section 18.1, “Cumulative Impacts,” in the DEIR.
- 09-275 The comment states that construction of the project would result in induced recreation and tourist in the area. The Tahoe Region and surrounding areas exist as tourist destinations, due in part, to the existence of snow-sports and supporting resorts. There is no reason given that would support an assumption that this project would somehow substantially increase the likelihood of inducing further recreational and tourism growth in the area beyond what would be created by the project. This argument may have merit of the project was the first resort constructed near Lake Tahoe, but this obviously is not the case. Numerous resorts and tourism-based businesses exist in the general vicinity (e.g., Northstar, Heavenly Ski Resort, Homewood Ski Resort, Donner Ski Ranch, Sugar Bowl, Boreal). These resorts all compete against each other.
- 09-276 The comment states that this project may encourage other resorts in the area to expand. This is speculative; no evidence is provided to support this “concern.” See response to comment 09-275.
- 09-277 The comment states that the DEIR does not discuss the environmental impacts of constructing wastewater detention facilities to address potential overloading the Truckee River Interceptor. However, the wastewater detention facilities would be located within the plan area and would be underground or otherwise incorporated into the project’s development footprint (see Mitigation Measure 14-2a). Thus, because the wastewater detention facility would be within the project site, the impacts would be the same as impacts from development of other parts of the project, and they are discussed throughout the DEIR.
- 09-278 The commenter incorrectly states that the DEIR does not analyze the environmental impacts of constructing a new fire station. Impacts are discussed in the second paragraph on page 14-44 of the DEIR:

The project applicant may provide land within the main Village area to the SVFD for construction of the substation. The substation may also ultimately be constructed outside the VSVSP, or the “old” fire station on Chamonix Place could be renovated to serve as the substation. The potential impacts of a new fire substation within the plan area are addressed in this DEIR. Separate permitting and environmental review would be required if the substation were built outside the plan area, as indicated in Section 3.4.3, “Public Services and Utilities.” If the new substation were established at the old station on Chamonix Place, renovations would likely be relatively minor; resulting in few environmental effects. Construction of a new facility would have similar environmental effects to other relatively small development projects in Olympic Valley, including construction and operational traffic, air emissions, and noise (see Chapter 11, “Noise,” for a discussion of noise impacts from emergency facilities).

Also, see response to comment 09-13 for additional discussion of this issue. Because the exact location of the substation is unknown, and the DEIR is a programmatic document, this discussion provides the appropriate level of evaluation. No changes to the document are required.

09-279 The comment implies that existing recreation facilities would be adversely affected as a result of the project. As discussed under Impact 14-6 (on page 14-43 of the DEIR),

...Because the County would not approve the subdivision map without the project applicant showing adequate dedication of open space and parkland, or provision of other recreational facilities and/or in lieu fees, the project would not provide inadequate recreational facilities or result in the increased use of existing facilities such that they would experience deterioration.

Because the applicant would meet Policy 5.A.4 of the *Placer County General Plan* guidance related to park space, and well as various other recreation opportunities, it is not expected that existing facilities would be substantially deteriorated as a result of new populations associated with the project. No evidence is provided by the commenter to suggest this conclusion is incorrect. No changes to the document are required.

09-280 See response to comment letter F2 for a complete discussion of trails in the area, including revisions to the EIR.

09-281 The commenter states that the DEIR's cumulative impact analysis does not sufficiently discuss the significance of impacts involving public services and utilities. However, the crux of the cumulative impact discussion relates to provisions of these services associated with new developments and the program-level of analysis that discusses providers' ability to meet demands. The comment argues that the use of in-lieu fees are not sufficiently discussed; however, these issues are discussed in Chapter 14, "Public Services and Utilities," of the DEIR and lend to the conclusion that the project would result in less-than-significant impacts. Because, the project would fully mitigate its impacts on public services, a significant cumulative impact would not occur. Moreover, impacts to public services would only result if there was a need to expand services to the extent that new facilities would be constructed, as is the case with fire facilities (see response to comment 09-278), which would not be required for any other public services. With regard to water, the project and cumulative projects are fully considered in the WSA and in Chapter 14, "Public Services and Utilities," of the DEIR. No changes to the document are required.

09-282 For the reasons described in responses to comment 09-277 through 09-281, Chapter 14, "Public Services and Utilities," in the DEIR does not need to be revised.

