

County criteria for acceptable LOS to LOS D (itself a significant impact of the project undisclosed as such in the RDEIR), is considered to have been approved. Since approval of the degraded LOS standard is uncertain, the proposed mitigation cannot be said to have mitigated the project's significant traffic impacts at this location.

In the cumulative analysis, a similar situation exists for segments of Baseline Road along the project's northern border. In that scenario, the RDEIR concludes that Baseline Road is not significantly impacted because it would operate at LOS D. The RDEIR fails to mention that this would be a significant impact requiring mitigation unless another facet of the Specific Plan project, that of degrading Placer County standards to allow LOS D to be considered acceptable within the project and on its boundaries, is approved.

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**Project's Transit Impacts Not Mitigated To Less Than Significant. Also, Consequent Increase To Project Traffic Impacts Not Discussed.**

On pages 4.7-54 through 4.7-57 the RDEIR presents an extended discussion of the potentially significant impacts on transit and identifies the critical issue of financing future transit operations so that otherwise unmet transit needs can be met. However, in concluding that the projects transit impacts would be mitigated to less than significant by a significant addition of transit services that it outlines, the RDEIR fails to address the critical transit finance issue with any certainty. What it proposes is that a Community Service Area (CSA) be established to fund the extensive services and facilities the RDEIR identifies as necessary for mitigation of the project's transit impacts. In essence, this is passing on the obligation for mitigating the project's impacts to the eventual property owners of the project area (and possibly those in other areas if a broader CSA proved most appropriate. This approach appears to be a deferral of mitigation that is improper under CEQA. Furthermore, there is no guarantee that the ultimate property owners of any such CSA will approve taxing themselves to fund of transit operations and services needed to mitigate the project's impacts. Consequently, the project's transit impacts must be regarded as *unmitigated*. Furthermore, those mitigations that the project does propose to directly provide such as rights of way for bus lanes and a streetcar system, and waiting shelters are all meaningless and ineffective as mitigation unless the actual transit operations are funded by others.<sup>1</sup>

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Given the failure to mitigate the project's transit impacts as documented above, a further consideration is evident. To the extent that effective transit mitigation is not provided, the traffic impacts of the project will be proportionately greater than the RDEIR discloses.

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<sup>1</sup> We have also previously noted that the project's provision of 193 park and ride spaces, also listed in this section as a transit mitigation, is so minuscule in relation to the scale of overall external traffic generation of the project as to be inconsequential in its mitigative effect.

### **Failure To Disclose Projects Significant Impact On Bicycle Travel**

The RDEIR identifies that the project would significantly increase the demand for recreational and utilitarian bicycle trips, but concludes that the bicycle facility provisions within the Specific Plan project area will reduce the impact to less than significant. This conclusory judgment is unreasonable in light of the facts that a) much utilitarian and recreational bicycle travel demand generated by the project would extend beyond the project's boundaries where it would not be served by the project's bicycle facility provisions, b) when a development causes an urban or dense suburban population to be placed in close proximity to rural and semi-rural areas, increased numbers of bicyclists are induced to travel on rural roadways with geometric design characteristics (such as, but not limited to narrow lanes, narrow unimproved or nonexistent shoulders, open drainage, horizontal or vertical curves with limited sight distances, poor pavements and roadside obstructions) that compromise bicyclist safety, and c) when a development causes an urban or suburban population to be located in proximity to heavily congested arterial corridors that may lack appropriate provisions for bicyclists, increased numbers of bicyclists are induced to rely on those corridors at a detriment to their safety. If it had adequately considered these factors, the RDEIR would have categorized the projects impacts on bicyclists to be *significant and unavoidable*.

