

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

Letter 241

MAY.02*2003 14:49

#0340 P.028/043

Lori Lawrence - Martis Va Master Plan comments

Pag

From: Adda Quinn <envirohorse@yahoo.com>
To: <ljlawren@placer.ca.gov>
Date: 4/18/03 7:21AM
Subject: Martis Va Master Plan comments

April 18, 2003

Lori Lawrence
Placer County Planning Dept.
1414 B Avenue
Auburn, CA 95603

Re: April 30 deadline for comments on Martis Valley Plan

The Martis Valley Plan fails to adequately address a reasonable range of alternatives for the following reasons:

§ First, the 3 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.

§ 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 of the 3 new alternative as "infeasible" without providing sufficient evidence. Such evidence should 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."

I strongly urge Placer County to provide real analysis for and select low density alternatives for future development. Thanks for consideration of this viewpoint.

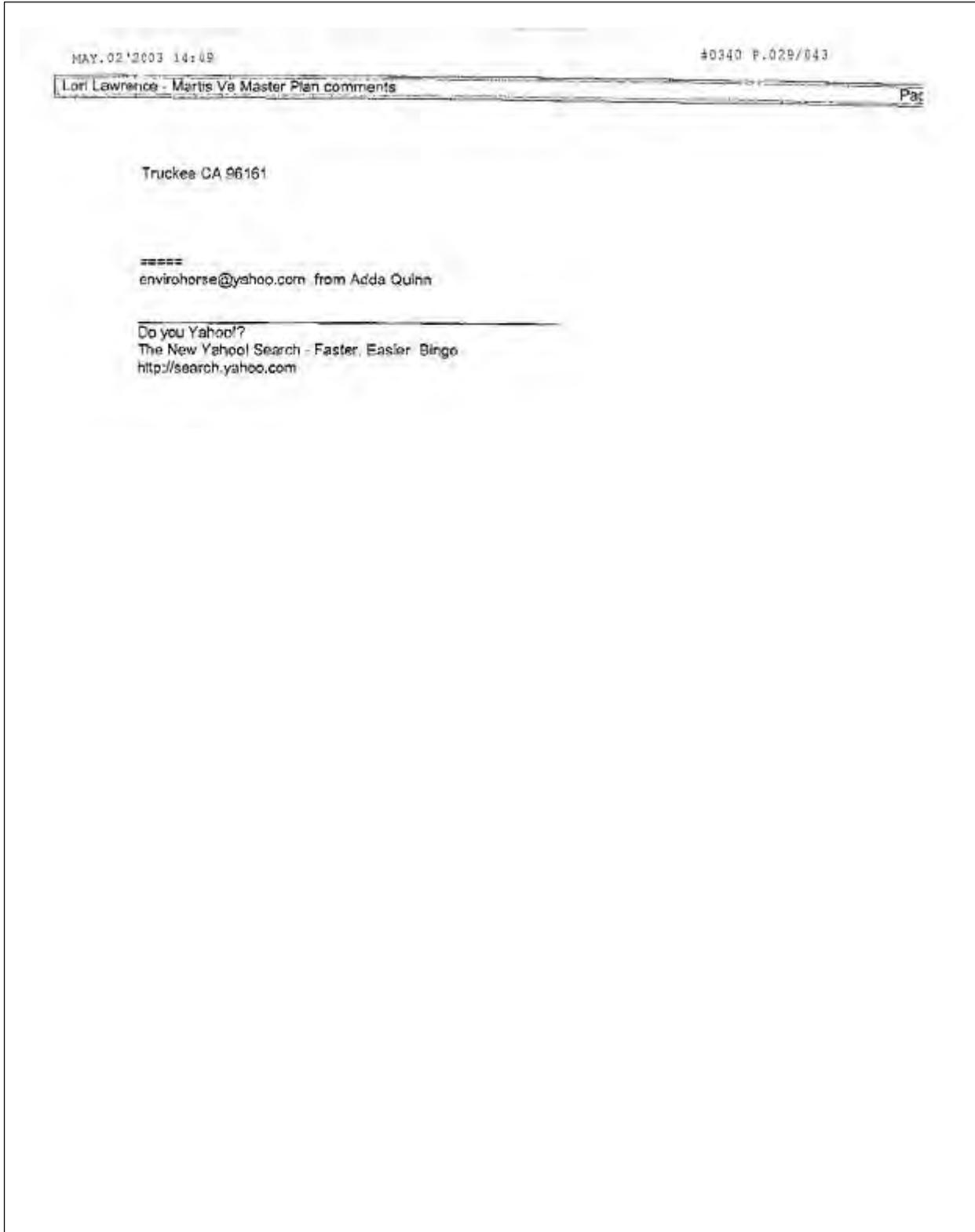
Regards

Adda Quinn
1119 Martis Landing

241-1

241-2

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 241: ADDA QUINN, RESIDENT

Response 241-1 The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

Response 241-2 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

Letter 242

MAY.02 '2003 14:49 #0340 P.030/043

Lori Lawrence - Draft EIR for Martis Valley Community Plan Update SC#2001072050 Per

From: "Scott C. Kennedy" <sck@sck.com>
To: <llawren@placer.ca.gov>
Date: 3/22/03 8:20AM
Subject: Draft EIR for Martis Valley Community Plan Update SC#2001072050

Dear Ms. Lawrence and Placer County Planners:

I am a resident of Martis Woods Estates in Placer County.

