

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 226 **LEIF AND AUDI BRUN, RESIDENTS**

Response 226-1: Comment noted. The commentor does not comment on the adequacy of the Draft EIR. Therefore, no response is necessary.

Response 226-2: Comment noted. The commentor does not comment on the adequacy of the Draft EIR. Therefore, no response is necessary.

Response 226-3: Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

Response 226-4: Comment noted. The commentor does not comment on the adequacy of the Draft EIR. Therefore, no response is necessary.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 227

From: Tom Sparks <tomesparks@yahoo.com>
To: <bcombs@placer.ca.gov>, <planning@placer.ca.gov>
Date: 8/19/02 4:58PM
Subject: Martis Valley DEIR

Mr Combs,
I am writing to you in response to the MARTIS VALLEY COMMUNITY PLAN UPDATE. The Placer County Planning Department is being irresponsible in its fiduciary duty to the citizens of said county by not proposing land use plans which provide for no or minimal development. The plans outlined in the DEIR amount to what can only be considered the creation of an entire city in what is now a beautiful natural environment.
The Proposed Plan (PP) is based on almost thirty-year old land use designations. The DEIR does not offer any analysis to support the prior land designations. The alternatives explicitly analyzed all call for similar development of the Martis Valley. That is, the footprints of development for the major alternatives analyzed are similar and the numbers of dwelling units proposed range from 7,956 to 10,311 for the three new "alternatives" (4.2-15) analyzed. This range of alternatives does not constitute a "reasonable range" as required under CEQA. There is no analysis of an alternative that calls for minimal development. There is no designation of an alternative as the environmentally superior one as required by CEQA. The PP does not provide any arguments in support of the development of numerous golf courses in the plan area. No discussion or evaluation of the issues and benefits associated with NOT permitting golf courses in the areas designated as "Open Space". Collectively, the alternatives and related analyses presented in this DEIR form an inadequate basis for decision-making. A major purpose of Environmental Analysis is creating information that permits decision makers and the public to distinguish among the likely environmental and other effects of the various alternatives studied. This DEIR appears to have been prepared with a view of supporting a level of development (i.e., the PP) that is closely related to the 1974 land use designations without regard for a legitimate analysis of development alternatives for the project area. At meeting after public meeting County Planning staff dealt with concerns raised by members of the public by saying "that will be taken care of in the EIR". In light of extremely limited range of alternatives analyzed, the assurances given by staff that concerns expressed would be addressed and analyzed have not been met in the current

227-1

227-2

227-3

227-4

227-5

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

DEIR. To meet its responsibility to the larger community and to provide the elected officials with a sound basis for their decisions, County staff should re circulate a DEIR that includes an alternative with zero additional development and one with minimal additional development.

227-5
Cont'd

227-6

Thomas Sparks
1430 Arch Street
Berkeley, CA
94708

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3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 227 TOM SPARKS, RESIDENT

Response 227-1: Comments noted. The commentor is referred to Master Responses 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.5 (Adequacy of the Alternatives Analysis).

Response 227-2: The commentor is referred to Response to Comment 227-1.

Response 227-3: The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis) and Section 6.0 (Project Alternatives) of the Draft EIR. As stated on on Page 6.0-17 of the Draft EIR, the environmentally superior alternative is the Reduced Intensity alternative. It should be noted that the Martis Valley Community Plan does not propose any golf courses. The Draft EIR evaluates the golf course potential in the Plan area, which assumes up to five golf courses. The potential for five golf courses was evaluated throughout the Draft EIR and included in the water supply assessment.

Response 227-4: The commentor is referred to Response to Comment 227-1

Response 227-5: The commentor is referred to Response to Comments 227-1 and 227-3.

Response 227-6: The commentor requests that the County prepare a revised Draft EIR and recirculate it to the public. The County considers the Draft EIR adequate for consideration of the project and consistent with the requirements of CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 228

Date: August 17, 2002

PLACER COUNTY
DATE
RECEIVED

AUG 21 2002

Attn.: Lori Lawrence
Environmental Review Technician
Placer County Planning Dept.
11414 "B" Ave.
Auburn, Ca. 95603

PLANNING DEPARTMENT

Re: **Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update, SCH No.: 2001072050**

Dear Ms. Lawrence:

We have been coming up to Martis Creek
Lake to fish and camp since the early
1980's. At that time we lived in the San Jose CA
area. Seven years ago we moved to Garberville, NV
and we are now even closer to that beautiful
Martis Valley. We camp at the campground
there. We and our friends and family fish
in the lake. The birdwatchers in our group
have enjoyed the birds in the area, especially
the Great Blue Herons, White Pelicans, ducks
and other birds at the lake & along the creek.

228-1

We are very distressed to hear that
developers are possibly going to put 800 homes
in the wildlife creek area plus more homes near
the airport. This is tragic to see such a
beautiful open area be developed. More
green + open areas are needed - not covering
up the beautiful Martis Valley.

Please do not let developers or North
Star build in that area!

Sincerely, Dorothy J. Juler
C. J. Juler

Re: **Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update, SCH No.: 2001072050**

pg. _____

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 228 **DOROTHY AND DAN YODER, RESIDENTS**

Response 228-1: Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 229

ABBOTT & KINDERMANN, LLP

ATTORNEYS AT LAW

August 20, 2002

PLACER COUNTY
DATE
RECEIVED
AUG 21 2002
PLANNING DEPARTMENT

Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Re: Martis Valley Community Plan Update Draft Environmental Impact Report

Dear Ms. Lawrence:

Thank you for the opportunity to provide comments on the Martis Valley Community Plan ("MVCP") Update Draft Environmental Impact Report ("EIR"). These comments are being filed on behalf of Ms. Gaylia Newcomb, who owns a forty (40) acre parcel, APN 80-270-011, south of SR 267 and Schaffer Mill Road. We have the following comments regarding the proposed project.

Upon reviewing the Draft EIR we note that under each of the land use map alternatives, the Proposed Land Use (PP), Alternative 1 (AB) and Alternative 2 (AC), Ms. Newcomb's property is designated as "Forest Residential." According to page 25 of the MVCP document the Forest Residential (FR) designation "is applied to areas of moderate to heavy tree cover where very low density, large parcel size averages are determined to be an appropriate land use." As indicated in the land use maps and the MVCP document parcels may range in size from 2.5 to 10 acres in Forest Residential areas. All development in such areas shall have a minimal impact on the forest environment due to the very low density of development allowed. Ms. Newcomb's property is not heavily forested but does have clusters of trees surrounded by open meadow. The standing timber has limited, if any, commercial or resource value.

229-1

According to page 13 of the MVCP, any development within the open meadow and sagebrush flats of the Martis Valley visible from SR 267, must be considered very carefully. According to the draft plan "[t]his area cannot support any new residential or commercial development. Development of any new residential or commercial structures in those open meadows and sage brush areas visible from SR 267 will result in significant damage to the scenic vistas this Plan seeks to protect." (p. 13)

229-2

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Lori Lawrence
Environmental Review Technician
Placer County Planning Department
August 20, 2002
Page 2

Because Ms. Newcomb's property contains both forested and open space areas, the MVCP policies create an internal tension within the planning document. On the one hand, development in forested areas shall have a minimal impact on the forest environment and on the other the development of open space areas visible from SR 267 "will result in significant damage to scenic vistas." The net effect is that a strict application of the plan policies would result in the possibility of no development entitlements being granted for Ms. Newcomb's property. This result would be at odds with the fact that the draft plan and all of the alternatives in the EIR provide a development potential of one unit per 2.5 to 10-acre parcels. In order to harmonize the plan text with the plan maps and EIR alternatives, we request that for property possessing both open space and timbered areas, the MVCP should expressly encourage cluster development near the timbered areas of the property to reduce visual impacts. This will allow development within Forest Residential areas while minimizing impacts to open spaces along SR 267. Given that the timber resources are so limited on my client's property, such an amendment would not harm or conflict with the underlying strategy of protecting the legitimate timber resources.

229-3

Sincerely,



William W. Abbott

WWA/msp

cc: Ms. Gaylia Newcomb

07/08/05-l.wpd

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 229 **WILLIAM W. ABBOTT, ABBOTT & KINDERMANN, LLP**

Response 229-1: Comments noted. The commentor does not comment on the adequacy of the Draft EIR. Therefore, no response is necessary.

Response 229-2: Comment noted. The commentor is referred to Response to Comment F-17. Additionally, the commentor is referred to Section 4.12 (Visual Resources) of the Draft EIR.

Response 229-3: Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 230



August 17, 2002



Ms. Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report for the Proposed Martis Valley Community Plan Update, SCH No. 2001072050

Dear Ms. Lawrence:

Thank you for the opportunity to comment on the above-stated Draft Environmental Impact Report ("DEIR") and Plan Update ("Plan"). Of particular importance to me is the impact of the Plan on the region's biological resources, as I live in nearby Incline Village and greatly enjoy recreating in the Martis Valley area.

It is surprising to me that the Plan seemed to treat the Martis Valley as a single biological entity, rather than an integral part of a larger ecosystem, one that includes a thriving body of water -- the Truckee River. The Plan's regional setting description ignores the impact on the Truckee River, and treats the Martis Valley as if the Valley consists solely of a Sierra Nevada mountain range. How can you properly address the impact that the Plan will have, when the Plan treats Martis Valley in a vacuum, without addressing the impact of the Plan on the larger ecosystem in which the Martis Valley exists (and more importantly, to which it contributes)?

The Plan also fails to account for numerous wildlife habitats. For example, there is no discussion in the Plan about Martis Valley's function as a corridor between surrounding areas for animals such as mule deer. Further, surely there exists a more reliable, pro-active, and seemingly humane method of determining the nature of migration corridors than using data from "road kill." The Plan fails to address wildlife issues in a significant way. The manner in which the Plan treats animal and plant species seems contrary to the spirit and intent of Placer County in adopting its Habitat Conservation Plan, which will protect the diverse plant and animal species in the area.

As you are well aware, the Plan seeks to guide development in the area for the coming twenty years. As such, and in light of the fact that NO studies have been done for the Martis Valley, it is especially important that the information on the biological resources for the Plan be acutely detailed, and accurate as possible. Absent an accurate and comprehensive survey on the species in the area and their habitats, including their migratory behavior, it is impossible to

230-1

ph 775.833.1600

fax 775.833.1479

email lpearson@nvplaw.com

774 Maps Blvd, No. 10 - PMB 405 - Incline Village, NV 89451

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

determine which areas to develop and which to protect. No aspect of the Plan details which is which.