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### **RDEIR Cumulative Analysis Fails To Appropriately Assess Implications Of Project's Significant And Unavoidable Traffic Impacts**

The RDEIR's cumulative traffic analysis discloses a very large number of significant cumulative traffic impacts of the project. For all of those many significant impacts that are within Sacramento or Sutter Counties or the City of Roseville, or are on facilities controlled by the California Department of Transportation (Caltrans), despite the fact that in some cases mitigation measures are identified and the project states its willingness to make fair share contributions to fund those mitigations, the RDEIR routinely characterizes all of these impacts as *significant and unavoidable*. This characterization is for the legitimate procedural reason that the Lead Agency, Placer County, cannot assure mitigation because the impacted facilities are outside of its jurisdiction. However, this repeated characterization of cumulative impacts as significant and unavoidable may lead some members of the public, and even public policy decision-makers to incorrectly conclude that the problem is simply intergovernmental coordination and that the project's cumulative impacts are largely subject to mitigation if other jurisdictions would just go along, making findings of overriding significance a palatable prospect. What is more significant are the instances where the RDEIR does also point out for numerous facilities in unincorporated Placer County and in other jurisdictions, that there is no feasible mitigation or that the mitigation is so adversely impactful of itself that it would be inappropriate to implement the mitigation. Although the RDEIR does disclose

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these instances, it does so solely on a location by location basis. It provides no assessment of the cumulative consequences of these significant traffic impact conditions that cannot be mitigated practically. Had the RDEIR considered the cumulative effect of these individual locations where mitigations are impractical as it should have, it would have concluded that the impacts, taken together, constitute a complete functional breakdown of the freeway and arterial circulation system in the project's environs of such a grave extent that no responsible government could reasonably consider approving the project under any findings of overriding considerations.

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### Conclusion

This completes my current comments on the RDEIR. For the above-stated reasons, I do not believe the traffic and circulation component of the document is adequate. Furthermore, modifications to the document that appear necessary to respond to these comments may warrant recirculation of the document in draft status.

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Sincerely,

Smith Engineering & Management  
A California Corporation



Daniel T. Smith Jr., P.E.  
President







# SMITH ENGINEERING & MANAGEMENT

## DANIEL T. SMITH, Jr. President

### EDUCATION

Bachelor of Science, Engineering and Applied Science, Yale University, 1967  
Master of Science, Transportation Planning, University of California, Berkeley, 1968

### PROFESSIONAL REGISTRATION

California No. 21913 (Civil) Nevada No. 7969 (Civil) Washington No. 29337 (Civil)  
California No. 938 (Traffic) Arizona No. 22131 (Civil)

### PROFESSIONAL EXPERIENCE

Smith Engineering & Management, 1993 to present. President.  
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.  
De Leuw, Cather & Company, 1968 to 1979. Senior Transportation Planner.  
Personal specialties and project experience include:

**Litigation Consulting.** Provides consultation, investigations and expert witness testimony in highway design, traffic design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access transportation impacts; parking and other traffic and transportation matters.

**Urban Corridor Studies/Alternatives Analysis.** Principal-in-charge for State Route (SR) 102 Feasibility Study, a mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program, Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-80N Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-W Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

**Area Transportation Plans.** Principal-in charge for transportation element of City of Los Angeles General Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation element 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, on parking program for downtown Washington Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (California) for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salina, Oregon.

**Transportation Centers.** Project manager for Daly City Intermodal Study which developed a \$7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

**Campus Transportation.** Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

**Special Event Facilities.** Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

**Parking.** Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking.

**Transportation System Management & Traffic Restraint.** Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

**Bicycle Facilities.** Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

#### MEMBERSHIPS

Institute of Transportation Engineers      Transportation Research Board

#### PUBLICATIONS AND AWARDS

*Residential Street Design and Traffic Control*, with W. Honnburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

*Residential Traffic Management, State of the Art Report*, U.S. Department of Transportation, 1979.

*Improving The Residential Street Environment*, with Donald Appleyard *et al.*, U.S. Department of Transportation, 1979.

*Strategic Concepts in Residential Neighborhood Traffic Control*, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

*Planning and Design of Bicycle Facilities: Pitfalls and New Directions*, Transportation Research Board, Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.