09-283 The comment's summary of CEQA Guidelines Appendix F is noted. A similar discussion is provided on page 14-37, second paragraph, in the DEIR.

09-284 The comment states that the DEIR should have measured the project's energy consumption against only recently constructed or updated, similar developments that use modern, energy-efficient technology or against a hypothetical model development. According to Appendix F, environmental impacts that may be discussed in an EIR include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel types for each stage of the project, including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.

3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Impact 14-4 describes energy use during construction, operation, and maintenance of the project. This discussion addresses construction, operation, and maintenance of the project, the ability for energy providers to meet electric and gas demands, and transportation energy use requirements. In addition, the impact describes the project's encouragement of public transit, its ability to meet GHG efficiency standards established in the 2020 statewide GHG emissions target, and notes that implementation of Mitigation Measures 10-2 and 16-2 would limit emissions of ozone precursors and GHGs.

Thus, Impact 14-4 meets the requirements set forth under Appendix F of the CEQA Guidelines and it is unnecessary to compare the project to recently constructed or updated similar development projects.

It is also noted that the comment states that "it is impossible to tell whether the project is energy efficient by today's standards." The question, under CEQA, is whether a project would result in a wasteful or inefficient use of energy. This is the basis for the impact analysis in the DEIR under Impact 14-4.

09-285

The comment states that the DEIR does not provide an accurate analysis of the project's transportation energy impacts. Impact 14-4, contains the following information related to transportation energy consumption (page 14-40 of the DEIR):

...In approximately 2017, when the VSVSP is expected to be 20 percent complete, vehicle trips associated with the project are anticipated to consume approximately 457,079 gallons of gasoline per year. When the VSVSP is 100 percent built out, which could occur as early as 2037, vehicle trips associated with the project are anticipated to consume approximately 1,346,175 gallons of gasoline per year. Fuel consumption associated with vehicle trips generated by the project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. The project encourages use of public transportation and is located in a relatively accessible location where additional development is anticipated in planning documents. In fact, by providing overnight lodging, the project may reduce day skier travel when compared to existing conditions (skiers would stay locally rather than drive to and from the resort). However, the extent to which this may occur is speculative.

The comment correctly states that the DEIR does not estimate energy consumption associated with construction. However, energy consumption during construction is discussed. As stated on page 14-39 of the DEIR:

Energy would be required to construct project elements, operate and maintain construction equipment, and produce and transport construction materials. The one-time energy expenditure required to construct the physical infrastructure associated with the project would be non-recoverable. Most energy consumption would result from operation of construction equipment, and actual indirect energy consumption (e.g., waste transport and disposal) may vary from the modeled values, depending on

the final design of individual structures. The energy used for project construction would not require significant additional capacity or significantly increase peak or base period demands for electricity and other forms of energy. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than those used at comparable construction sites in other parts of the State. Energy efficiency is also expected for the off-site production of construction materials, based on the economic incentive for efficiency. Non-renewable energy would not be consumed in a wasteful, inefficient, or unnecessary manner when compared to other construction sites in the region.

The commenter also demands that the DEIR estimate energy associated with construction vehicle trips. It is not possible to determine the potential energy use by construction vehicles, delivering materials (and employees) from various locales through the 25-year construction life of the project. More importantly, this type of information would not further the question of whether the project would wastefully or inefficiently use energy (is 100 gallons of diesel efficient or wasteful?). The cost of construction is driven, in large part, by the energy cost associated with manufacturing and transporting material to the site. For instance, transportation costs are one of the highest components of the cost for sand and gravel, a primary construction material. In order to be competitive, material would need to be delivered from the closest practical sources. By its very nature, the applicant would logically seek the most economically practical materials for the project, which implies that they would need to be energy efficient (relative to alternative materials and sources). The production of a “number” (gallons of fuel, BTUs, etc.) would not meaningfully add to the consideration of this issue. While the impact discussion provides more detail for operation of the project than construction of the project, it meets requirements under CEQA to describe the impacts. That is, quantification of the energy needed to construct a project is not necessary even though operation quantities were provided. No changes to the DEIR are required.