230-1
Cont'd

Are you aware that the Lahontan Cutthroat trout is a federally-threatened species? Its continued existence depends upon its ability to reproduce. Are you aware that sanding the roads in the winter causes sediment to drain into in the water, which may negatively affect the ability of the cutthroat trout to spawn? Please consider this fact when determining approval of new roads and expansions of those already in existence.

230-2

The DEIR contains mitigation for the Plan to result in "less than significant impacts for the region," yet the cumulative impacts are "significant and unavoidable." Such statements are confusing and contradictory. Could this be a result of examining the project in a vacuum, as stated previously?

230-3

Please carefully evaluate all impacts of this Plan, environmental and otherwise, prior to approving it. Failure to do so could easily result in irreversible negative impacts and grave harm to the environment. People are not the only beings on the planet, and we are all responsible for protecting and preserving the environment in which we live. Please also revise and re-circulate the DEIR to address all of the environmental issues adequately and responsibly. Thank you.

230-4

Thank you again for the opportunity to comment on this important matter.

Best regards,



Lara Pearson

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 230 LARA PEARSON, LAW OFFICE OF LARA PEARSON, LTD.

Response 230-1: The commentor is referred to Response to Comments 188-1, 188-2, and 188-3

Response 230-2: The commentor is referred to Response to Comment 188-4. The commentor is also referred to Master Response 3.4.3 (Water Quality) and Sections 4.7 (Hydrology and Water Quality) and 4.9 (Biological Resources) for discussions regarding water quality and impacts on habitat.

Response 230-3: The commentor is referred to Response to Comment 188-6.

Response 230-4: The commentor requests that the County prepare a revised Draft EIR and recirculate it to the public. The County considers the Draft EIR and Revised Draft EIR adequate for consideration of the project and consistent with the requirements of CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 231

Date: 8-14-02

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

Attn.: Lori Lawrence
Environmental Review Technician
Placer County Planning Dept.
11414 "B" Ave.
Auburn, Ca. 95603

PLANNING DEPARTMENT

Re: **Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update, SCH No.: 2001072050**

Dear Ms. Lawrence:

1) Shouldn't this project have been subject to an EIS because of the Corps of Engineers land holdings in Martis Valley?

231-1

2. TSD has planned an increase in capacity from 6.4 mgd to 9.6 mgd to take care of growth through 2024. Is this increase in capacity sufficient to handle Martis Valley development through 2024 plus all other Truckee development on the books such as PC-1 & PC-2, Old Greenwood BE-3 & other smaller high density communities (names I can't remember)?

231-2

3. As a Truckee citizen, I request a true "Citizen's Advisory" committee that is made up of citizens, retail store owners, etc & not comprised of developers as the current Citizens Advisory Committee

231-3

4a. Traffic - Have you done any actual traffic analysis at key intersections on Sat. a.m., Sunday a.m. & Sunday p.m. These are the

231-4

Re: **Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update, SCH No.: 2001072050**

pg. 1/2

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

231-4
Cont'd

"peak" traffic times for the Tahoe Truckee region. The traffic models that have been generated are "models" of Fri 5pm traffic which is not a problem here.

Our peak is Sat & Sunday traffic.

4b. I request "actual actual" data at the Hwy 267 / Hwy 28 intersection, traffic on 895 between Truckee & Sawaw Valley / Alpine Intersections on Saturday 9 am & Saturday 4 pm & the exit road (Sawaw / Alpine) traffic on Sunday noon - 5pm.

231-5

As an engineer, models I know that models, in addition to calibration, need to be realistic. A "model" is only accurate if it is accurate.

I request real data on 89 traffic (Truckee to Tahoe City) along w/ "models" based on Sat & Sunday traffic.

231-6

On all items above, I request an extension on review time primarily because the Draft EIR is based on conclusions & the analysis of data is missing. I also request an EIR that contains an analysis of the data.

Tracy Cuneo

14030 Swiss Ln.
Truckee, CA 96161

Re: Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update, SCH No.: 2001072050

pg. 2/2

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 231 TRACY CUNEO, RESIDENT

DUPLICATE LETTER—Please refer to Comment Letter 39.

Response 231-1: Regarding the commentor's request for an EIS to be prepared, the project does not involve a federal action or a NEPA component; therefore, an EIS is not required. The Martis Valley Community Plan does not propose any changes to Martis Creek Lake, which is under the jurisdiction of the U.S. Army Corps of Engineers.

Response 231-2: The commentor inquires about TTSD's wastewater treatment capacity in the Water Reclamation Plant (WRP). It should be noted that the commentor is referring to T-TSA (Truckee-Tahoe Sanitation Agency) not TTSD. As stated in Section 4.11 (Public Services and Utilities) on page 4.11-53, "A 9.6 mgd capacity would accommodate buildout conditions in the entire T-TSA service area (based on a projected population of 143,000 people), assuming a peak summer seven day average flow in the year 2015 (T-TSA, 1999)". The T-TSA service area includes Truckee, portions of the Plan area, Kings Beach, Tahoe City, Squaw Valley, Alpine Meadows, and development along the western edge of Lake Tahoe. The commentor is also referred to Response to Comment L-6.

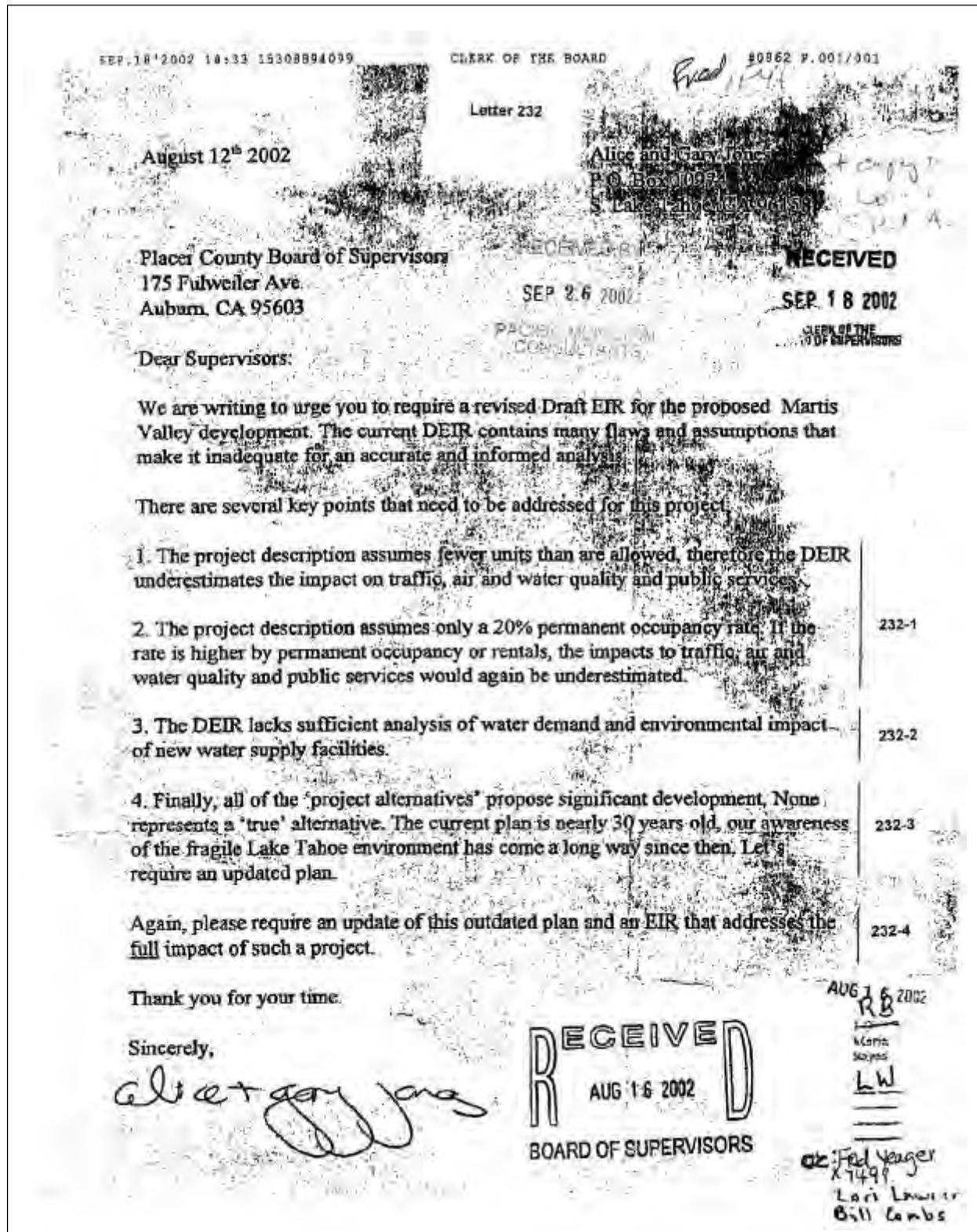
Response 231-3: Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

Response 231-4: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) and Section 4.4 (Transportation and Circulation) of the Draft EIR.

Response 231-5: The commentor is referred to Response to Comment 231-4.

Response 231-6: The commentor is referred to Master Response 3.4.9 (Adequacy of the Public Review Period). The County considers the Draft EIR and Revised Draft EIR adequate for the purposes of CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 232 **ALICE AND GARY JANG, RESIDENTS**

- Response 232-1:* The commentor is referred to Master Responses 3.4.1 (Project Description Adequacy), 3.4.2 (Assumptions Used for the Development Conditions in the Plan Area), and 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 232-2:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project). The commentor is also referred to Section 4.11 (Public Services and Utilities) for a discussion of environmental impacts associated with water supply infrastructure.
- Response 232-3:* The commentor is referred to Master Responses 3.4.2 (Assumptions Used for the Development Conditions in the Plan Area) and 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 232-4:* The commentor states that the Martis Valley Community Plan is outdated and the EIR does not address the full impacts of the project. The commentor fails to identify the inadequacy of the Draft EIR. The Draft EIR provided an extensive analysis of impacts associated with implementation of the project that meets the requirements of CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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0001012002 13154

Sean Dowdall Letter, August 12, 2002

Letter 233

PLACER COUNTY
DATE RECEIVED
AUG 19 2002
PLANNING DEPARTMENT

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR") for the Proposed Martis Valley Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

This letter addresses serious concerns I have regarding the Draft Environmental Impact Report (DEIR) for the proposed Martis Valley Community Plan Update (MVCPU). The DEIR is a very large and complicated document. As such, I am requesting that you extend the public comment period until at least the end of September 2002 to allow further valuable input on the DEIR and provide the public a fair opportunity to evaluate this enormous document. 233-1

The future of the Martis Valley is directly dependent upon the DEIR's assessment of the current conditions in the Martis Valley, the impacts of partial and full build-out of the MVCPU and the recommended/required mitigation initiatives or proposal of alternatives. On all counts under my partial review of the document, the DEIR is woefully inadequate to provide enough information, as required by law, to enable appropriate decisions about the future development in the Martis Valley. 233-2

I request that Placer County address my concerns in writing with detail following each item listing (1, 2, 3, ...) and bullet point.