**LETTER 15      WILLIAM D. KOPPER, ATTORNEY AT LAW**

**Response 15A:** The commenter requests that Placer County plan regionally for habitat preservation and Placer Parkway. The commenter's concerns are noted. The Revised Draft EIR acknowledges the "Framework Agreement regarding the Planning, Development and Implementation of the Placer Legacy Program" (Revised Draft EIR page 4.4-75) which established the framework for cooperation and collaboration among State and federal agencies and local governments in the development and implementation of the Placer Legacy Program. The proposed Specific Plan is subject to the interim project review guidelines included in the Agreement which have been summarized in the Revised Draft EIR (page 4.4-74).

The Revised Draft EIR also presents an Open Space/Biological Resources Mitigation and Management Strategy for the Specific Plan. The County has proposed a comprehensive mitigation strategy (refer to Mitigation Measure 4.4-1a through 4.4-1j) for this project. The Biological Resources Mitigation and Management Strategy (comprehensive mitigation strategy) proposes to mitigate impacts through off-site in-County land purchases. At least 3,520 acres will be mitigated at a 1:1 replacement ratio of impact to open space.

The Open Space/Biological Resources Mitigation and Management Strategy presented in the Revised Draft EIR is intended to dovetail with the possible requirements of the draft Placer County Conservation Plan (PCCP). The Revised Draft EIR acknowledges that the PCCP has not been officially adopted; however, the comprehensive mitigation strategy will allow the PVSP project to move forward without the PCCP program in place, and also provides the opportunity for the PCCP program to be utilized, if adopted in the future.

The Revised Draft EIR includes the traffic analysis under existing and cumulative (2025) conditions, and also includes an evaluation of a circulation scenario with Placer Parkway (page 4.7-65). The Placer Parkway is considered a regional facility that would help mitigate traffic impacts of not only the proposed Placer Vineyards project but the traffic impacts from other proposed developments in western Placer County as well, and thus was considered a key improvement in the Mitigated Transportation Network. The County, in conjunction with the Placer County Transportation Planning Agency, Roseville, Rocklin and Lincoln are currently reviewing alternative alignments and an environmental document is being prepared comparing the alternatives. The agencies are also considering various funding scenarios for construction of the facility.

The commenter is reminded that the project site has been planned for urban development since 1994 and was so designated as part of a comprehensive General Plan update. It is the County's position that the area has, and is, being planned regionally, as evidenced by the PCCP, work in progress on Placer Parkway, and the Placer Vineyards Specific Plan's recognition of and incorporation of these regional initiatives in its planning and in the Revised Draft EIR. Further, the Placer Vineyards Specific Plan is being planned (as required by the Placer County General Plan) through the use of specific plan mechanisms enacted by State law to allow comprehensive planning of substantial land areas (see Exhibit 1 to Community Plan at time of General Plan adoption).

**Response 15B:** Commenter asserts that Placer County is approving massive projects in western Placer County in a piecemeal fashion, increasing habitat destruction, air pollution and traffic congestion. To date there have been no “massive” projects in the same general natural habitat type as the proposed Specific Plan that have been approved by the County Planning Commission or the Board of Supervisors. There are three large projects for which applications have been submitted and for which study is in progress: Placer Vineyards Specific Plan, Regional University and Community Specific Plan, and Placer Ranch Specific Plan. Each is proposed by a different development group and each has the legal right to have their plan considered by the County. The area shown for development under the Placer Vineyards Specific Plan has been designated for development in the County General Plan since 1994 and various development proposals have been under consideration since that time. The other two projects must obtain a General Plan amendment in order to proceed and are currently seeking this change in County policy. These facts are fully disclosed in the Revised Draft EIR (for example, see page 4.1-4). Recognizing the need to plan comprehensively while landowners act independently, the County has undertaken the Placer County Conservation Plan to deal with the subject of natural habitat preservation. This is fully disclosed on page 4.4-73 of the Revised Draft EIR and Mitigation Measure 4.4-1a requires compliance with the Plan upon its adoption.