I have been informed that there are developer proposals that will significantly increase the density of Northstar and the Martis Valley in general.

I do not believe the Martis Valley community and infrastructure was developed with such large growth in mind. Such expansion as planned will choke existing commercial, industrial, retail, streets, highways & intersections. Examples are already present that provides evidence of what will magnify in the future if you allow the planned growth to occur:

- * The traffic signal light at Highway 267 and the Truckee Airport has traffic backed-up for a mile during skiing commutes from Northstar.
- * Traffic at the intersection of Highway 89 & Donner Pass Road will back-up to interstate 80.
- * The historic downtown Truckee has little to no parking available on weekends and the street is heavily congested.
- * Residents living in Northstar are stuck in traffic backups when trying to access their property during skiing commute hours.

With the exception of passing lanes, the single-lane State Highway 267 would become heavily congested from Interstate 80 to the intersection at King's Beach if a doubling of housing were to occur in Martis Valley, not to mention the added traffic to Highway 28 around North Lake Tahoe. You only need to look at Highway 89 at Squaw Valley and Alpine Meadows to see what will happen to Highway 267.

If you allow the Martis Valley growth to occur, it will turn Martis Valley and North Lake Tahoe to resemble the traffic and congestion of South Lake Tahoe - and South Lake Tahoe has a multi-lane highway surrounding the lake that North Lake Tahoe doesn't.

The Martis Valley / North Lake Tahoe area is not designed for the high growth that developers are attempting to persuade you to allow them to do. Let's face the facts - developers are in the business for one reason only - to make huge amounts of money in developer fees and from subdividing. Developers will stuff residents into sardine cans if they can get away with it - the only thing stopping developers from destroying this area is your department and our elected officials.

Please stand-up for the sake of preserving what we have and do not compromise the beauty of this community under any circumstances.

Thank you,

Scott C. Kennedy
10855 Pine Cone Drive
Truckee, CA 96161
(530) 582-9970
email: sck@sck.com

242-1

242-2

242-3

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

LETTER 242: SCOTT KENNEDY, RESIDENT

Response 242-1 Public service and utility capacities and potential impacts associated with subsequent development under the Martis Valley Community Plan are addressed in Section 4.11 (Public Services) of the Draft EIR. Impacts to local roadways, transit, pedestrian and bicycle and highway facilities are addressed on Draft EIR pages 4.4-39 through -72. The commentor is also referred to Master Response 3.4.10 (Adequacy of the Traffic Analysis).

Response 242-2 The commentor is referred to Response to Comment 242-1.

Response 242-3 The commentor's statements regarding concerns associated with new development within the Plan area 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.

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

Letter 243

MAY.02*2003 14:49 #0340 P.031/043

Lori Lawrence - Re: Martis Valley Overdevelopment Pag

From: <MEYABBO@aol.com>
To: <ljlawren@placer.ca.gov>
Date: 3/23/03 4:57AM
Subject: Re: Martis Valley Overdevelopment

Lori Lawrence
Placer County Planning Dept
11414 B Ave
Auburn CA 95603
530-886-3000
ljlawren@placer.ca.gov

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. 243-1

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. 243-2

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,

Carrie Sterring
meyabbo@aol.com

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

LETTER 243: CARRIE SHERRING, RESIDENT

Response 243-1 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).

Response 243-2 The commentor is referred to Response to Comment 243-1.

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

Letter 244

MAY.02*2003 14:50 #0340 P.032/043

Lori Lawrence - Martis Valley Pat

From: Pat & Mike <mhpmd@pacbell.net>
To: <ljlawren@placer.ca.gov>
Date: 3/22/03 8:25AM
Subject: Martis Valley

March 22, 2003

Lori Lawrence
Placer County Planning Dept
11414 B Ave
Auburn CA 95603
530-886-3000
ljlawren@placer.ca.gov

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. 244-1

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. 244-2

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,

Pat Dallam
416 Chaucer St
Palo Alto, Ca

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

LETTER 244: PAT DALLAM, RESIDENT

Response 244-1 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).

Response 244-2 The commentor is referred to Response to Comment 244-1.