- 09-286 The comment states that the energy use associated with vehicular trips generated by the project are not accurate because the DEIR relies on inaccurate estimates of trip generation and VMT. Energy use associated with operational vehicular trips is based on the analysis provided in Chapter 9, Transportation and Circulation, in the DEIR. See responses to comments 09-114 through 09-134 for more detail related to vehicular trips.
- 09-287 The comment incorrectly states that Impact 14-4 relies solely on GHG impacts to satisfy its obligation to mitigate the project’s energy use impacts. The analysis states, on pages 14-39 through 14-40 of the DEIR, that:

...the project would be required to meet Title 24 standards for energy efficiency. Implementation of the California Building Efficiency Standards (Title 24, Section 6) would result in the project requiring approximately 25 percent less propane for space and water heating and 25 to 30 percent less electricity for powering appliances and lighting than buildings constructed before 2006 (Green, pers. comm., 2014). Beyond this efficiency required by state law, policies established in the VSVSP would require buildings constructed in the Village to meet or exceed Title 24 requirements. Additional policies adopted in the VSVSP to reduce inefficient and wasteful consumption of energy support reduced use of personal vehicles through the enhancement of public transportation and development of a walkable Village (a minimum of 25 percent of new shuttle services within the Olympic Valley would use alternative fuels and bike racks would be provided at main locations throughout the Village); encourage use of alternative energy with the goal of using 25 percent renewable energy, and participation in the NSHP and Energy Star programs; and provide incentives to foster innovation and the use of green technologies (see Section 14.3.2, “Methods and Assumptions”).

These building standards, coupled with higher occupancy rates, would be expected to reduce per capita energy use when compared to existing resort amenities.

The analysis continues to discuss energy demands associated with the project and describes policies that would reduce per capita energy use. Thus, the analysis provides far more detail than suggested in the comment and meet CEQA Guidelines Appendix F requirements (see response to comment 09-284). No changes to the DEIR are required.

- 09-288 VSVSP policies related to energy efficiency are listed on pages 14-26 through 14-27 of the DEIR. Policies specific to renewable energy include: exploring the use of alternative energy initiatives which could include Micro-Hydro Electric, Wind, and Solar technologies as they become an economically viable resource (Policy PU-10); incorporating renewable energy generation to provide at least 25 percent of the project's needs (applies to new construction of commercial buildings over 10,000 square feet) (Policy CC-4); and incorporating on-site renewable energy production, including installation of photovoltaic cells or other solar options installed in appropriate high sunlight locations (Policy CC-5).
- 09-289 The comment refers to mitigation measures listed in Appendix F of the CEQA Guidelines, which Appendix F states *may* be included as mitigation, and implies that the DEIR must discuss whether there are less energy-intensive methods and equipment for construction of the project. Impact 14-4 addresses inefficient and wasteful consumption of energy associated with the project. Because this impact was determined to be less than significant, no mitigation measures are required. No changes to the DEIR are necessary.
- 09-290 The comment correctly states that the DEIR does not evaluate whether the materials used in construction would be produced in an energy-efficient way. The applicant would not control the manufacturing process for materials used to construct the project. See response to comment 09-285.
- 09-291 The comment states that the DEIR did not address alternatives in terms of overall energy consumption. Alternatives are discussed in Chapter 17, "Alternatives," of the DEIR, where comparative energy consumption is discussed.
- 09-292 For the reasons discussed in responses to comments 09-283 through 09-291, the energy impacts are adequate under CEQA and not changes to the document are required.
- 09-293 See the Master Response regarding the cumulative analysis.
- 09-294 See the Master Response regarding the cumulative analysis.
- 09-295 As stated on page 18-2 of the DEIR, the cumulative analysis is based on the list of projects identified in Table 18-2 for the geographic area shown in Exhibit 18-1. Within the Olympic Valley, projected development included projects that are approved but not yet constructed and those that are considered foreseeable because they have been initiated. In addition, projections were developed for the Olympic Valley through the year 2039. The County inventoried all resort, residential, and commercial development in the Olympic Valley over the last 25 years, and corroborated the findings with census data and water connection data from the Squaw Valley Public Service District and the Squaw Valley Mutual Water Supply Company (Fisch, pers. comm., 2014) to establish the history of growth within the valley. The County then created an inventory of undeveloped and underdeveloped parcels within the valley that could reasonably be expected to be developed or redeveloped with more intensity. Holding capacities (i.e., unit or square footage potential) were developed for each of these parcels based on land use designations and development yield rates. This information was then used to create a 25-year growth projection for the valley, which is shown in Table 18-2

under the heading “Olympic Valley Cumulative Projects to 2039.” This 25-year projection is conservative in that it is a projection that assumes development trends over the past 25 years (residences, hotels, resorts, etc.) will be repeated over the next 25 years in Olympic Valley, to the degree entitled land is available, *in addition to the project*. This is conservative because the proposed project plus the cumulative development would represent a substantial increase in growth in the valley, compared to the past 25 years, and it does not reflect the demand for development that would be consumed by the project.