Although the commenter makes several claims with regard to air pollution, including the assertion that the project will “increase the suffering from respiratory diseases” in western Placer County and Roseville, he provides no data, anecdotal or otherwise, to support the claim that people are currently suffering, or will suffer more in the future. Air quality and the project’s impacts are fully disclosed in Section 4.8 of the Revised Draft EIR, including a discussion of ozone and particulates. Direct project impact are disclosed under Impact 4.8-3 on page 4.8-34 while cumulative impacts are disclosed under Impact 4.8-7 on page 4.8-44.

Impacts from increases in traffic are disclosed in Revised Draft EIR Section 4.7. Although it is asserted that “gridlock” will occur, this claim is not borne out by the County’s analysis. On page 4.7-66 of the Revised Draft EIR the following discussion appears:

This analysis indicates that the improvements included in the Mitigated Transportation Network would reduce traffic congestion on Placer County roadway segments under the Cumulative Plus Project scenario to the extent that roadway segments would operate at an acceptable level, and/or better than under Cumulative No Project conditions. As shown in Table 4.7-28, the number of segments that would operate at LOS “D” or worse under the Mitigated Transportation Network would be substantially fewer than would occur under the No Project condition. Another combination of improvements that provided similar increases in east-west capacity (e.g., combinations that include widening Baseline Road to eight lanes) would have similar effects, although increases and decreases on specific segments would differ.

**Response 15C:** Commenter is concerned about the length of the Revised Draft EIR and interference with public participation. The length and complexity of the Revised Draft EIR is a reflection of the scope and complexity of environmental issues associated with the project. The Specific Plan area is a mixed-use master planned community, consisting of approximately 5,230

acres, with residential, employment, commercial, open space, recreational and public/quasi-public land uses. The Specific Plan provides for approximately 14,132 homes in a range of housing types, styles and densities. At full build-out, projected to occur over a twenty year time frame, Placer Vineyards is anticipated to have a population of approximately 33,000 people, 422.5 acres of employment centers, 140 acres of retail commercial centers and approximately 930 acres of new parks and open space. It is estimated that full buildout of the Specific Plan will occur over a 20- to 30-year time period (Revised Draft EIR, pages 3-1 to 3-2).

CEQA Guidelines Section 15141, drafted in what might be termed a simpler era, provides that “[t]he text of draft EIRs should *normally* be less than 150 pages and for proposals of unusual scope or complexity should *normally* be less than 300 pages” (italics added). As the discussion accompanying Guidelines Section 15141 notes, these are only *recommended* page limits designed to encourage agencies to reduce unneeded bulk and to help documents disclose the key environmental issues to the decision makers and the public. This recommendation does not preclude an EIR for an unusually large and complex project, such as the Placer Vineyards Specific Plan, from being considerably longer if necessary to serve its function under Public Resources Code Section 21061. An EIR is an informational document whose purpose is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project. The complexity of this project, and the impossibility of analyzing all of its impacts in 300 pages, is underscored by the numerous instances in which the commenter has asked for more analysis on various topics. Such analysis would expand the scope of the document even beyond its current length.

The commenter also suggests that 45 days was insufficient time to allow adequate public participation and comment on the Revised Draft EIR. The commenter does not cite any support for the proposition that a lengthier EIR necessitates a longer public review period. The 45-day period that was provided on the Revised Draft EIR complied with CEQA, which requires a minimum 30 day public review period for a Draft EIR, excluding Draft EIRs which are submitted to the State Clearinghouse (Pub. Resources Code, Section 21091, subd. (a)). Notably, the Revised Draft EIR is the second version of the Draft EIR for the Specific Plan to be released for public review and comment. In September 2004, the County published the first Draft EIR for the Specific Plan and circulated the document for review and comment for 60 days by responsible and trustee agencies as well as interested members of the public. Following the receipt of written comments on the Draft EIR, the applicants modified the project to address concerns raised in the comments. Therefore, the Revised Draft EIR includes all sections of the original Draft EIR, which have been updated and revised in response to all written comments received on the first Draft EIR.

The commenter also asserts that the County “interfered with public participation” because of a delay in providing certain traffic modeling data to a single requester. The delay was de minimus in the context of the overall 45-day comment period. The information was not requested until the comment period was well underway, and was received in time to be incorporated by the commenter in a response. The County does not agree that the public was unable to meaningfully participate in

the process due to the slight delay in distribution of some information in response to one request when the remainder of the document was available for review by all.