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

Letter 245

MAY.02'2003 14:50

#0340 P.033/043



CALIFORNIA TROUT

Fred Yeager
Placer County Planning Department
11414 B Street, Auburn, CA 95603

March 31, 2003



Dear Mr. Yeager:

I am writing to add a supplementary comment on the "Martis Valley Community Plan Update," which is an addendum to the original Plan.

Our impression is that the additional alternatives will still provide little mitigation for our two major concerns discussed in detail in our previous letters:

One major concern will simply be the amount of runoff that is likely to contain sediment, fertilizer, and pesticides. We find the discussion of such issues to be inadequate in the DEIR and clearly in need of major revision.

245-1

A second major concern will be the tapping of groundwater for water supplies to the new development. Again we find the discussion of this issue inadequate and in need of revision. In particular a reduced flow into the inlet straits of the Lake may in and of itself lead to deterioration of spawning conditions in those straits, a situation that could only be made worse by the fact that runoff into the straits would likely include large amounts of sediment, pesticide, and fertilizer residue.

245-2

Sincerely,

Jerome Yesavage
Governor and Chair Conservation Committee
California Trout <http://www.caltrout.org/>
827 Santa Fe Avenue
Stanford, California 94305
Internet E-Mail: yesavage@stanford.edu
URL: <http://www.stanford.edu/people/yesavage>
Voice: 650-858-1365 Fax: 650-493-1740 eFax: 707 897-1414

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

LETTER 245: JEROME YESAVAGE, CALIFORNIA TROUT

Response 245-1 The commentor is referred to responses to Comment Letters 72 and 73 as well as Master Response 3.4.3 (Water Quality) and Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

Response 245-2 The commentor is referred to responses to Comment Letters 72 and 73 as well as Master Response 3.4.3 (Water Quality).

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

Letter 246

MAY.02'2003 14:50

#0340 P.034/043

Lori Lawrence - martis valley plan

Par

From: "tahoejimmy" <tahoejimmy@calis.com>
To: <ljlawren@placer.ca.gov>
Date: 4/17/03 1:35PM
Subject: martis valley plan

I AM WRITING TO EXPRESS MY CONCERN RE:MARTIS DEVELOPEMENT.I FEEL THAT THE PLAN ALTERNATIVES NEED TO BE FURTHER STUDIED AND POSSIBLE NEW PLANS DEVELOPED TO LIMIT GROWTH AND ENVIRONMENTAL IMPACT. I AM DEEPLY CONCERNED ABOUT QUALITY OF LIFE IN THE REGION.PLEASE TRY TO RETHINK THIS MARTIS VALLEY PLAN. WE DONT NEED TO SEE SPRAWL AND HEAVY DEVELOPMENT, WE NEED TO RETAIN OPEN SPACE, MINIMAL TRAFFIC AND FRESH AIR. AN OVER BUILT MARTIS VALLEY WILL RUIN THE FEELING OF THE AREA. CAN YOU PICTURE THE CHANGE? I CAN AND I DONT LIKE WHAT I SEE.
THANK YOU
SCOTT SHANE
KINGS BEACH

246-1

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

LETTER 246: **SCOTT SHANE, RESIDENT**

Response 246-1 The commentor suggests that the alternatives evaluated in the Revised Draft EIR need to be further studied associated with concerns associated open space, traffic and air quality, but does not note any specifics regarding the need to further study. As described in Master Response 3.4.5 (Adequacy of the Alternatives Analysis), the Revised Draft EIR provides an extensive analysis of the environmental benefits and detriments of the alternatives considered.

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

Letter 247

MAY.02'2003 10:50

#0340 P.035/043

Lori Lawrence - Martis Valley Plan

Page

From: <gbsublett@attbi.com>
To: <llawren@placer.ca.gov>
Date: 4/18/03 7:38AM
Subject: Martis Valley Plan

April 18, 2003

Lori Lawrence
Placer County Planning Dept.
1414 B Avenue
Auburn, CA 95603

Re: April 30 deadline for comments on Martis Valley Plan

The Martis Valley Plan fails to adequately address a reasonable range of alternatives for the following reasons:

First, the 3 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.

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 of the 3 new alternative as "infeasible" without providing sufficient evidence. Such evidence should 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 21081.1; CEQA definition of "feasible."

I strongly urge Placer County to provide REAL analysis of and select low density alternatives for future development. Thanks for consideration of this viewpoint.