Overarching Concerns:

Topically, the greatest flaws that I see with the DEIR are as follows:

1. **MVCPU and DEIR scope mismatch:** There is a fundamental mismatch between the scope of development that the DEIR assesses and the development allowed/proposed in the MVCPU. The DEIR makes assumptions that grossly understate the nature, amount and density of development. On this basis alone, the DEIR should be redrafted and specifically address the maximum development allowed under the MVCPU. As an alternative, Placer County could alter the MVCPU document to match the development addressed in the DEIR. 233-3
2. **Lake Tahoe Basin:** The MVCPU's impact on the Lake Tahoe Basin is ignored. Lake Tahoe is an internationally recognized natural resource that has received a significant amount of attention (legal and otherwise) to protect it and attempt to begin to restore its water quality. The following impacts on the Lake Tahoe Basin must be considered in the DEIR: traffic, 233-4

1 of 1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

<p>REC'D AND FORWARDED TO THE Sean Dowdall Letter, August 12, 2002</p>	
<p>increased number of day and multi-day visitors, destruction of wildlife habitat, loss of timber, air pollution, water pollution, noise pollution and light pollution. All of these will have critical impact on the Lake Tahoe Basin.</p>	<p>233-4 Cont'd</p>
<p>3. Truckee: The impact on the Town of Truckee is not adequately addressed in the DEIR. The same impacts apply that I listed for the Lake Tahoe Basin. Also, the supply of affordable housing, which already afflicts the area, will only become worse. Truckee will also bare the brunt of the increased traffic, pollution and noise. Finally, the DEIR does not indicate data gathering from the Truckee, which is a needed input to provide a complete and accurate description of existing conditions, a complete enumeration of impacts both known and potential and a very valuable source for creating alternatives and mitigating measures.</p>	<p>233-5</p>
<p>4. Water: The water supply and quality are not properly addressed for the Martis Valley area. Also, the impact on the Truckee River and those that depend on it downstream are not adequately addressed, specifically Reno and Pyramid Lake.</p>	<p>233-6</p>
<p>5. I-80 Corridor: Another significant gap in the DEIR is the MVCPU's impact on traffic, the environment and all communities up and down the Interstate 80 corridor, from Reno to Roseville.</p>	<p>233-7</p>
<p>6. SR-89: In addition to I-80, Highway 89 will experience more traffic and other impacts from the MVCPU. Also, with the expansion of residential, commercial and recreational development, what is known, anticipated or can be assumed about development (particularly at Squaw Valley and Alpine Meadows) should be included in the DEIR's assessment.</p>	<p>233-8</p>
<p>Traffic Concerns:</p>	
<p>Following is a list of areas that are either not at all or not adequately addressed by the DEIR, but should be:</p>	
<ul style="list-style-type: none"> • The traffic analysis in the DEIR is based on an average during one time of year. The traffic analysis needs to include peak traffic at various points throughout the year, including, but not limited to: commute times and Summer and Winter weekend/holiday. 	<p>233-9</p>
<ul style="list-style-type: none"> • The DEIR's assumption that 80% of new Martis Valley housing will be second home/recreational grossly understates the impact on traffic. Trends in time-sharing and rentals greatly impact the percentage of occupancy. Also, as the huge baby boom retires, they will spend more time per year at their second residences. Another trend is telecommuting which means more days per year will be spent at second homes as technology and work habits evolve. 	<p>233-10</p>
<ul style="list-style-type: none"> • Weather impact on road conditions need to be considered with all of the new roads and roads being widened. 	<p>233-11</p>
<ul style="list-style-type: none"> • The 267 Bypass is not yet complete. The anticipated traffic volume to be handled by the Bypass is huge, yet we don't have actual experience to know how this will impact the area. 	<p>233-12</p>
<p>2 of 2</p>	

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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Sean Dowdall Letter, August 12, 2002	
<ul style="list-style-type: none"> There will be a bottleneck where roads narrow from 4 lanes to 2 lanes. The areas of particular concern are on Highway 267 up the mountain from the entrance to Northstar and the area around the 267 Bypass. Bottlenecks create back-ups, which mean more stop and go traffic, more pollution and more accidents. 	233-13
<ul style="list-style-type: none"> The additional traffic lights will slow the trip from Truckee to Kings Beach. This will have an economic impact (commuters and vacationers) and will create the negative impacts of stop and go traffic listed above. I'm particularly concerned about traffic lights near or on slopes and road curves that will increase accidents. Also, the spacing of traffic lights at Northstar is too close. The movement of the chain control area to accommodate the development and these traffic lights also needs to be considered. 	233-14
<ul style="list-style-type: none"> The traffic impact at the railroad tracks, the intersection of 267 in downtown Truckee and the turnoff to West River Road needs to be addressed in more detail. These are already major areas of traffic concern and are much worse with even a small increase in traffic. 	233-15
<ul style="list-style-type: none"> The MVCPU impact on traffic on Highway 89 and Interstate 80 from Reno to Roseville, needs to be addressed. There are already jams on these roads and Winter weather devastates traffic flow. There will be an increasing number and more severe accidents. Maintenance requirements and costs will also drain funding sources, as will emergency response activities. 	233-16
<ul style="list-style-type: none"> Snow removal requirements and impacts (traffic, pollution and economic) need to be addressed, particularly where there are widened roads (267 especially) and new roads. 	233-17
<ul style="list-style-type: none"> New and/or improved roadways to provide emergency access to expanded and new development areas is not adequately addressed in the DEIR. The DEIR indicates areas of development, but many of these only have one road access. This will not only create traffic problems, but also is a severe safety concern in the advent of forest fires, heavy snowfalls, earthquakes and other events. On the other hand, emergency access roads, which ultimately will become full service roads create new impacts on the environment and traffic. The full scope of the development in the MVCPU needs to be described in the DEIR with the full scope of roadways and their impacts. 	233-18
<ul style="list-style-type: none"> Traffic patterns and impacts are not adequately assessed in regards to the location of much of the proposed development. Specifically, direct access to 267 from commercial development and residential areas needs to be closely analyzed and recommendations/alternatives should be included that indicate ways to mitigate this impact. Again, this is now a big problem and will get much worse with more development and traffic. 	233-19
<p>Finally, the DEIR does not suggest overall alternatives to the MVCPU. High, medium and low development scenarios should be analyzed so that the community, county and other interested constituents can have full information to make the right decisions. An ideal DEIR document would outline: with this level of development done in this way (start with the true maximum build-out of the MVCPU), these are the impacts you will encounter and here's how they</p>	233-20
3 of 3	

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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3 Sean Dowdall Letter, August 12, 2002

should/could be addressed. Then, describe another level of development that is 40% lower and another 80% lower than the MVCPU. That way, all would have the right information to guide our overall vision and development decisions for the Martis Valley. 233-20 Cont'd

I will send additional letters addressing other areas of concern, including water, pollution, wildlife and environmental protection. 233-21

Sincerely,


Sean Dowdall
2032 Scott Street
San Francisco, CA 94115
415.885.8518

4018 Skiview, Northstar

4 of 4

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 233 **SEAN DOWDALL, RESIDENT**

- RESPONSE 233-1:* Comment noted. The commentor is referred to Master Response 3.4.9 (Adequacy of the Review Period) on requests that the review period be extended.
- Response 233-2:* The commentor states that the Draft EIR is woefully inadequate, but the commentor fails to identify the inadequacies of the Draft EIR. The Draft EIR is based on extensive analysis of project impacts and utilizes technical reports, mapping, and review of qualified professionals.
- Response 233-3:* The commentor is referred to Master Responses 3.4.1 (Project Description Adequacy), 3.4.2 (Assumptions Used for the Development Conditions in the Plan Area), and 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 233-4:* The commentor is referred to Master Response 3.4.6 (Consideration of the Impacts to the Tahoe Basin).
- Response 233-5:* The commentor is referred to Master Responses 3.4.2 (Assumptions Used for the Development Conditions in the Plan Area) and 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 233-6:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 233-7:* The commentor is referred to Master Responses 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR) and 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 233-8:* The commentor is referred to Response to Comment 233-7.
- Response 233-9:* The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 233-10:* The commentor is referred to Master Responses 3.4.2 (Assumptions Used for the Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 233-11:* The commentor is referred to pages 4.11-94 through -97 in Section 4.11 (Public Services and Utilities) for a discussion of road maintenance and snow removal impacts.
- Response 233-12:* The 267 Bypass is now complete and in operation. The commentor is referred to Master Responses and 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 233-13:* Comments noted. The commentor does not raise any specific issue or request changes in the Draft EIR.

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- Response 233-14: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 233-15: The commentor is referred to Response to Comment 233-14.
- Response 233-16: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis). Pages 4.11-7 through -24 in Section 4.11 (Public Services and Utilities) of the Draft EIR includes a discussion of impacts on fire protection, emergency medical, and law enforcement services.
- Response 233-17: The commentor is referred to Response to Comment 233-11.
- Response 233-18: The commentor is referred to Response to Comment 233-16.
- Response 233-19: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 233-20: The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 233-21: Comment noted. The commentor does not comment on the adequacy of the Draft EIR. Therefore, no response is necessary.