**Response 15D:** Commenter asserts that project documents were incomplete because the Financing Plan was not available during the review period. Commenter also asserts that fee-based mitigation is inadequate. In accordance with Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5, Placer County decided to partially recirculate the Revised Draft EIR in July, 2006. As part of this partial recirculation effort, Placer County also elected to make available for public review the proposed Placer Vineyards Public Facilities Draft Financing Plans for both the Project as proposed (14,132 dwelling units) (“the Base Plan”) and for the Blueprint Alternative (21,631 dwelling units).

The County’s decision to release the Draft Financing Plans for public review and comment fulfilled the County’s previously-stated commitment, as set forth in the text of the Revised Draft EIR, to make these documents available for public inspection during the period of review of the Revised Draft EIR (see Revised Draft EIR, page 3-34). As stated in the Revised Draft EIR, the County intended to release the Financing Plans for public review simultaneous with release of the Revised Draft EIR; however, the drafts of the Financing Plans were not complete at the time the Revised Draft EIR was released for public review. The County’s decision to allow public review of the Draft Financing Plans in conjunction with the Revised Draft EIR as part of this recirculation should not be perceived as the County’s concurrence with the commenter, who suggested that a Financing Plan is required by CEQA, should the project be approved, or that CEQA requires public review of whatever documents comprise the “financing measures” required for specific plans (see Gov. Code, § 65451, subd. (a)(4)). The Board of Supervisors will consider a Final Financing Plan in association with the project separate and apart from any action on the EIR. The County’s decision to make the Draft Financing Plans available for public review rendered moot the commenter’s assertion that Government Code Section 65451, subdivision (a)(4) requires an EIR to include a financing plan.

In *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99 (*Save Our Peninsula*), the appellate court recognized that “fee-based infrastructure mitigation programs have been found to be adequate mitigation measures under CEQA” There, the court stated that the payment of fees and phased improvements was an appropriate mitigation measure, with respect to traffic impacts which have not yet reached the threshold trigger (*Save Our Peninsula* at page 140).

The CEQA Guidelines also recognize that when an impact is not unique to a single project, but is instead the result of cumulative conditions, the only feasible mitigation may involve adoption of ordinances or other regulations designed to address the cumulative impact (*Save Our Peninsula*, at page 140; CEQA Guidelines, § 15130, subd. (a)(3)). Section 15130 of the CEQA Guidelines now specifically provides that an EIR may determine that a project’s contribution to a cumulative impact may be mitigated by requiring the project “to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact” (CEQA Guidelines, § 15130, subd. (a)(3)).

As stated by the appellate court in *Save Our Peninsula* at page 141 “[w]e do not believe, however, that CEQA requires that the EIR set forth a time-specific schedule for the County to complete specified road improvements. All that is required by CEQA is that there be a reasonable plan for mitigation.”

The problems plaguing the financing measures at issue in *Napa Citizens for Honest Government v. Napa County Board of Supervisors (Napa Citizens)* (2001) 91 Cal.App.4th 342, 363-365, do not exist here. The *Napa Citizens* court noted at page 163 that “[f]ee-based infrastructure can be an adequate mitigation measure under CEQA, and can be particularly useful where, as here, traffic congestion results from cumulative conditions, and not solely from the development of a single project.”

The *Napa Citizens* court at page 364 held the fee-based infrastructure mitigation inadequate “because the Project will cause only a small percentage of the projected traffic congestion, the County cannot insist that developers within the Project area shoulder the bulk of the expense for the needed highway improvements as a means of alleviating that congestion;” see CEQA Guidelines, Section 15126.4, subd. (a)(4)(B) (mitigation measures must be roughly proportional to the impacts of a project)). The appellate court also noted that “[a]lthough the existing mitigation fee appears to be a reasonable attempt to have developers pay their proportionate share of the cost of needed highway improvements, and the continued use of such funds undoubtedly would be useful, it cannot reasonably be argued that the funds that the County already has or that it reasonably can expect to raise in the future, will be enough to mitigate the effect on traffic that will result from cumulative conditions.”