Regards

George Sublett
1119 Martis Landing
Truckee CA 96161

247-1

247-2

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

LETTER 247: GEORGE SUBLETT, RESIDENT

Response 247-1 The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

Response 247-2 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

Letter 248

MAY.02'2003 14:50

#0340 P.036/043

Lori Lawrence - Revised Draft Environmental Impact Report to the Proposed Martis Valley Community Plan Update, SCH N8a@

From: "Sabina V. Strauss" <grg-sbn@prodigy.net>
To: <ljlawren@placer.ca.gov>
Date: 4/28/03 8:09PM
Subject: Revised Draft Environmental Impact Report to the Proposed Martis Valley Community Plan Update, SCH No.: 2001072050

Sunflower

April 28, 2003

Lori Lawrence

Environmental Review Technician

Placer County Planning Department

11414 "B" Avenue

Auburn, California 95603

RE: Revised Draft Environmental Impact Report to the Proposed Martis Valley Community Plan Update, SCH No.: 2001072050

Dear Ms. Lawrence:

Thank you for the opportunity to comment on the above referenced Plan Update and Revised Draft Environmental Impact Report.

I would like to echo Conservation Biology Institute recommendations as commissioned to draft Conservation Planning Principles for Martis Valley. Citing Martis Valley's ecological significance, CBI recommends that Placer County:

Adhere to existing County conservation policies.

Cluster new development around existing development.

Prohibit development east and north of Highway 267.

Establish a regional conservation strategy before approving any new development.

Also, 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, how 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

248-1

248-2

248-3

248-4

248-5

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

MAY.02 '2003 14:51

#0340 P.037/043

Lori Lawrence - Revised Draft Environmental Impact Report to the Proposed Martis Valley Community Plan Update, SCH N8@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."

248-5
Cont.

Thank you for your time. Sincerely,

Sabina V. Strauss

P.O. Box 6031

Tahoe City, California 96145

Phone (530) 583-2323

Fax (530) 583-8855

grg-sbn@prodigy.net

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

LETTER 248: SABINA STRAUSS, RESIDENT

- Response 248-1* Consideration of the "Conservation Plan" Alternative suggested by Sierra Watch, Homeowners Engaged in Local Planning-Northstar and the Mountain Area Preservation Foundation is addressed in Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 248-2* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 248-3* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 248-4* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis) and Response to Comment 236-5.
- Response 248-5* 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

Letter 249

MAY.02'2003 14:51

#0340 P.038/063

W. David Brown

P.O. Box 3218, Truckee, CA 96160

(530) 562-1720 • FAX (530) 562-1643 • email: davidbrown@lelis.org

April 30, 2003

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

Re: Comments on Revised Draft Environmental Impact Report for the Martis Valley
Community Plan Update; SCH #2001-72050

Dear Ms. Lawrence:

We are commenting as individual, private citizens and as 30 year permanent residents of
Northstar and the Martis Valley.

The entire comments as presented by Sierra Watch--on behalf of Sierra Watch, Homeowners
Engaged in Local Planning, and the Mountain Area Preservation Foundation--(dated April 27,
2003, containing pages 1 through and including page 10, and signed by Tom Mooers, Executive
Director of Sierra Watch) are hereby incorporated into our comments by reference.

249-1

We agree with and support the referenced Sierra Watch comments. As private citizens, we
reserve all rights and remedies available to us under the California Environmental Quality Act
(CEQA.) and any other laws, rules or governmental regulations that relate to the subject matter
outlined in the above referenced Sierra Watch Comments.

In particular, the RDEIR fails to include alternatives that are demonstrated to avoid impacts to
biological resources thus rendering the RDEIR inconsistent with conservation policies in the
County's 1994 General Plan.

249-2

Therefore we respectfully request, in light of the salient points outlined by Sierra Watch, that
Placer County

- study and address the points raised by Sierra Watch
- revise the current draft by incorporating an adequate analysis of alternatives for
development of the Martis Valley that meet CEQA's requirements, Placer County's 1994
General Plan, and Sierra Watch's points
- re-circulate that revised draft

249-3

Sincerely,

W. David Brown

Linda J. Brown

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

LETTER 249: DAVID AND LINDA BROWN, RESIDENTS

Response 249-1 The commentor is referred to responses to Comment Letter 253 as well as Master Response 3.4.5 (Adequacy of the Alternatives Analysis). The commentor's statements regarding their rights under CEQA and other associated laws is noted.