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Letter 234

MAY.02*2003 14:41

#0340 P.002/043

REMY, THOMAS, MOOSE and MANLEY, LLP
ATTORNEYS AT LAW

MICHAEL H. REMY
1944 - 2003

TINA A. THOMAS
JAMES G. MOOSE
WHITMAN F. MANLEY
ANDREA A. MATARAZZO

BRIAN J. PLANT
OF COUNSEL

455 CAPITOL MALL, SUITE 210
SACRAMENTO, CALIFORNIA 95814

Telephone: (916) 443-2745
Facsimile: (916) 443-9017
E-mail: info@rtm.com
<http://www.remythomasandmoose.com>

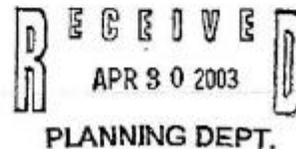
OSHA R. MESERVE
JENNIFER S. HOLMAN
ANDREA K. LEISY
TIFFANY K. WRIGHT
WILLIAM C. BURKE
CHRISTOPHER H. CALFEE
ASHLE T. CROCKER
MARY E. HANDEL
SABRINA V. TELLER
DIANA L. RACHAL

April 29, 2003

VIA FACSIMILE & REGULAR MAIL

(530) 886-3003

Lori Lawrence
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603



Re: Martis Valley Community Plan Update - Revised Draft Environmental Impact Report ("RDEIR") (SCH No. 2001072050)

Dear Ms. Lawrence:

This letter is submitted on behalf of East West Partners, the owner of several properties located within the Northstar-at-Tahoe resort community and the Martis Valley Community Plan ("MVCP") area. As a general comment, the original Draft Environmental Impact Report ("DEIR"), and the Revised Draft Environmental Impact Report ("RDEIR") reflect a comprehensive analysis of a reasonable range of alternatives as required by the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq). We commend County staff and the consultant for endeavoring to provide the public and agency decisionmakers with such a thorough analysis.

Although the lowest-intensity alternative, considered for the first time in the RDEIR, would avoid or substantially lessen some of the otherwise significant environmental effects of the Proposed Land Use Diagram, the alternative is fiscally infeasible on a project level and will not attain the basic objectives of the MVCP Update.

The lowest-intensity alternative proposes the addition of a mere 2,646 residential units, including the approved and proposed employee housing units associated with Eaglewood and Northstar, and a total of 1,097,000 square feet for potential office and commercial space. (RDEIR, at p. 6.0-38; Figure 6.0-3.)

234-1

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The lowest-intensity alternative would therefore not achieve the following Martis Valley Community Plan Objectives:

- Goal 1.B: "To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Martis Valley."
- Goal 1.C: "To designate adequate commercial land for and promote development of commercial uses to meet the present and future needs of Martis Valley residents and visitors and maintain economic vitality."
- Goal 1.D: "To designate adequately-sized, well-located areas for the development of public facilities to serve both community and regional needs."
- Goal 1.E: "To designate land for and promote the development and expansion of public and private recreational facilities to serve the needs of residents and visitors."
- Goal 1.K: "To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Martis Valley residents and to expand the economic base to better serve the needs of residents."

234-1
Cont.

Accordingly, the lowest-intensity alternative would not fulfill many of the project objectives and should be rejected. As noted in the RDEIR, the lowest-intensity alternative would also result in approximately 41% fewer residential units and is therefore in conflict with the direction given by the Board of Supervisors that no major changes to the existing Martis Valley General Plan (1975) are required as part of the update process. (RDEIR, at p. 6.0-50.)

Considering the potential creation of 4,990 full-time jobs under the lowest-intensity alternative, Goal 1.B would be thwarted entirely by the resulting jobs-housing ratio of 4.64, as compared to the 2.56 ratio under the Proposed Land Use Diagram. (See RDEIR, at p. 6.0-41.) As recognized in the RDEIR, such a jobs/housing imbalance could result in potentially significant indirect environmental (air quality and traffic) impacts from commuting workers.

234-2

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The shrunken areas proposed for development within Northstar under the cluster (RDEIR, Figure 6.0-1), reduced-intensity (RDEIR, Figure 6.0-2), and lowest-intensity (RDEIR, Figure 6.0-3) land use alternatives, also appear to conflict with the development proposed as part of the Northstar-at-Tahoe Highlands project (SCH No. 2003012086). The County is in the process of preparing the Final EIR for the Highlands project which includes approximately 1,866 multi-family residential units, a hotel, recreational amenities, and various infrastructure improvements.

234-3

Consequently, the County should consider whether the above-listed alternatives would conflict with the Northstar-at-Tahoe Highlands project, and the Northstar Village project (SCH No. 2001012081). Given the existing infrastructure within Northstar, the development envisioned under the Northstar Master Plan, and the ability of the area to accommodate approximately 1,800 additional residential units, no purpose would be served by eliminating units from the Northstar area as part of the MVCP update.

Thank you for your consideration of our comments. Please call if you have any questions.

Very truly yours,



Whitman F. Manley

cc: Roger Lessman

30417129.002

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 234: WHITMAN MANLEY, REMY, THOMAS, MOOSE AND MANLEY, LLP

- Response 234-1* The commentor notes that the Lowest Intensity Alternative would not achieve proposed Martis Valley Community Plan Goals 1.B, 1.C, 1.D, 1.E and 1.F and would be in conflict with the direction given by the Placer County Board of Supervisors. This comment is noted. The Revised Draft EIR notes that this alternative may not be considered in conformance with Board of Supervisor's direction as well as may be less than adequate to meet Goal 1.B (Revised Draft EIR page 6.0-50).
- Response 234-2* The commentor's statements regarding the Revised Draft EIR's documentation of the jobs-housing ratio of the Lowest Intensity Alternative would be worse than the Proposed Land Use Diagram is noted. Since no comments regarding the adequacy of the Revised Draft EIR were received, no further response is required.
- Response 234-3* It is acknowledged that the Lowest Intensity Alternative land use map may conflict with the current form of the proposed Northstar Highlands project. However, it is not anticipated that this alternative would conflict with the currently proposed expansion of the Northstar Village project. The commentor's statements regarding concerns involving the elimination of existing development potential within the Northstar-at-Tahoe resort community is noted.

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Letter 235

MAY.02'2003 14:42

#0340 P.005/043

SANDBERG, LO DUCA & DELLINGER
ATTORNEYS AT LAW

MARCUS J. LO DUCA
CRAIG M. SANDBERG
KIMBERLEY L. DELLINGER

3300 Douglas Boulevard, Suite 365
Roseville, CA 95661

Tel 916.774.1636
Fax 916.774.1646

April 30, 2003

R E C E I V E D
MAY 01 2003
PLANNING DEPT.

Ms. Lori Lawrence
Environmental Review Technician
County of Placer
Planning Development
11414 B Avenue
Auburn, CA 95603

Re: Martis Valley Community Plan Update ("MVCP Update") Revised
Draft Environmental Impact Report ("RDEIR") [State Clearinghouse
Number 2001072050]

Dear Ms. Lawrence:

On behalf of Sierra Pacific Industries ("SPI"), I want to thank you for the opportunity to comment on the RDEIR for the MVCP Update.

Relative to the revised Alternatives Analysis, SPI's comments can be briefly summarized, as follows:

1. The Clustered Land Use Alternative, the Reduced Intensity Alternative, and the Lowest Intensity Alternative, each with sharply reduced units and reduced private and public recreational facilities compared to the Proposed Project, each fail to fulfill the following key objectives of the MVCP Update, as set forth at pages 3.0-19 and 3.0-20 of the MVCP Update DEIR:

Goal 1.B: To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Martis Valley. [All three alternatives, particularly the Lowest Intensity Alternative, are unable to satisfy this objective].

Goal 1.E: To designate land for and promote the development and expansion of public and private recreational facilities to serve the needs of residents and visitors.

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Goal 1.K: To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Martis Valley residents and to expand the economic base to better serve the needs of residents (DEIR pages 3.0-19,20).

235-1
Cont.

- 2. Each of these alternatives also would be inconsistent with the 1998 direction from the Placer County Board of Supervisors that major changes to the land use designations from the 1975 Martis Valley Community Plan were not appropriate (RDEIR, page 6.0-1).
- 3. Including insufficient future residential development in these 3 alternatives will force employees to travel outside of the MVCP Plan Area for housing, resulting in more severe impacts for these alternatives relative to transportation and circulation, noise, and air quality (RDEIR, pages 6.0-18, 6.0-31, and 6.0-41).
- 4. By providing for far less housing opportunities than the Proposed Project, these three alternatives provide for an inadequate jobs-housing balance in the Community Plan area overall compared to the Proposed Project.
- 5. By providing for far less housing opportunities than the Proposed Project, these three alternatives, while resulting in less public service demands, will generate far less revenue in impact fees needed to fund public facilities.

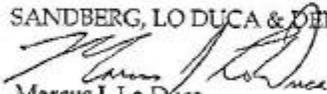
235-2

235-3

We appreciate the opportunity to comment on the RDEIR.

Very truly yours,

SANDBERG, LO DUCA & DELLINGER


Marcus J. Lo Duca

MLD/jy

cc: Gary Blanc
Gerry N. Kamilos
Rick W. Jarvis, Esq.
Amrit Kulkarni, Esq.

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LETTER 235: **MARCUS LO DUCA, SANDBERG, LO DUCA & DELLINGER**

Response 235-1 The commentor states that the Clustered Land Use Alternative, Reduced Intensity Alternative and Lowest Intensity Alternative would not achieve proposed Martis Valley Community Plan Goals 1.B, 1.E and 1.K. This comment is noted. The Revised Draft EIR notes that this alternative may not be considered in conformance with Board of Supervisor’s direction as well as may be less than adequate to meet Goal 1.B (Revised Draft EIR page 6.0-50).

Response 235-2 The commentor is referred to Response to Comment 235-1.

Response 235-3 The commentor states that the Clustered Land Use Alternative, Reduced Intensity Alternative and Lowest Intensity Alternative would result in additional employee housing issues and inadequate jobs-housing balance in the Plan area as compared to the Proposed Land Use Diagram and would generate less revenue in impact fees to fund public facilities. These comments are noted. The Revised Draft EIR notes that these alternatives would result in worse jobs-housing ratios than the Proposed Land Use Diagram.

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#0340 P.007/043

Sean Dowdall
2032 Scott Street
San Francisco, CA 94115
415.885.8518

4019 Skiview, Northstar

Lori Lawrence
Senior Planning Technician
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Re: Comments on the Revised Draft Environmental Impact Report for the Martis Valley Community Plan Update; SCH No. 2001-72050

Dear Ms. Lawrence:

Community Plan Update alone and in combination fall short of meeting CEQA's requirements for an adequate alternatives analysis for the following reasons:

- The RDEIR and DEIR Fails to Analyze a Reasonable Range of Alternatives to the Project
- The RDEIR Fails to Adequately Describe and Therefore Analyze the New Alternatives
- The RDEIR Fails to Provide Sufficient Information Necessary to Support An Informed Comparison of the Alternatives to the Project and One Another
- The RDEIR Fails to Adequately Disclose Inconsistencies Between the New Alternatives and Existing Plans and Policies
- The RDEIR Sets Up Improper Arguments for Rejection of Environmentally Superior and Feasible Alternatives

236-1

Our detailed comments on these defects are described below. As noted in the RDEIR, we anticipate that all comments submitted on the DEIR for the Martis Valley Community Plan update, including comments on the DEIR's alternatives section not adequately responded to in the RDEIR, will be responded to in the Final EIR or in additional revised, recirculated DEIR sections.