Here, not only does the Project account for a substantial portion of projected traffic congestion, but it is reasonable to conclude that through the establishment of a single agreement or multiple agreements with the City of Roseville, Sacramento County, Sutter County, and Caltrans, Placer County would be able to achieve, within a reasonable time period after approval of the Specific Plan, commitments for the provision of adequate fair share mitigation payments from the Specific Plan for its out-of-jurisdiction traffic impacts and its impacts on federal and State freeways and highways (see Revised Draft EIR Mitigation Measure 4.7-2a). As part of the Partially Recirculated Revised Draft EIR issued in July 2006, the County set forth additional financial details regarding the costs associated with various proposed off-site transportation improvements, both within the unincorporated portion of Placer County and in other jurisdictions. This information showed that the dollar figures at issue – \$2,161.00 per dwelling unit equivalent under the proposed project and \$2,587.00 per dwelling unit equivalent under the Blueprint Alternative – are clearly feasible, and can be borne by the future residents and businesses within the project area.

The commenter is not entirely correct in asserting that the funding in accordance with the Specific Plan Public Facilities Financing Plan is necessary to implement those mitigation measures identified in the Revised Draft EIR that require funding. This statement is accurate only with respect to on-site fee-based mitigation. Thus, the Draft Financing Plans released for public review in conjunction with the Partially Recirculated Revised Draft EIR did not include provisions for funding off-site open space mitigation, as no fee-based mitigation strategy is proposed with respect to such mitigation.

The Revised Draft EIR's discussion and analysis of air pollution impact mitigation measures is adequate under CEQA. As discussed in Mitigation Measure 4.8-3g of the Revised Draft EIR, "[a]ll projects requiring issuance of residential and non-residential building permits shall participate in an off-site mitigation program coordinated through the PCAPCD to offset NOx and ROG emissions not mitigated through on-site measures" (Revised Draft EIR, pages 4.8-38 to 4.8-39). Thus, pursuant to Mitigation Measure 4.8-3g, all qualifying projects must pay a fee to PCAPCD, an independent agency with an established fee-based mitigation program. It is the responsibility of PCAPCD, not the County or the Project applicant, to determine air quality mitigation fees using calculation methodology established in practice and routinely applied to other, similar, contemporaneous land use development projects. Therefore, this mitigation program is not required to be included in the Project's Financing Plans.

**Response 15E:** The commenter suggests that the hearing notice did not comply with law, including the fact that it did not treat the Blueprint Alternative as a "project." The notice complies with the requirements of Government Code Section 21092 by specifying the period during which comments would be received, included the date, time and place of a public hearing held by the Planning Commission to receive comments. The notice also provided a brief description of the proposed project, its location, the significant effects on the environment anticipated as a result of the project and the addresses where a copy of the document and all documents referenced in the report were available for review. It is also worth noting that the Blueprint Alternative is an alternative under CEQA, not a proposed project. The County believes that the notice as provided fully complied with the requirements of the law. In any event, the notice was clearly in substantial compliance, and any inadequacy may not be construed in a manner that results in a finding of invalidity of the document on that basis.

**Response 15F:** The commenter is concerned that the Revised Draft EIR is excessively long and written in a way that is difficult to understand. The County believes that the Revised Draft EIR fully complies with CEQA Guidelines Sections 15140, 15141 and 15121. The Revised Draft EIR fulfills two important CEQA goals – fostering public participation and providing complete informational disclosure of the project's potentially significant environmental impacts to the public and other responsible agencies. To place the issue in context, it is important to recognize that the Revised Draft EIR is a project level EIR for an area that encompasses more than 5,000 acres. Placer Vineyards Specific Plan is a "new town," with all of the complexities associated with the concept, and proposed in an area that requires full development of supporting infrastructure, including extensive off-site improvements. Because a long-term water supply must be developed, the analysis includes an extensive discussion of the regional and statewide effects of water demand for a project of this magnitude. The Revised Draft EIR also discusses two different wastewater treatment and disposal alternatives. Further, the Revised Draft EIR includes a project level analysis for two Specific Plans: a 14,132 unit Specific Plan and a 21,632 unit Blueprint Alternative. A recent EIR prepared for another Specific Plan in the western Placer County region in another jurisdiction (West Roseville Specific Plan, City of Roseville) was approximately 1,100 pages in length, even though the project contained fewer residential units (8,430) than Placer Vineyards and had fewer infrastructure constraints.