Response 249-2 The commentor is referred to Response to Comment 236-6 as well as Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

Response 249-3 The commentor is referred to responses to Comment Letter 253 as well as Master Response 3.4.5 (Adequacy of the Alternatives Analysis). The commentor is referred to responses to Comment Letter 253 as well as Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

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

MAY.02*2003 14:51	#0360 P.040/043
<p>Also, since the 1975 Martis Valley Plan is inconsistent as to how many units could be built versus how many could be supported by infrastructure, please detail the legal reasoning supporting the Board of Supervisors and the Placer Counties contention that there were almost 12,000 Buildable units in the original plan.</p>	250-4 Cont.
<p>The "clustered" land use alternative: Clustering, if done with-out regional planning for the whole Martis Valley, does not make that much difference to the long range health of the Martis ecosystem. Creating small "islands" of open space that have no relation or connection to other small "islands" is bad wildlife management planning. There must be a free and easy flow of genetic material from one area of wildlife habitat to others. If wildlife areas are not connected by corridors and free from fragmentation from infrastructure, they will not function as habitat.</p>	250-5
<p>For the "clustered" alternative to work to its highest and best use all individual properties in the Martis Valley need to be reviewed and mapped for things like sensitive wildlife areas, aquifer recharge, and least sensitive building sites. Corridors free of vehicular traffic would then connect the open space "islands" on each property so wildlife could freely move from one island to the other. Placer County Planning has not properly planned the "Clustered" alternative. The TASC therefore has inadequate information and cannot properly evaluate the "clustered" alternative. Please map the Martis Valley according to standard conservation biology principles, create islands of the best and most important habitat, connect these islands with corridors, and show development on the least sensitive sites. Without this information, it is impossible to properly evaluate the clustered alternative.</p>	
<p>The "reduced density alternative" and the "lowest-intensity alternative" both suffer from the same problems as the "clustered alternative". The only alternative that would really show what a conservation alternative could accomplish is an "RI" Transfer of Development Rights (TDR) alternative. There exists the perfect opportunity to use all of the best modern planning techniques and devise a plan for the Martis Valley. We provide the details for this below.</p>	250-6
<p>Please devise a "RI" TDR alternative with these characteristics.</p>	
<ol style="list-style-type: none">1) Form a regional planning area from the California border near Incline Village to Tahoma to Donner Summit to Truckee to Glenshire and back to the California border near Incline Village. The tax revenue from this area would stay in this area until all goals for the area have been successfully implemented.2) Form a cooperative arrangement for governing this area between Nevada County, The Town of Truckee, and Placer County.3) Form an Urban Growth Boundary area around Truckee.	250-7

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

MAY.02'2003 14:52

#0340 P.041/043

4) Transfer all of the "RI" Development Rights in the Martis Valley to two locations, one at the Northstar Village and the other in the Urban Growth Boundary area in the Town of Truckee.

5) Restrict total development to a number consistent with the present built infrastructure of the area. Do not plan for highway 267 to be expanded to 4 lanes, do not build any other roads that are objected to by the majority of the present citizens in the planning area, and then match water and sewer capacity to this infrastructure.

6) Do not include any more golf courses in the planning area.

7) Do an economic study to determine the amount of housing units needed for the middle class (say income of 50,000 to 120,000), or the majority of those people who are not presently housed by a government subsidy. Compare this number to the amount of units available with the "RI" plan. Transfer as many "affordable" units as needed to the Town of Truckee. If there are more units available they can be used at the Northstar Villages. If none are available, then none are available.

8) The tax revenue from the planning area could provide the money for a market-based system for the purchase of development rights, land purchase, design, and construction.

9) Deed restrict all affordable units so that they remain affordable to those working in the economy of the planning area.

10) Create a public transportation system that efficiently services the planning area.

A conservation alternative with the above 10 characteristics would be a true conservation alternative that protects the ecology of the Martis Valley, allows for substantial economic development, and provides housing for most of the people that work in the planning area. We again ask that a socially just and sound conservation alternative be prepared for the Martis Valley.

If the Board of Supervisors original instructions stop the county from planning for a "RI" and socially just conservation plan, please detail the legal argument that supports this reasoning.

Sincerely,

David Kean
Tahoe Area Sierra Club

250-7

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

LETTER 250: DAVID KEAN, TAHOE AREA SIERRA CLUB

- Response 250-1* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 250-2* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 250-3* The commentor refers to information in the 1975 Martis Valley General Plan that supposedly notes that development would not occur to the extent set forth in the Plan because of local opposition, but provides no citation where this is expressed in the Martis Valley General Plan policy document. The 1975 Martis Valley General Plan policy document includes no policy or standard that limits development set forth in the land use map.
- Response 250-4* The commentor is referred to Response to Comment 250-3 as well as Master Response 3.4.5 (Adequacy of the Alternatives Analysis) regarding available infrastructure capacity in the Plan area. CEQA Guidelines Section 15131 specifically notes that economic concerns are not considered physical effect on the environment and thus was not discussed in the Draft EIR or Revised Draft EIR.
- Response 250-5* As described in Master Response 3.4.5 (Adequacy of the Alternatives Analysis), the alternatives analysis is based on extensive biological resource information and mapping provided in Section 4.9 (Biological Resources) of the Draft EIR (which specifically identifies the location and extent of habitat areas, wetlands and waterways). In addition, the alternatives evaluated in the Revised Draft EIR include clustering (in addition to the Clustered Land Use Alternative) and expanded open space/low intensity uses (i.e., Forest) that would provide large corridors and open space areas (e.g., Figure 6.0-3, Lowest Intensity Alternative, of the Revised Draft EIR).
- Response 250-6* The commentor is referred to Response to Comment 250-5 as well as Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 250-7* 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

Letter 251

MAY.02'2003 14:52

#0340 P.042/043

29 April 2002

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

Re: Comments on the Martis Valley Community Plan Update Revised DEIR

Dear Ms. Lawrence:

Thank you for the opportunity to provide comments on the revised DEIR that has been prepared for the *Martis Valley Community Plan*.