236-2

I. Introductory Comments

Last month, Placer County released new "conservation alternatives" to the alternatives described in the Draft EIR for the Martis Valley Community Plan Update. The new

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alternatives are described in an RDEIR to the Martis Valley Community Plan Update, a document purportedly prepared to meet the requirements of the California Environmental Quality Act, CEQA. Alternatives included in the RDEIR include:

- A "no project" alternative, which retains the 1975 Martis Valley General Plan and land use map;
- A "clustered" land use alternative, which locates the majority of proposed new development on fewer acres of each project site;
- A "reduced density" alternative, which reduces holding capacity to 7,150 units (4,423 new units) and reduces total acres of non-residential uses (e.g. commercial uses); and
- The "lowest-intensity" alternative, which reduces holding capacity to 5,383 units (2,646 new units) and total potential office and commercial square footage to 1,097,000 square feet.

The RDEIR rejects without analysis an alternative that would require the development to be transferred out of the Martis Valley to the Town of Truckee. Such an alternative was suggested for review in numerous comments on the DEIR for the Martis Valley Community Plan update.

While, each new alternative includes isolated elements of sound conservation planning, none present a comprehensive, responsible plan for the future of Martis Valley. Each would still be devastating to the region's wildlife habitat, Sierra scenery, and present quality of life. None of the new alternatives combines a reduced intensity of development with a smaller development footprint (e.g. a reduced intensity clustered development alternative), which would achieve significant conservation results.

Most problematic is that the RDEIR rejects each new alternatives as being inconsistent with Board direction provided at the outset of the planning process – direction that called for the land uses proposed for the Valley in 1975 to remain in tact. As Sierra Watch and others have repeatedly stated, a 30-year old land use plan warrants real public debate and real alternatives for public review and debate. CEQA also requires an evaluation of a reasonable range of alternatives to address significant environmental impacts. Instead of providing a meaningful General Plan update process and legally adequate RDEIR, this RDEIR is signaling that the County will stick with their original blueprint for the Valley and reject a new vision for the Martis Valley that could avoid significant impacts related to traffic, air quality, public services and resource values. Our detailed comments on the inadequacies of the RDEIR are set forth below.

II. The RDEIR Alone and In Combination with the DEIR Is Inadequate

A. The RDEIR and DEIR Fail To Analyze A Reasonable Range of Alternatives

The requirement for an EIR to analyze alternatives is critical to CEQA's substantive mandate to avoid significant environmental damage where feasible. In order to carry out this mandate, an EIR must consider a *reasonable range* of alternatives to the project, or the location of the project, which a) offer substantial environmental

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236-3

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advantages over the project proposal and b) may be "feasibly accomplished in a successful manner" considering the economic, environmental, social and technological factors involved. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 566. The RDEIR alone and in combination with the DEIR fails to adequately address a reasonable range of alternatives. Specifically, the new alternatives were not directed at minimizing or eliminating project impacts to the fullest extent feasible as required by CEQA. Instead, each new alternative contains only isolated advantages over the proposed project such as a reduced development footprint or reduced total development. None of the alternatives combine these "conservation" concepts to complete an alternative that would effectively address the significant unavoidable impacts of the project on biological resources, traffic, air quality, affordable employee housing as well as other impacts.

In our comment letter on the DEIR dated August 16, 2002, the organizations requested that a number of other alternatives be considered in a revised DEIR. Those alternatives were directed at reducing or eliminating the significant adverse impacts of the proposed project and included:

- 1) A status quo alternative that would limit new development to that which could be accommodated at acceptable levels of service by *all* existing infrastructure. (See DEIR comment letter, page 48).
- 2) A "biological and natural resources" alternative based on a comprehensive constraints map showing areas to be avoided in light of Placer County General Plan natural resource policies and environmental factors including: ridgelines, significant ecological resource areas, wildlife corridors, maintenance of large unfragmented habitats and steep slopes. (See DEIR comment letter, page 48).
- 3) A "conservation plan" alternative based on the 2001 Natural Community Conservation Planning Agreement principles (attachment A hereto). (See DEIR comment letter, page 48-49).
- 4) A "restricted development" alternative, which would limit new development in unincorporated areas and direct new development into existing cities and towns. The feasibility of an alternative that would "transfer development" into Truckee is enhanced by the fact that at least one of the Marlis Valley development projects is controlled by a party that owns significant undeveloped land in the Town proper (East-West Partners). Even without such common ownerships, Transfer of Development Rights programs have successfully resulted in protecting rural areas in return for increased development rights in nearby urban areas. An alternative means of implementing this alternative would be a "purchase" of development rights program, where development fees charged on new development are used to purchase development rights from properties with scenic or other conservation values. (See DEIR comment letter, page 49).

While some information is provided in the RDEIR concerning the respective impacts of the new alternatives on the need to widen roadways, insufficient information is provided concerning the alternatives affect on the need to expand and improve other essential infrastructure such as wastewater treatment, water storage or other services.

The RDEIR also fails altogether to include alternatives that are demonstrated to avoid impacts to biological resources and be consistent with conservation policies in the

236-3
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County's 1994 General Plan. This omission is particularly noteworthy since Sierra Watch submitted a document to the County in December 2002, titled *Conservation Planning Principles, Martis Valley Community Planning Area*, for the purpose of guiding development of such an alternative. See Attachment A hereto. The report provides a solid rationale for the planning Martis Valley deserves – conservation planning that would protect wildlife habitat and water quality and preserve the existing quality of life. This alternative was not among those evaluated in the RDEIR. Citing Martis Valley's ecological significance, the drafters of the Report, Conservation Biology Institute (CBI), recommended in the Report that Placer County develop a "conservation plan" for the Valley that, at a minimum,

- Adheres to existing County conservation policies.
- Clusters new development around existing development.
- Prohibits development east and north of Highway 267 to protect unfragmented habitat lands and wildlife corridors.
- Establishes a regional conservation strategy before approving any new development.

236-3
Cont.

This report includes the principles for creation of a bona-fide conservation alternative at pages 4-5, Recommendations for Land Use Design. These recommendations could have easily been converted to a land use alternative for review in the RDEIR. A revised and recirculated RDEIR must include a conservation alternative based on the recommendations in the CBI Report and respond to the request for alternatives described in our comment letter on the DEIR and summarized above.

B. The RDEIR Fails to Adequately Describe New Alternatives

The RDEIR fails to adequately describe the alternatives. EIR's must provide information in sufficient detail concerning alternatives to permit a reasonable choice insofar as environmental aspects of the alternatives are concerned. Among the omissions in the descriptions of the alternatives are the following:

- 1) The specific locations of development under the clustered land use alternative. It is not clear what specific land is intended for development under the clustered alternative. A revised map should be prepared which clearly outlines the acreage intended for development on each ownership. Without this information, it is not possible to determine whether the development will impact biological resources (e.g. creek corridors), be consistent with County policy concerning avoidance of development on slopes in excess of 20% and the like.
- 2) Photo simulations or images of the proposed alternatives. The RDEIR concludes that the clustered alternative would result in more severe visual impacts as a result of the higher density of the development than the proposed project. No information or evidence is provided to support this conclusion. A revised, recirculated RDEIR must include photo-simulations or other graphic images of the alternatives and proposed development design in order to support the comparative analysis of visual and other related impacts. It is not a given that high density development is less visually intrusive or attractive than low density

236-4

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development as the section would imply. Moreover, it is also essential to this analysis that the specific location of new development be identified in revised project descriptions and graphics.

- 3) Details concerning total number of units and square footage of development for each alternative. This type of information is inconsistent for each alternative in the RDEIR. For example, there is no information about the square footage of non-residential development under the reduced intensity alternative. Both total residential/resort units and the estimated square footage of these should be provided in order to support impact analyses including for traffic and visual impacts.
- 4) Quantified information concerning the type and amount of water pollutants generated by each alternative. Without this information, a comparison of alternatives to one another is not possible.
- 5) Information concerning the total number of units (resort and for sale) under each alternative with projected purchase/rental/overnight prices. This information must be provided if Goal 1.B is to be invoked as a reason for rejection of alternatives. See RDEIR at 6.0-50. In addition, a comparison table should be included in a revised RDEIR, which includes proposed housing under each alternative, demand generated by each for affordable employee housing, additional affordable housing need generated by growth inducing effects (e.g. increased demand for low paying service jobs as a result of growth in the region, etc.). While some of this information is provided in the discussion sections, it is not easily compared.
- 6) The biological values underlying each development area for each alternative. The RDEIR contains statements such as: "The Reduced Intensity Alternative would result in less land disturbance from extensive development than the Proposed Land Use Diagram (approximately 1,000 acres less than the Proposed Land Use Diagram at buildout) that could support identified special-status plant species habitat (Great Basin scrub, mixed coniferous forest, montane meadow, and ruderal habitats), but would still have the potential to impacts special-status plant species ..." RDEIR at 6.0-35. A revised and recirculated RDEIR must include maps identifying species impacted by each development footprint (including remedial grading areas, roads and other site disturbance necessary to implement the projects) and must quantify the impacts of each alternative on these species and habitats. Vague comparisons without any analysis of the land proposed for disturbance is insufficient to support the conclusions reached in the RDEIR. Other conclusory statements concerning impacts to biological species include, but are not limited to the following:

"Both the Reduced Intensity Alternative and the Proposed Land Use Diagram land uses would result in comparable impacts regarding potential impacts to the Lahontan cutthroat trout, given that both land use options have similar potential effects to Martis Creek and its tributaries." RDEIR at 6.0-36.

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"Both the Reduced Intensity Alternative and the Proposed Land Use Diagram land uses would result in comparable impacts regarding potential impacts to the mountain yellow-legged frog, given that both land use options have similar potential effects to Martis Creek and its tributaries." RDEIR at 6.0-36.