09-296

The commenter claims that because the introduction to the cumulative analysis notes an assumption that all mitigation measures identified in Chapters 4 through 16 to mitigate project impacts are adopted, that if any mitigation measures later prove infeasible and the County declines to adopt the measure(s), it will be unclear as to whether cumulative impacts may result or may be more severe than previously disclosed. (DEIR, p. 18-7.) The commenter claims that to solve this issue, the DEIR should additionally analyze cumulative impacts assuming mitigation measures are not adopted. The commenter is incorrect. The statement in the introduction to the cumulative impact analysis implies that the cumulative impact analysis does not provide significance conclusions of particular cumulative impacts before application of project-level mitigation. To provide clarification to this issue, the text of the EIR on page 18-7 is revised as follows:

18.1.3 Cumulative Impact Analysis

For purposes of this EIR, the project would result in a significant cumulative effect if:

- ▲ the cumulative effects of related projects (past, current, and probable future projects) are not significant and the incremental impact of implementing the VSVSP project is substantial enough, when added to the cumulative effects of related projects, to result in a new cumulatively significant impact; or
- ▲ the cumulative effects of related projects (past, current, and probable future projects) are already significant and implementation of the VSVSP project makes a considerable contribution to the effect. The standards used herein to determine a considerable contribution are that either the impact must be substantial or must exceed an established threshold of significance.

This cumulative analysis assumes that all mitigation measures identified in chapters 4 through 16 to mitigate project impacts are adopted. The analysis herein analyzes if the project, in combination with other related development, would result in a cumulatively significant effect before mitigation, and whether, after adoption of project-specific mitigation, the residual impacts of the project would cause a cumulatively significant impact or would contribute considerably to existing/anticipated (without the project) cumulatively significant effects. Where the project would so contribute, additional mitigation is recommended where feasible.

Examination of the specific cumulative impact discussions, demonstrates that the analysis does provide an assessment of the project’s incremental contribution to cumulative effect and whether such contribution would be cumulative considerable, prior to consideration of project-level mitigation. (See, e.g., DEIR, p. 18-14, Impact 18-13 [“without mitigation the project’s incremental contribution to these cumulative effects would itself be potentially cumulatively considerable; therefore, this is a potentially significant cumulative impact”].) If project-level mitigation would not reduce the cumulatively considerable contribution to a cumulative impact to a less-than-significant level, the DEIR considers whether additional mitigation is available to reduce the impact. Therefore, the commenter is incorrect in stating

that it is unclear what cumulative impacts might result from the project absent adoption of project-specific mitigation. No additional analysis is required.

09-297 The comment provides an overview of CEQA requirements for the analysis of alternatives. This information is consistent with the discussion on page 17-1 of the DEIR. See responses to comments 09-298 through 09-305 for responses to specific comments on the alternatives analysis.

09-298 The commenter opines that the DEIR includes only one “project-wide alternative” (i.e., the Reduced Density Alternative), and therefore does not include a “reasonable range” of alternatives to the whole of the project.

Section 15126.6 of the CEQA Guidelines sets forth the standards for alternatives as follows:

An EIR shall describe a range of *reasonable* alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project...but would avoid or substantially lessen *any of the significant effects* of the project, and evaluate the comparative merits of the alternatives... The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that could *feasibly attain most of the basic objectives of the project*. (CEQA Guidelines Section 15126.6(a), (f).)

Accordingly, under section 15126.6, an EIR is required to examine in detail only those alternatives that (a) “avoid or substantially lessen any of the significant effects of the project,” (b) are “feasible,” and (c) would achieve most of the basic objectives of the project.