As with the initial iteration of the DEIR, potential Plan-impacts to Martis Creek Reservoir's ecological character, and the recreational sportfishery it influences, remain unanalyzed in any substantive manner.

Particularly surprising are the conclusions presented on pages 6.0-36 and 6.0-46 of the RDEIR, which state that the Reduced Intensity Alternative, 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 all three land use options have "similar potential effects to Martis Creek and its tributaries."

These conclusions have two problems. First, their text omits mention of Martis Creek Reservoir and the rainbow- and brown-trout fishery that currently exists in the impoundment. And second, the overall conclusion — that the three land use patterns, which vary dramatically with regard to developable acreage, would have similar impacts to the creek and its cuts — certainly seems counterintuitive. The EIR needs to detail the rationale and analyses upon which this conclusion is based.

As always, I look forward to reviewing an EIR that is thorough in its discussion of potential Plan-related impacts to Martis Creek, Martis Creek Reservoir, and the trout resources found therein.

Cordially yours,

Richard Anderson
Publisher and Editor
California Fly Fisher magazine

251-1

251-2

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

LETTER 251: RICHARD ANDERSON, CALIFORNIA FLY FISHER MAGAZINE

Response 251-1 The commentor is referred to responses to Comment Letters 10, 44, 72 and 73 as well as Master Response 3.4.3 (Water Quality) and Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

Response 251-2 These alternatives were considered to have potentially similar impacts to the Lahontan cutthroat trout as the Proposed Land Use Diagram as a result anticipated construction of waterway crossings as well as potential surface water quality degradation. The commentor is referred to responses to Comment Letters 10, 44, 72 and 73 as well as Master Response 3.4.3 (Water Quality) and Master Response 3.4.5 (Adequacy of the Alternatives Analysis).

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

MAY.02.2003 14:52 Letter 252 #0340 P.043/043

Lori Lawrence - re: Martis Valley Plan Draft EIR

From: Claussen Jeff <jclaussen2@yahoo.com>
 To: <planning@placer.ca.gov>
 Date: 4/28/03 10:20PM
 Subject: re: Martis Valley Plan Draft EIR

Dear Placer County Planning:

I have reviewed the Draft EIR for the Martis Valley Plan and I found it to list many significant environmental impacts regarding the proposed land uses on the surrounding ecosystem and community. Placer County has been growing tremendously in the last ten years. Many agricultural and woodland areas have been developed in the foothill regions, taking away open land and parts of California's history. Placer County is rapidly losing it's open spaces and beautiful country.

Martis Valley is a one of a kind in Placer County, if not California. A high alpine Valley in the center of an outdoor recreation mecca. A valuable water resource and wildlife area. Current uses and existing development are impacting the valley now more than ever before. More encroachment, infrastructure, and pollution will take away one of Placer County's last great open areas near a population center.

I strongly urge you to consider the many cumulative and significant impacts listed in the report on wildlife, biology, air and water pollution. Placer County needs to drastically change and stop this proposed development. Once these unique areas are gone, they are gone forever. Placer County has a duty to preserve and protect one of California's great alpine valleys in conjunction with the protection of the Lake Tahoe and Sierra Nevada region as a whole.

Population and economic conditions are pressuring many areas of California. Planning must be progressive and with long term insight. Keeping the development close together with condensed uses to save open spaces and valuable water resource and wildlife areas such as Martis Valley are vital in California's future. I hope Placer County does it's part.

Thank you,
 Jeff Claussen
 Truckee

Do you Yahoo?
 The New Yahoo! Search - Faster. Easier. Bingo.
<http://search.yahoo.com>

252-1
 252-2
 252-3
 252-4

Pag

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

LETTER 252: JEFF CLAUSSEN, RESIDENT

Response 252-1 The commentor's statements regarding their review of the Draft EIR and the significant impacts identified in the Draft EIR and the general growth of Placer County is noted. Since no comments regarding the adequacy of the Draft EIR or Revised Draft EIR were received, no further response is required.

Response 252-2 The commentor's general statements regarding the Plan area and concerns associated with development is noted. Since no comments regarding the adequacy of the Draft EIR or Revised Draft EIR were received, no further response is required.