"Both the Lowest Intensity Alternative and the Proposed Land Use Diagram land uses would result in comparable impacts regarding potential impacts to the Lahontan cutthroat trout, given that both land use options have similar potential effects to Martis Creek and its tributaries." RDEIR at 6.0-46.

236-4
Cont.

"Both the Lowest Intensity Alternative and the Proposed Land Use Diagram land uses would result in comparable impacts regarding potential impacts to the mountain yellow-legged frog, given that both land use options have similar potential effects to Martis Creek and its tributaries." RDEIR at 6.0-46.

Evidence and analysis to support these and other conclusory statements throughout the RDEIR must be provided in a revised, recirculated RDEIR.

The omission of these key details, as well as other details of the new alternatives, renders the impact analyses incomplete and inadequate and therefore makes an informed choice between the alternatives and the project impossible.

C. The RDEIR Fails to Provide Sufficient Information Necessary to Support An Informed Comparison of the Alternatives

The RDEIR fails to provide sufficient information to compare the alternatives to one another and to the proposed project. While Tables 6.0-1 and 6.0-3 provide some information comparing the proposed alternatives to the project, the RDEIR fails to provide sufficient information to compare the alternatives with one another for at least the following reasons:

- First, the RDEIR fails to provide sufficient information about basic aspects of project alternatives (such as land coverage, locations and type of development) to support analysis of impacts.
- Second, the RDEIR fails to quantify many of the impacts of each alternative (e.g. public service demand; pollutants generated by each alternative, etc.).
- Third, insufficient information is provided to compare each alternative to other alternatives.

236-5

For example, under Impact 4.3.1, Abandoned Mines and Tailings, all alternatives are identified as "SUM." However, the column comparing each alternative to the project indicates that the alternatives vary in impact from greater or lesser significance when

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compared to the project. Additional columns must be added to a revised table that indicate how each alternative compares with each other alternative and provides quantitative information about the impacts of each for respective impacts where feasible (e.g. total amount of water demand, wastewater demand, etc.). Alternatively, this information must be provided in more detailed discussions in the RDEIR text for each alternative.

Many of the discussions and conclusions contained in the RDEIR are not adequately supported by facts or evidence, but merely provide a conclusory statement of impact. For example:

"The Clustered Land Use Alternative proposes a smaller land area for disturbance and reduced development than the Proposed Land Use Diagram, especially in the Northstar area where mining facilities have been identified. Thus, this alternative would reduced [reduce] hazard impacts associated with potential abandoned mine sites." RDEIR at 6.0-21.

236-5
Cont.

The absence of a graphic depicting where clustered development would be located, coupled with a lack of information about mine sites, renders this a conclusory statement without adequate supporting evidence. Additional analysis and information to support the document's conclusions must be provided in a revised and recirculated RDEIR.

Another example is as follows:

"Both the Clustered Land Use Alternative and the Proposed Land Use Diagram land uses would result in comparable impacts regarding potential exposure to hazardous material contamination given that their mix of land uses are similar." RDEIR at 6.0-21.

Again, this sentence lacks evidence and data to support the conclusion. A revised and recirculated RDEIR must include at least some quantification of these comparable impacts to support the conclusions reached.

The above examples typify the conclusory statements, lack of analysis and evidence to support conclusions throughout the RDEIR.¹ A careful review should be given to the document and revisions made accordingly to fill in the necessary evidence and analysis required by law.

D. The RDEIR Fails to Adequately Analyze the Consistency of Alternatives with the County's General Plan and Other Applicable Policies

Table B indicates that the Proposed Land Use Diagram and all of the alternatives would result in significant impacts unless mitigated with respect to consistency with relevant

236-6

¹ Other conclusory impact statements unsupported by adequate evidence and analysis include, but are not limited to the following: 4.5.1, 4.5.4, 4.7.1-7, 4.8.2, 4.8.3, 4.9.3, 4.9.4, 4.9.5, 4.9.8, 4.9.7, 4.9.8, 4.9.11, 4.11.1.1-3, 4.11.4.1, 4.12.1-5, 4.1.1, 4.3.1, 4.3.3, 4.5.2, 4.6.1, 4.7.1-7, 4.8.2-4, 4.9.3 - 12, among others for all alternatives.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02*2003 14:45

#0340 P.014/043

land use planning documents. Neither Table B, nor the respective RDEIR discussions concerning consistency with plans and policies provide sufficient information about potential conflicts between the alternatives and current County policies. Nor do the discussions identify the mitigation measures necessary to reconcile such conflicts. Additional information is essential concerning such project and alternative consistency with applicable plans, policies and regulations. A revised RDEIR should include a detailed "plan/policy" consistency matrix for each alternative. In the absence of this information, an informed decision cannot be made about which is the superior alternative. Moreover, the Board cannot legally approve a project or project alternative that is not consistent with applicable plans and policies.

236-6
Cont.

E. The RDEIR Suggests Improper Reasons for Rejection of Environmentally Superior and Feasible Alternatives

The California Environmental Quality Act contains a "substantive mandate" that public agencies deny approval of a project with significant adverse effects when feasible alternatives or mitigation measures can substantially lessen those effects. *Citizens for Quality Growth v. City of Mount Shasta* (3d Dist. 1988)198 Cal.App.3d 433, 440-441. In this respect, CEQA "trumps" the Board resolution initiating the Martis Valley Community Plan update and limiting the update with respect to alternative land uses. Said another way, reliance on the Board resolution is insufficient reason to reject an environmentally superior alternative or mitigation measure to the 1975 land use plan.

The RDEIR sets up the rejection of each new alternative because they "may" not conform with Board direction at the outset of the planning process – direction that called for the land uses proposed for the Valley in 1975 to remain in tact. The Board direction given at the outset of the process does not supercede CEQA's requirement that a reasonable range of alternatives be analyzed and the environmentally superior project alternative be adopted. Thus, this rationale for rejecting environmentally superior alternatives would be improper under CEQA.

236-7

If alternatives are recommended for rejection, evidence must be provided that documents their "infeasibility" as defined by CEQA. Such evidence must include reasons why the alternatives were incapable of "being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." Public Resources Code section 21061.1; CEQA definition of "feasible."

The section also sets up rejection of a number of environmentally superior alternatives because they are potentially "less than adequate to meet Goal 1.B of the proposed Martis Valley Community Plan, which states:

To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in the Martis Valley."
RDEIR at 6.0-50.

No analysis is provided comparing the proposed project and the various alternatives with this Goal. Nor is the goal well defined. This information must be provided in addition along with the amount of new employee housing demand generated by each

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02'2003 11:45

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alternative and the proposed project. In all likelihood, the lowest density/intensity alternatives would be superior to the proposed project because they will result in less of an imbalance of affordable housing when compared to the proposed project (less demand for new employees and therefore additional affordable employee housing). Furthermore, even though the proposed project proposes a range of densities, these densities do not ensure a range of housing prices. Housing and resort "price" information must also be provided for the proposed project and alternatives in a revised analysis, if this Goal is to be relied upon to reject any alternatives.

236-7
Cont.

III. Concluding Comments

In light of the deficiencies in the RDEIR, the organizations respectfully request that the County revise and recirculate an adequate analysis of alternatives for development of the Martis Valley area prior to further consideration of the Community Plan Update. As part of the process of developing a legally adequate EIR for the Plan, we urge the County to convene community meetings focused on appropriate and acceptable alternatives for the future development of the Martis Valley. Again we appreciate the opportunity to comment on the RDEIR and request that the following persons be kept informed of this and other projects in Eastern Placer County:

236-8

Sincerely,

Sean Dowdall

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 236: SEAN DOWDALL, RESIDENT

- Response 236-1* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis). Comparison of the alternatives impact to consistency with relevant plans is specifically addressed in Section 6.0 (Project Alternatives) of the Revised Draft EIR.
- Response 236-2* All comments received on the Draft EIR and the Revised Draft EIR are responded to in this document. The commentor's statements regarding the reconsideration of the land use map for the Plan area (1975 Martis Valley General Plan) and a new vision for the Plan area is noted. The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 236-3* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 236-4* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis) as well as Master Response 3.4.3 (Water Quality). As shown in Figure 6.0-1 of the Revised Draft EIR, development (with the exception of residential development under the Forest land use designation) under the Clustered Land Use Alternative would be limited to the specific property areas noted. Commercial and office square footage that could occur under the Clustered Land Use Alternative would be approximately 1,481,000 square feet and approximately 1,124,000 square feet for the Reduced Intensity Alternative.
- Response 236-5* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis). While the Revised Draft EIR includes data and information on each alternative that can be used to compare the alternatives to each other, there is no requirement under CEQA to perform a comparison of the environmental benefits and detriments of the alternatives to each other separate of the comparing them to the proposed project.
- Response 236-6* While the alternatives (with the exception of the No Project Alternative and the Existing Martis Valley General Plan Land Use Map) would involve reductions in land use development as compared to the existing land use designations set forth in the Placer County General Plan, these alternatives would generally be in compliance with the General Plan. Environmental impacts that are related to applicable Placer County General Plan policies are noted throughout the Draft EIR (e.g., Draft EIR pages 4.9-51 through -54). As noted in Response to Comment 158-8, several Placer County General Plan policies have been incorporated and (in some cases) expanded upon in the proposed Martis Valley Community Plan. The commentor provides no evidence or information suggesting where such inconsistencies occur associated with the alternatives.
- Response 236-7* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Response 236-8 The commentor's statements regarding their opinion of the adequacy of the Revised Draft EIR are noted. The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA. The County will notice of future public meetings regarding the Martis Valley Community Plan.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 237

MAY.02'2003 14:45 #0340 P.016/043

R E C E I V E D
MAY 01 2003
PLANNING DEPT.

Paul Valttas
Executive Director
North Tahoe Conservation Coalition
PO Box 1926
Tahoe City, CA 96145

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 96603

April 29, 2003

Re: Comments on the Martis Valley Community Plan Revised Project Alternatives

Project Alternatives:

The Revised Project Alternatives are a big improvement on the Proposed Plan as laid out in the original EIR, but still fall short of what we believe to be sensible planning. All the new Alternatives fail to recognize that it is more important to limit development on the east side of Highway 267 and that Placer County needs to set up a way to do this that is fair to all landowners.

Further to my written comments of August 15 and August 19, 2002, all the new Alternatives fail to reflect the economic reality that was so eloquently put forward by Fred Yeager last year. He stated that it is not economically credible that the area can support more than 5,854 total units by 2021. This represents approximately 3,400 new units over twenty years, and all of the proposed new Alternatives fail to review this possibility that would be both fair to property owners and to the sensitive local environment.