Moreover, an EIR need not consider *each and every* feasible alternative that provides environmental advantages and would achieve most of the basic objectives of the project. The EIR is required only to provide a “reasonable range” of alternatives. The range is “reasonable” if the alternatives presented are sufficient to permit a reasoned choice. The CEQA Guidelines explain:

An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of *potentially feasible* alternatives that will foster informed decision-making and public participation... There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason...that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice. (CEQA Guidelines Section 15126.6(a), (f).)

There is, therefore, no legal requirement to consider a reasonable range of “project-wide” alternatives, or alternatives that otherwise avoid or substantially lessen most, if not all, of the significant impacts of a project, including historical and wetlands resources as suggested by the commenter to be included in the Reduced Density Alternative. However, three alternatives address the project on a “project-wide” basis, even if the title of the alternative may not suggest this.

The five alternatives studied in detail in the DEIR constitute a reasonable range of potentially feasible alternatives as required by CEQA. There are three alternatives that assume a reduced level of development. Alternative 2, No Project—SVGPLUO Development Alternative provides for 779 bedrooms within the project area, compared to 1,493 bedrooms under the proposed project, and reductions in unit count and commercial square footage (see Table 17-5 on page 17-20 of the DEIR). The Reduced Density Alternative provides a 50 percent reduction in project development (see Table 17-8 on page 17-25). The Preservation of Historical and Wetlands Resources Alternative provides for a 246 bedroom and 146 unit

reduction, with the same amount of commercial square footage as the proposed project (see Table 17-11 on page 17-35).

The Reduced Density Alternative is not designed to specifically address historic or wetland resources, which are directly addressed by the Preservation of Historical and Wetland Resources Alternative. Nonetheless, one historic resource, Olympic Valley Lodge, is assumed to be preserved under the Reduced Density Alternative because of the reduced footprint (see page 17-27 of the DEIR). As discussed above, there is no obligation to combine these two alternatives. Furthermore, the Far East Center would be removed under the Reduced Density Alternative, because parking Lots 11 and 12 would need to be constructed to serve day skiers.

Moreover, sufficient information is provided to guide decision-makers toward a project decision with respect to the proposed project and its alternatives, including variants on the alternatives, if this is a direction that the County Planning Commission and/or Board of Supervisors choose to take. In other words, they could, in theory, combine attributes of alternatives (such as the reduced density and historic/wetlands resource alternatives), if desired, choose the project, choose an identified alternative, or decide to not approve anything. The intent of the EIR is to provide informed decision making, and the EIR provides sufficient information to accomplish this CEQA policy objective.

09-299 The commenter states that, at a minimum, CEQA requires an agency to examine at least one potentially feasible “comprehensive alternative” to try to avoid or lessen significant environmental impacts that are “central to” the project. The commenter further opines that, for a large development project such as this one, more than one such alternative should be evaluated.

The commenter does not explain why the land use alternatives included in the DEIR are not “comprehensive,” nor state which “comprehensive alternative” should have been considered in addition to the five alternatives analyzed in the DEIR. The range of alternatives considered in detail complies with CEQA. (See also responses to comments 09-298 and 09-300.)

09-300 The comment implies that the Reduced Density Alternative should have, in addition to reducing all impacts stemming from increased population, land coverage, and traffic, also should have avoided or substantially lessened impacts to cultural resources while at the same time retaining the same level of creek restoration efforts as proposed with the project. The comment also states that the DEIR was required to include an alternative that eliminated or reduced all of the project’s significant environmental impacts (both those disclosed and thus far undisclosed).

See response to comment 09-298. An EIR is not required to consider alternatives that eliminate or reduce *all* of a project’s significant adverse environmental impacts. (State CEQA Guidelines Section 15126.6[a], [f].) The County was therefore not required to also design the Reduced Density Alternative to avoid impacts to cultural resources. However, such an alternative is provided separately. As explained by the DEIR, restoration of Squaw Creek would also be more modest than under the proposed project because the alternative would not generate as much revenue, and because impacts would be avoided or substantially lessened. (See DEIR, p. 17-25; see also *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 (requiring an essential nexus between a mitigation measure and a legitimate governmental interest); *Dolan v. City of Tigard* (1994) 512 U.S. 374 (requiring rough proportionality between impacts of a project and ad hoc exactions).)