Response 252-3 The commentor's general statements regarding consideration of the cumulative and significant impacts identified in the Draft EIR are noted. CEQA Guidelines 15091, 15092 and 15093 require that Placer County consider the significant effects of the adoption of the Martis Valley Community and make appropriate findings prior to its approval.

Response 252-4 The commentor's statements regarding consideration of dense development to protect water and wildlife resources is noted. Section 6.0 (Project Alternatives) of the Revised Draft EIR considers several alternatives that include reduced development potential and clustering to minimize environmental effects identified for the Proposed Land Use Diagram.

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

Letter 253

MAY.02'2003 14:13

#0339 P.002/053

TERRELL WATT, AICP
PLANNING CONSULTANT
1757 UNION STREET
SAN FRANCISCO, CA. 94123

(415) 563-0543
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terrywatt@att.net

April 28, 2003

RECEIVED
APR 29 2003
PLANNING DEPT.

By facsimile, email and federal express mail

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:

We appreciate this opportunity to provide comments on the Revised Draft Environmental Impact Report (RDEIR) for the Martis Valley Community Plan Update.

These comments are being sent on behalf of Sierra Watch, Homeowners Engaged in Local Planning – Northstar (HELP-Northstar), and the Mountain Area Preservation Foundation (MAPF) (the organizations).¹ All three organizations are committed to working constructively with the County and other affected jurisdictions to ensure that development in eastern Placer County maintains the region's clean air and water and quality of life.

253-1

Unfortunately, the current Martis Valley planning process fails to adequately plan for the region's future. The existing General Plan is legally inadequate. Individual projects are threatening piecemeal development before the Community Plan is even adopted. Moreover, the RDEIR and the Draft EIR for the Community Plan Update alone and in combination fall short of meeting CEQA's requirements for an adequate alternatives analysis for the following reasons:

253-2

- The RDEIR and DEIR Fails to Analyze a Reasonable Range of Alternatives to the Project
- The RDEIR Fails to Adequately Describe the New Alternatives

¹ Assistance in preparing this letter was provided by biological and legal experts to the organizations.

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

MAY.02'2003 14:13

#0339 P.003/053

- 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

253-2
Cont.

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.

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 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 7,160 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.

253-3

Each new alternative includes some elements of sound conservation planning. However, none present a comprehensive, responsible plan for the future of Martis Valley. Each is really just a smaller or revised version of the existing irresponsible plan. Each would still be devastating to the region's wildlife habitat, Sierra scenery, and quality of life.

None combines a reduced intensity of development with smaller developed areas (a reduced – cluster alternative) to achieve real conservation results.

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

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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, as suggested in comments on the DEIR for the Martis Valley Community Plan update.

And the RDEIR fails to consider an effective conservation program based on development mitigation fees. Such a program would charge new development a fee for the right to develop, thereby raising a pool of money to purchase strategic property in Martis Valley for permanent protection.

Worst of all, the RDEIR suggests that each new alternative be rejected because they are inconsistent with the direction provided by the Board of Supervisors: that planning in Martis Valley should be based on the original 1975 plan. In other words, that we should base our future on outdated, seventies style planning – in spite of what we've learned about important regional issues, including the clarity of Lake Tahoe and the crush of local traffic.

As Sierra Watch and others have repeatedly stated, Martis Valley deserves better than 1970s era sprawl development. Moreover CEQA requires evaluation of a range of new alternatives to address significant environmental impacts. But, instead of providing a meaningful General Plan update process and legally adequate RDEIR, this RDEIR sticks with the original, outdated blueprint.

253-3
Cont.

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 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 designed to minimize or eliminate 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.

253-4

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:

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

MAY.02'2003 11:14

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- 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 avoidance of 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 Martis 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).

253-4
Cont.

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 each alternative's effect 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 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 assisting the County in developing such an alternative. See Attachment B 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.

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- Prohibits development east and north of Highway 267 to protect unfragmented habitat lands and wildlife corridors.
- Protect the integrity of the Martis Creek watershed by restricting development in the watershed area west of Highway 267.
- Establishes a regional conservation strategy before approving any new development.

253-4
Cont.

This report includes the principles for creation of a bonafide conservation alternative at pages 4-5, Recommendations for Land Use Design. These recommendations could have been converted to a land use alternative for review in the RDEIR. A revised and recirculated RDEIR should include a conservation alternative based on the recommendations in the CBI Report.

B. The RDEIR Fails to Adequately Describe New Alternatives

The RDEIR fails to adequately describe the alternatives. EIRs 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 clustered 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 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) Consistent, quantified information 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.

253-5

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

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#0339 P.007/053

- 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.B² 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, and the 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 impact special-status plant species ..." RDEIR at 6.0-35. A revised and recirculated RDEIR must include maps identifying biological resources 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 resources. 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 resources 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.