Given the new Alternatives presented, only one offers developments of 3,400 new units or less and therefore we would strongly recommend that the LOWEST INTENSITY ALTERNATIVE be adopted as the Proposed Plan in a Revised EIR. Please effect this change immediately, or explain in detail why the County has rejected this.

However I must note again that we would much prefer to see a plan that sets aside land to the east of Highway 267 in Martis Valley, and request that an Alternative of this nature be pursued immediately.

Water Issues:

The planning process effected many years ago in Squaw Valley identified that there would be sufficient water to allow for the Intrawest Village development. The reality has proven to be very different. There is in fact insufficient water in Squaw Valley to allow the Village to move to completion, and this indicates that planning process systemically overestimates the amount of available water. This clearly demonstrates that the up-front assurances that there was enough water in Squaw Valley were badly wrong.

237-1

237-2

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02'2003 14:16

#0340 P.017/043

We are now being assured that there is enough water in Martis Valley to support large scale development. However right now, today, there are water shortages in the Glenshire area and this would indicate that water issues for all Alternatives are not properly reflecting reality. Please provide details of the water plans for Squaw Valley at the time of planning and the details of the water now found to be available. Would it prudent to scale down the proposed level of development to reflect the experience and reality of what occurred in Squaw Valley?

237-2
Cont.

Planning Process:

NTCC wishes to register its concern that a number of projects are being allowed to proceed without the new Martis Valley Community Plan (MVCP) in place. All constituents have agreed that the old 1975 Plan is no longer appropriate and are pursuing a process to replace it with something more appropriate. It seems unacceptable that certain developers are proceeding with specific projects before the new MVCP is in place. NTCC is very concerned that this occurring with the Siller Brothers development and with the Northstar Highlands development. Please explain why this is being allowed to happen.

237-3

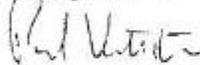
The MVCP process is now running 12 months behind its original schedule. It therefore seems appropriate to put a 12-month moratorium on all projects that fall under the geography of the new plan. Please put this into effect, or explain why it is not possible.

Additional comments:

I attach two documents reflecting additional specific concerns. The first is a list of comments on the Revised Draft EIR (RDEIR). The second is a transcript of comments read into the public record at the Board of Supervisors meeting on April 28 in Kings Beach.

237-4

Kind regards,



Paul Vatisas
Executive Director
NTCC

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02'2003 14:46

#0340 P.018/043

COMMENTS ON THE RDEIR

- The RDEIR still fails to adequately address a reasonable range of alternatives for the following reasons: First, the new alternatives were not directed at minimizing or eliminating project impacts to the fullest extent feasible as required by CEQA. A bona-fide "conservation" alternative must be analyzed in a revised DEIR (see outline of that alternative in the CBI report).
- Second, the RDEIR fails to adequately describe the alternatives. Key details concerning the alternatives are not disclosed, which renders the analyses inadequate. Such project description omissions include, but are not limited to: the specific location of development under the cluster alternative; the total amount of non-residential development under the reduced intensity alternative, new car trips generated by each alternative; and the like.
- Third, the RDEIR fails to provide sufficient information to compare the alternatives to one another and to the proposed project.
- Finally, the RDEIR rejects each new alternative as "infeasible" without providing sufficient evidence. Such evidence would have to include reasons why the alternatives were incapable of "being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." Public Resources Code section 21061.1; CEQA definition of "feasible."

237-5

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02'2003 14:46

#0340 P.019/043

NTCC PUBLIC COMMENTS ON APRIL 28, 2003

Pursuant to the NTCC Board Meeting on April 21, 2003.

Martis Valley Community Plan (MVCP)

NTCC continues to oppose the scale of proposed development in Martis Valley. This is because there is no rationale for this scale of development on economic, water supply, and environmental grounds.

NTCC is also concerned that several out-of state developers are trying to push individual projects through before the MVCP process is complete. The Planning Department should halt all individual applications until the new MVCP is in place.

Key points:

- Some of the proposed Alternatives recently released are a significant improvement on the Proposed Plan. However, all fail to take on board the need to eliminate development on the eastern side of Highway 267.
- While the BOS may not read all of the 2000 pages of the EIR, it can and should apply 'sanity checks' to the outcome, namely the MCVP.
 - In 1975, the average home in Martis Valley was about 1500 square feet, and had no landscaping.
 - Recently built, and proposed, homes are typically over 3000 square feet, and have significant landscaping.
 - At least four new golf courses are proposed.
 - HENCE the demand on the water supply by these homes will be AT LEAST DOUBLE that envisaged in 1975. Hence the total number of units allowed should be close to half of that envisaged in 1975 (or less than 6,000).
 -
- Placer County Planning does not believe that economic demand in his area can exceed 5,254 units by 2021. The Planning for this area needs to be built around this figure (and not 9,200 total units).
- NTCC believes that the best of the proposed new Alternatives is the LOWEST INTENSITY ALTERNATIVE (at 2,646 new units), but that this Alternative fails to properly address the need to preserve areas east of Highway 267 and address required mitigations on developers to the west of Highway 267.

237-6

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 237: PAUL VATISTAS, NORTH TAHOE CONSERVATION COALITION

- Response 237-1* The commentor's statements regarding the alternatives analysis provided in the Revised Draft EIR and the desire to restrict development east of SR 267 is noted. While it is acknowledged that the proposed Martis Valley Community Plan is intended to regulate development within the Plan area through the year 2020, land use maps under consideration for the Martis Valley Community Plan are intended to show all land uses associated with buildout of the Plan area. The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 237-2* The Martis Valley Community Plan does not involve land uses and public services within Squaw Valley. The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 237-3* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy).
- Response 237-4* Responses to these comments are provided in Response to Comments 237-5 and 237-6.
- Response 237-5* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 237-6* The commentor's regarding the Revised Draft EIR, development conditions in the Plan area and general support for the Lowest Intensity Alternative with the prohibition of development east of SR 367 is noted. The comment is referred to Response to Comment 237-1.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 238

MAY.02'2003 14:47

#0340 P.020/043

KELLY R. CARROLL*
PETER H. CUTTITTA*
STEVEN C. GROSS*
STEPHEN C. LIEBERMAN
JAMES L. PORTER, JR.*
JAMES E. SIMON

Reply to Trustee Office

Law Office Of
PORTER • SIMON
Professional Corporation

April 24, 2003

ANDREW J. MORRIS*
JAMES L. OLAMSTEDT*
KENNETH P. CRAIG*
RINKY S. PARWANI
JULIA E. BURT**

*Also Licensed in Nevada
** Also Certified Public Accountant
†Certified Specialist in Estate
Planning, Trusts and Probate Law
††Also Licensed in Nevada, Oregon
and Washington

Attention: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

R E C E I V E D
APR 28 2003
PLANNING DEPT.

Re: *MVCP RDEIR Record Submission*

Dear Ms. Lawrence:

Attached please find a copy of a letter from Tim Silva, General Manager of Northstar-At-Tahoe, which was previously sent to the Placer County Planning Department. Please consider this letter and the attached letter from Mr. Silva an official submission to the record for the Martis Valley Community Plan Update and the Martis Valley Community Plan Revised Draft Environmental Impact Report.

238-1

As noted in the attached letter, historical data on actual usage of residential units at Northstar-At-Tahoe indicates that the 80/20 ratio of non-permanent to permanent residential use overstates permanent residential use and therefore also overstates potential environmental and traffic impacts of residential units in the Martis Valley. Also, as noted in the attached letter, evidence of actual usage indicates that the ratio is instead 90/10. Further, actual usage data suggests that this ratio will continue for further development at Northstar-At-Tahoe.

238-2

Thank you very much for your consideration and for entering these documents and this information in the official record for the Martis Valley Community Plan.

Very truly yours,

PORTER • SIMON
Professional Corporation


JAMES L. PORTER, JR.
porter@portersimon.com

JLO:cjg

Enclosure (1)

1. Letter dated 2/5/03 from Tim Silva

TRUCKEE OFFICE - 40200 Truckee Airport Rd - Truckee, California 96161 - (530) 587-2002 - Fax (530) 587-1316
RENO OFFICE - Twentieth Century Building - 335 W. First Street - Reno, Nevada 89503 - (775) 322-6767
SOUTH LAKE TAHOE OFFICE - 2269 James Avenue - South Lake Tahoe, California 96150 - (530) 541-4352

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02'2003 14:47

Feb - 5 - 2003 2:14PM

NORTHSTAR ADMINISTRATION

#0340 P.021/043

No.6178 P. 2



February 5, 2003

Placer County Planning Department
Placer County Planning Department
11414 "B" Ave.
Auburn, CA 95603

Re: Percentage of permanent residents to non-permanent residents in Martis Valley

To Whom it May Concern:

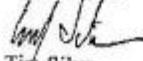
In reviewing the draft Martis Valley Community Plan Update and associated Environmental Impact Reports we noted that various environmental and traffic and circulation impacts are based upon an estimated ratio of 80% non-permanent to 20% permanent residential use.

Based upon information about actual usage of residential units at Northstar-At-Tahoe, we believe that the 80/20 ratio is inaccurate and overstates the potential impacts of residential units in the Martis Valley.

Specifically, our data indicates that of the existing 1,428 residential units at Northstar, only 144, or 10%, are used as full time residences. Based upon our observations of the actual usage of residential units at Northstar-At-Tahoe over a period of 30 years, we have every indication and expectation that this 90/10 pattern of residential usage will continue for any further development at Northstar.

Please enter this letter into the official record in the Martis Valley Community Plan Update process so that it may be considered by the decision making bodies in their decisions on this matter.

Respectfully submitted,


Tish Silva
General Manager

P.O. Box 129 • Truckee • California 96160-0129 • (530) 562-1010
Northstar-At-Tahoe is owned and operated by Trillium Land Company
Northstar, Northstar-At-Tahoe and  are registered service marks of Trillium Land Company

238-3

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 238: JAMES PORTER, LAW OFFICES OF PORTER - SIMON

Response 238-1 Comments associated with this letter are responded to in Response to Comment 238-3.

Response 238-2 The commentor's statements regarding the 20 percent permanent residency and 80 percent seasonal residency rates used in the Draft EIR and Revised Draft EIR may overstate the environmental effects of the project are noted. The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).