09-301 The commenter claims the DEIR fails to provide evidence that either a comprehensive alternative that would address all or most of the project’s significant impacts or the Reduced Density Alternative would be infeasible. Contrary to the commenter’s suggestion CEQA does

not require a lead agency to set forth its feasibility determinations of alternatives in an EIR; rather, evidence of infeasibility can be included in the record. (CEQA Guidelines Section 15131, subd. (c) [“If information [on infeasibility of mitigation measure or alternatives] is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project”]; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 569 [“where potential alternatives are not discussed in detail in the [EIR] because they are not feasible, the evidence of infeasibility need not be found within the [EIR] itself”]; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715, fn. 3 [evidence of infeasibility of alternatives not required to be in EIR]; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 689–692 [holding feasibility evidence need not be included in an EIR as long as it is in the record]; *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1401 [same].)

Because the Reduced Density Alternative is environmentally superior, if the County Planning Commission and the Board of Supervisors decide to not approve it, they will need to cite to evidence in the record to support that decision, including why the alternative is infeasible. The DEIR points out that the Reduced Density Alternative would meet some, but not all, project objectives, and describes which objectives would not be met. See the final paragraph on page 17-25 and first paragraph on page 17-26. In order to fully inform decision makers, the DEIR concludes on page 17-45 that the financial feasibility of the Reduced Density Alternative is not known.

Furthermore, the commenter’s reliance on *Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal.App.4th 866, 884-885 is misplaced. In that case, involving an EIR prepared for open-air composting facility, the EIR rejected the specific alternative of an enclosed facility as financially and technologically infeasible, and thus the alternative was not “evaluated in detail” in the EIR. The court held substantial evidence did not support the agency’s economic infeasibility conclusion. Here, in contrast, as noted in response to comment 09-299, the commenter does not identify the “comprehensive alternative” which it believes should have been considered in the DEIR. Therefore, the EIR cannot, nor is it required to, analyze the infeasibility of an unknown and unspecified alternative.

09-302

The commenter takes issue with the DEIR not including a discussion of SB 743 and the Legislature’s direction to OPR to develop new CEQA Guidelines for transportation impacts that no longer use LOS as a significance threshold. The referenced draft CEQA Guidelines have not been adopted and are currently being revised. (See http://opr.ca.gov/s_ceqaguidelines.php explaining that OPR is currently reviewing and evaluating all of the comments received and, later this spring [2016], OPR intends to release a draft proposal of changes to the CEQA Guidelines reflecting suggested updates and the new transportation metrics required by SB 743.) An alternative transportation analysis that considered VMT, for example, in addition to LOS was therefore not required to be included in the DEIR. Also, the DEIR analyzed the traffic impacts based on current County practice and adopted General Plan policies, which do address LOS.

The commenter also states that the DEIR should have examined at least one alternative that aims to reduce automobile trips rather than providing roadway widening to alleviate local traffic. The DEIR’s consideration of the No-Project, Reduced Density, and Preservation of Historical and Wetlands Resources Alternatives did just that. Because traffic generation would be directly affected by project size (e.g., unit size, square footage), the Reduced Density Alternative, for example, would result in approximately half of the project’s anticipated traffic (See DEIR, pp. 17-28 thru 17-29, including Table 17-9.) At buildout, this alternative would generate about 1,370 new daily vehicle trips that would enter or exit the

Olympic Valley (i.e., pass through the SR 89/Squaw Valley Road intersection) during a winter Saturday, which is 51 percent less than the proposed project. (See DEIR Table 9-18.)

09-303 As stated on page 17-41 of the DEIR, the Alternative Water Tank Location was evaluated due to the uncertainty of the project applicant to reach agreement on purchasing land encompassing the proposed tank site. This analysis recognizes that a water tank would be necessary to serve project development. The alternative site was chosen because it would be in proximity to the project site, would be at an appropriate elevation, would be on land owned by Squaw Valley (and therefore could certainly be constructed) and would have similar impacts to the proposed tank site. As discussed on pages 17-41 through 17-45, the impacts of the alternative tank site would be similar to those of the proposed tank site. In some cases, the potential impacts would be greater, but not to a significant degree (e.g., biological resources, air quality emissions). The only impact that would potentially be significantly greater would be the visual impact, because the alternative site would require tree removal while the proposed site is already disturbed. There are no known other sites that would be sufficiently proximate to the site to feasibly serve the project while reducing significant effects. No alternative sites are described in the comment.

See also response to comment 09-298.