"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.

² *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."

253-5
Cont.

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"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.

"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.

253-5
Cont.

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 an 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.) that would allow the significance of each impact to be evaluated.
- Third, insufficient information is provided to compare each alternative to other alternatives.

253-6

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 compared to the project. Additional columns must be added to a revised table that: 1) indicate how each alternative compares with each other alternative; and 2) provides quantitative information about the impacts of each alternative for respective impacts where feasible (e.g. total amount of water demand, wastewater demand, etc.).

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

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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.

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 statement 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.³ 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 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.

³ 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, 4.9.6, 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.

253-6
Cont.

253-7

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

MAY.02'2003 11:16

#0339 P.010/063

Additional information is essential concerning project/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.

253-7
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 scope of 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 intact. 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.

253-8

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 Goal 1.B adequately defined to guide a meaningful discussion of project/alternative consistency. This information must be provided along with information concerning the amount of new employee housing demand generated by each 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

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

MAY.02'2003 14:16

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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.

253-8
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 encourage the County:

253-9

- 1) to convene a regional discussion focused on appropriate and acceptable alternatives for the future development of the Martis Valley;
- 2) to consider a future for Martis Valley that is not predicated on the outdated existing general plan; and
- 3) to withhold approval of piecemeal development in Martis Valley until a legally adequate Community Plan is adopted.

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:

Rachel Hooper
Shute, Mihaly and Weinberger
396 Hayes Street
San Francisco, CA 94102

Thomas Mooers
Executive Director
Sierra Watch
409 Spring Street
Nevada City, CA 95959

Sincerely,



Terrell Watt, AICP

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

MAY 02 2003 10:41:6

#1349 E:\E12/053

Attachments:

- A – Natural Community Conservation Planning Agreement by and among the County of Placer, the California Dept. of Fish and Game, the USFWS and the National Marine Fisheries Service
- B – Conservation Planning Principles, Martis Valley Community Planning Area

cc.

USFWS

DFG

Regional Water Quality Control Board, Lahontan Region

EPA

Truckee River Watershed Council

Nevada County Board of Supervisors

Town of Truckee

California Resources Agency

MAY 02 2003 09:17

#0339 P.013/068

**Natural Community Conservation
Planning Agreement**

by and among

**the County of Placer,
the California Department of Fish and Game,
the United States Fish and Wildlife Service, and
the National Marine Fisheries Service**

regarding the

**Placer Legacy Open Space and
Agricultural Conservation Program**

October 5, 2001

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

MAY-02-2003 14:17

#0339 P.014/053

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Placer Legacy Open Space and Agricultural Conservation Program Planning Agreement

This natural community conservation planning agreement ("Agreement") is entered into as of the Effective Date by and among the County of Placer ("County"), the California Department of Fish and Game ("DFG"), the United States Fish and Wildlife Service ("USFWS"), and the National Marine Fisheries Service ("NMFS"). These entities may be referred to collectively as "Parties" and each individually as a "Party." The DFG, the USFWS and the NMFS may be referred to collectively as "Wildlife Agencies."

This Agreement concerns the development of joint conservation plans under the California Natural Community Conservation Planning Act ("NCCPA") and the federal Endangered Species Act ("FESA") for the Placer Legacy Open Space and Agricultural Conservation Program ("Placer Legacy Program").

1 BACKGROUND

1.1 The Placer Legacy Open Space and Agricultural Conservation Program.

The Placer Legacy Program is an innovative and nationally significant endeavor initiated by the County as a basis to realize its objective of comprehensive planning for preservation of biological resources, agricultural lands, and open space, and to serve as a model for future endeavors by similar communities in the United States.

1.1.1 Program inception In 1994, the County adopted a new General Plan, which contains policies to preserve open space, agriculture and natural resources. In December 1997, the Placer County Board of Supervisors ("Board") directed the County Planning Director to initiate a program that would provide for long-term preservation of open space in Placer County. On April 20, 1998, the Board formed a citizens advisory committee and initiated an open space implementation program in accordance with specified goals, elements, and measures of success. This program became the Placer Legacy Program.

1.1.2 The Placer County General Plan The County has undertaken the Placer Legacy Program as a means to implement the policies of the County's 1994 General Plan. Many of these policies reflect the County's desire to maintain the amenities that contribute to the high quality of life for the citizens of the County and to ensure balance between environmental quality, growth, and economic development. The 1994 General Plan is the foundation of the Placer Legacy Program.

1.1.3 Goals and principles The Goal Statement of the Placer Legacy Program is as follows:

Placer County has been blessed with extensive and diverse natural resources: woodlands, forests, grasslands, riparian areas, lakes, rivers and an assortment of open spaces. It is the goal of [the Placer Legacy Program] to develop specific