Response 238-3 The commentor's statements regarding the 20 percent permanent residency and 80 percent seasonal residency rates used in the Draft EIR and Revised Draft EIR may overstate the environmental effects of the project are noted. The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 239

MAY.02'2003 14:47

#0340 P.023/043

By Email and USPS

111 Sandringham Road
Piedmont, CA 94611
April 28, 2003

Lori Lawrence,
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

RE: Martis Valley Community Plan Update, Revised Draft Environmental
Report, Section 6.0 – Project Alternatives ("RDEIR")

Dear Ms. Lawrence:

My wife and I have followed the planning process for the Martis Valley Community Plan Update and other projects in the Martis Valley for several years. We previously submitted comment letters on various aspects of the Draft EIR for the Martis Valley Community Plan Update issued in June 2002. We appreciate the opportunity to participate in the planning process and the current opportunity to provide comments on the recirculated Section 6.0 – Project Alternatives of the Martis Valley Community Plan Update. As noted in earlier letters, we own a home at Northstar and are familiar with many of the planning issues specific to the Martis Valley. Additionally, we have joined or helped form a number of groups with specific concerns about local and regional planning decisions. Notwithstanding these affiliations, the following comments are personal and do not necessarily reflect the positions of any of the groups with which we are affiliated. This comment letter focuses on a few of the issues raised by the recirculated Project Alternatives section.

Martis Valley Community Plan Update

We support the development of an updated Community Plan for the Martis Valley. The current plan which dates from the early 1970s no longer serves the community well. We believe that the County and the public have invested heavily in the development of the Update and that no additional projects in the Martis Valley should be considered until the work on the Update is complete. We hope that the County can convince the development community that their interests will best be served by supporting the County's efforts to develop an appropriate Update for the Martis Valley.

Different participants will draw different lessons from attending public meetings such as the ones Placer County Planning Department conducted for the Citizens Advisory Committee on the Martis Valley Community Plan Update. One lesson we took away from those meetings is that many interested members of the public, not necessarily all from Placer County, value the open space in the Martis Valley. Planning Director Yeager explained that, technically, golf courses count as open space for many planning purposes.

239-1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

MAY.02*2003 14:48

#0340 P.024/043

The type of open space most valued by the public is not the open space of ski runs or golf courses, but the open space of meadows, chaparral and forested hillsides. Accordingly, we support a Martis Valley Community Plan which preserves unfragmented natural open space. This hope leads to the topic of how to pay for open space.

239-1
Cont.

Alternatives

We support the County's evaluation of a range of alternatives, but believe that failing to find an alternative which is clearly superior, as demonstrated by staff support, to the previously identified preferred alternative means the current effort to expand alternatives is a failure. The following comments on the current Project Alternatives are designed to assist in the effort to find an appropriate alternative which staff will deem superior to the current preferred alternative.

239-2

Open Space Development Fees

Developing a comprehensive method of insuring adequate compensation for current property owners who may not receive the zoning and development opportunity they thought they were going to enjoy is, no doubt, a challenging undertaking. The bedrock for such a plan will likely involve the payment of development fees by those property owners who, in the final plan, receive zoning consistent with the County's provision for additional development in the Martis Valley.

239-3

The RDEIR document on Project Alternatives is silent on the topic of appropriate compensation for reduced density alternatives reviewed. Is this an oversight? Shouldn't any serious consideration of reduced density alternatives include a discussion of equity for property owners?

The next version of an EIR for the Martis Valley Community Plan Update should include an adequate review of ways to reduce the impact of development (e.g., through dwelling unit reductions, adoption of appropriate land uses, and designation of appropriate sites for development to name a few of the most important techniques) along with a range of measures which ensure equitable treatment of current property owners.

Context for Review and Comment on the Revised DEIR

The first EIR for the Martis Valley Community Plan Update identified a number of important impacts. Issues raised by agencies and interested members of the public in comment letters and at public hearings provided additional information and questions for Placer County's review and consideration. Placer County's review of these comments has not yet been shared with the public.

239-4

In the absence of information concerning the County's analysis of issues previously raised and not yet addressed, any current review of the revised and recirculated Section 6.0 - Project Alternatives will necessarily be incomplete as the issues associated with other sections of the DEIR can not severed from the issues raised in a reconsideration of alternatives.

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MAY.02'2003 14:48

#0360 P.025/043

Support

We support the development of additional alternatives with less impact than the staff preferred alternative. A new Martis Valley Community Plan and related land use diagram which contemplates increasing the number of authorized dwelling units by 100 per cent seems at the outer limit of a range of reasonable additional development possibilities. Given the adverse current impacts (e.g., traffic congestion) of the recreational use of the Northstar ski resort, expanding commercial and other uses in the Martis Valley does not seem warranted.

239-5

Specifically, adding additional accommodations (e.g., hotels) and intensifying usage through development of time share units seems inconsistent with the current adverse impacts. Note that many had hoped the SR 267 Bypass would improve local traffic conditions. This hope has not been realized.

Location of New Dwelling Units

Assuming that approximately 2,500 additional dwelling units will be authorized for the Martis Valley, where should these units be located? Perhaps an easier question is where should they not be located. These issues are not adequately discussed in the recirculated Project Alternatives.

The current Section 6.0 does not address the issues of how the locations of proposed additional dwelling units for the new alternatives were selected. This seems a major oversight.

239-6

Note that the development potential for the Martis Valley as outlined in the lower density alternatives considered in the RDEIR, although dramatically less than the level anticipated thirty years ago, represents one of the largest increases in dwelling units and anticipated usage for this part of the Sierras. Appropriate siting of any additional dwelling units is an opportunity to lessen various impacts on the Martis Valley and to preserve natural open space which should not be ignored.

The County should revisit the issue of where additional units should be located and recirculate the Project Alternatives.

Permanent Open Space

The final version of the Martis Valley Community Plan, should, consistent with Placer County's general resource protection policies, include provision for long term protection for areas not approved for development in the Martis Valley Community Plan Update. Accordingly, the Martis Valley Community Plan and the Alternatives analyzed, should make provision for permanent protection of property not designated for development in this Update.

239-7

The Northstar Property Owners Association Board, representing the largest single group of property owners in the Martis Valley, recently endorsed a "Memorandum of Understanding" with East West Partners, in significant part, because they believe the

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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#0340 P.026/043

agreement capped total development aspirations of East West Partners and Trimont Land Company in the Martis Valley. That agreement is cited here solely to illustrate public support for the idea that the current planning effort for Martis Valley should not be a ten or twenty year stopgap measure, but should represent the County's best effort to set the appropriate permanent level of development for the region and should include effective measures of permanent open space protection.

239-7
Cont.

Summary

Viewed in isolation the current examination of "alternatives" is incomplete in several respects noted earlier in this comment letter. Revising the Project Alternatives section of the Draft EIR to address the issues raised (e.g., explaining the rationale for the Alternatives, using a range of techniques to reduce adverse impacts, providing for open space and property owner equity) should make the next consideration of alternatives more interesting.

239-8

The current version of Project Alternatives is inadequate and should be revised and recirculated.

Thank you again for the opportunity to comment.

Sincerely,

David Welch

C: Fred Yeager

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 239: **DAVID WELCH, RESIDENT**

- Response 239-1* The commentor's general statements regarding the Martis Valley Community Plan Update process and the desire to preserve natural open space is noted. These comments will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration. Since no comments regarding the adequacy of the Draft EIR or Revised Draft EIR were received, no further response is required.
- Response 239-2* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 239-3* Consideration of methods to acquire land areas and/or development rights (as suggested by the commentor) is an economic issue/policy to be considered by the County as part of the planning process. CEQA Guidelines Section 15131 specifically notes that economic concerns are not considered physical effect on the environment and thus was not discussed in the Revised Draft EIR. The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 239-4* Comments received on the Draft EIR and the Revised Draft EIR are responded to in this document.
- Response 239-5* The commentor's statements regarding the range of alternatives that should be considered in relation to current conditions in the Plan area (e.g., traffic) are noted. The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 239-6* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 239-7* The commentor's statements regarding the protection of areas not designated for development is noted. The land use designations set forth in the Martis Valley Community Plan (e.g., Open Space and Forest) specifically restrict the extent of land uses that could occur in these areas. However, it is acknowledged in the Martis Valley Community Plan and evaluated in the Draft EIR and Revised Draft EIR that allowed uses under these land use designations could result in significant impacts (e.g., Draft EIR page 4.9-39).
- Response 239-8* The commentor's comments regarding the alternatives analysis is responded to in Response to Comments 239-2 through -6. The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 240

MAY.02'2003 14:49

#0340 P.027/043

Lori Lawrence - Martis Va Plan Update Section 6 Comments due by April 30

Pa

From: Adda Quinn <envirohorse@yahoo.com>
To: <llawren@placer.ca.gov>
Date: 3/21/03 10:45PM
Subject: Martis Va Plan Update Section 6 Comments due by April 30

March 15, 2003

Lori Lawrence
Placer County Planning Dept
11414 B Ave
Auburn CA 95603
530-886-3000

Re Notice of Recirc Of Revs to Draft EIR for Martis
Valley Community Plan Update SC#2001072050; Section 6
addition of lower density/intensity alternative.

Comments due April 30, 2003

Dear Ms. Lawrence and Placer County Planners

First, we would like to thank the County for being
responsive to the overwhelming public opinion that
density must be limited in the Martis Valley and
revising the DEIR according to public input.

Second, we concur whole-heartedly with the County's
conclusion in the revised DEIR on page 15 that:
Based upon the evaluation described in this section,
the Reduced Intensity Alternative is
considered to be the environmentally superior
alternative. This alternative was determined to have
less adverse environmental impacts than the proposed
project on most issues overall.

We urge the County to adopt the Revised DEIR now with
the lower density/intensity alternative.

Thank you for listening to the public in this regard.

Sincerely,

Adda Quinn
1119 Martis Landing

envirohorse@yahoo.com from Adda Quinn

Do you Yahoo!?
Yahoo! Platinum - Watch CBS' NCAA March Madness, live on your desktop!
<http://platinum.yahoo.com>

240-1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 240: **ADDA QUINN, RESIDENT**

Response 240-1 The commentor's general statements regarding the alternatives analysis provided in the Revised Draft EIR is noted. However, it should be noted that the Revised Draft EIR identifies that the Lowest Intensity Alternative would have the least extent of impact on the environment (as compared to the Proposed Land Use Diagram) (Revised Draft EIR page 6.0-50).