09-304 The No Project-SVGPLUO Development Alternative does not include the MAC. The impacts of the MAC were analyzed in the DEIR, because the water demand for the MAC was included in the water demand calculations used in the 2015 Water Supply Assessment. Total water demand for the MAC would be approximately 37 acre feet per year (AFA), or approximately 15 percent of total water demand. Because the 2015 WSA found that this demand could be met through 2040, it was not necessary to develop an alternative that addressed a reduction in water demand. Nonetheless, the alternatives that assume less development than the proposed project (No Project—SVGPLUO Development, Reduced Density and Preservation of Historic and Cultural Resources) would result in a commensurate reduction in water supply. For a discussion of the assumption that most MAC visitors would already be on site, see the Master Response regarding the MAC.

09-305 As discussed in responses to comments 09-298 through 09-304, the DEIR includes a reasonable range of alternatives, and the alternatives analysis is adequate. Therefore, recirculation of the alternatives analysis is not warranted.

09-306 The commenter opines that the DEIR cannot properly form the basis of an FEIR and paraphrases CEQA Guidelines section 15088.5 which governs recirculation of an EIR prior to certification. The comment omits any specific information regarding the adequacy of the environmental analysis and why, recirculation is required. See the Master Response regarding recirculation.

09-307 The commenter asserts that the County decision-makers and the public “cannot possibly” assess the project’s impacts or its feasibility through the present DEIR “which is riddled with errors.” To support this claim, the commenter asserts that the DEIR “repeatedly understates the project’s significant environmental impacts and assumes that unformulated or clearly useless mitigation measures will effectively reduce these impacts.” The same commenter points out, elsewhere, that the DEIR identifies 23 significant and unavoidable impacts, which suggests that impacts were not, indeed, understated. The commenter advocates for preparation of a new DEIR that would “necessarily” include substantial new information.

The comment fails to identify or describe the specific “significant new information,” which, in the commenter’s view, requires revision and recirculation of the DEIR. As explained in the above responses to comments, County staff regards the DEIR as adequate. The FEIR also lacks “significant new information,” as defined by CEQA Guidelines section 15088.5,

requiring recirculation. CEQA Guidelines section 15088.5, subdivision (a), defines “significant new information” as information that shows: (1) a new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented; (2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance; (3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it; or (4) the draft EIR is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. See the Master Response regarding recirculation.

The comment does not provide any substantial evidence supporting any one of the above prongs requiring recirculation. The comment will nevertheless be forwarded to the County decision-makers for consideration.

09-308 The comment summarizes the commenter’s interpretation of the State Planning and Zoning Law (Gov. Code Section 65000 et seq.) and related case law regarding the need for a project to be consistent with the jurisdiction’s general plan. Because no environmental issues are raised in the comment, and no evidence of an inconsistency with the County General Plan is identified, no additional response is required.

09-309 The comment offers an additional summary of the commenter’s interpretation of the State Planning and Zoning Law (Gov. Code Section 65000 et seq.) and related case law. Because no environmental issues are raised in the comment, and the comment does not specify what inconsistencies would occur, no additional response is required.

09-310 The commenter points to Section I.B.11 (General Plan Impacts) of the comment letter, claiming the project is inconsistent with the General Plan and SVGPLUO. See responses to comments 09- 220 thru 09-260. Because no environmental issues are raised in the comment, no additional response is required.

09-311 The comment states that the VSVSP and DEIR are deficient, necessitating a revision and recirculation of the DEIR. However, for the reasons discussed under responses to comments 09-1 through 09-310, the analysis is adequate and no changes to the DEIR are necessary in response to this comment. See the Master Response regarding recirculation.

The comment also states that the project conflicts with the Placer County General Plan and SVGPLUO, and requests that the County reevaluate the project and make project changes to reduce the project’s impacts. However, for the reasons discussed under responses to comments 09-1 through 09-310, the DEIR analysis adequately evaluates the project’s potential conflicts with these plans in Chapter 4 of the DEIR; no changes to the DEIR are necessary. Moreover, the comment is directed towards the project approval process and does not address the content, analysis, or conclusions in the DEIR. Therefore, no further response is provided here. All comment letters submitted during the DEIR public review period will be reviewed and considered by the Placer County Planning Commission and Board of Supervisors before a decision on the project is rendered.