**Response I5G:** The commenter is concerned that the Revised Draft EIR figures do not show the City of Roseville city limit line and Sphere of Influence. The project area is not within the Roseville city limits or Sphere of Influence and the precise location of the two referenced lines has nothing to do with a CEQA assessment of the physical environmental implications of project implementation. Potential environmental effects of the project on City of Roseville roads, water, and wastewater systems are extensively evaluated in the Revised Draft EIR, including traffic modeling consistent with City of Roseville protocols. Both Figures 3-1 and 3-2 show the City of Roseville's general location in relation to the project. In summary, because the project was not located within the City's Sphere of Influence and was not proposed for annexation, the precise location of the referenced lines was not relevant to the environmental analysis.

**Response I5H:** The commenter states that the Revised Draft EIR does not describe how buffers contained in the Specific Plan differ from the General Plan. The Revised Draft EIR contains several discussions of General Plan requirements and buffers as proposed by the project. Pages 4.1-34, 4.1-35, and 4.1-36 contain a complete discussion of General Plan requirements, including the current General Plan provision that provides that the exact dimensions of buffer zones are to be determined through the specific plan process. Page 4.1-48 contains a description of various proposed buffers and how they may or may not achieve General Plan objectives. On page 4.1-49, it is concluded that although proposed buffers may not fully meet current General Plan standards and guidelines, these inconsistencies are viewed as matters of policy to be resolved by the Board of Supervisors, rather than being resolved in a CEQA document that deals with environmental impacts. The issue of buffers and General Plan consistency is again dealt with under Impact 4.1-7 and Impact 4.1-9. Buffers are also dealt with in Revised Draft EIR Section 4.2. For example, page 4.2-48 contains a description of proposed Specific Plan open space buffers, and Impact 4.2-5 deals with the subject in the context of Gibson Ranch Park and the SPA (see page 4.2-59). In summary, it is the County's opinion that the requested information is provided in the Revised Draft EIR.

**Response I5I:** The commenter questions the location of the project's proposed mitigation lands. In accordance with the legislative intent and substantive mandate of CEQA, the purpose of the project's proposed mitigation lands is to mitigate the project's open space, agricultural, and biological resources impacts at the mitigation properties identified in Table 4.4-8, or at alternative locations providing comparable replacement and preservation habitat. Neither CEQA, nor the proposed project contemplate the establishment of mitigation lands for the purpose of discouraging future development, as the commenter suggests.

The County believes that the project's proposed global mitigation strategy (see Revised Draft EIR, Mitigation Measure 4.4-1) strikes a reasonable balance between on-site resource avoidance and off-site preservation and restoration, and provides a single, all-inclusive mitigation measure that would simultaneously mitigate for all biological resources of concern, while also mitigating impacts on open space and agricultural lands. In devising the proposed mitigation strategy, the County's intent is to create a mitigation program that could simultaneously satisfy the requirements of CEQA, the *Placer County General Plan*, the California Endangered Species Act, the Clean Water Act, Fish and Game Code provisions dealing with the Streambed Alteration Agreements, and the federal Endangered Species Act.

As the Revised Draft EIR notes, and as illustrated in Figure 4.4-7 of the Revised Draft EIR, the Placer Vineyards property owners have begun to acquire lands to satisfy the proposed mitigation requirements (Revised Draft EIR, page 4.4-97). Although none of the mitigation land is connected to another, at least two of them include highly valuable existing habitat, and all mitigation lands occur in areas the County has designated for open space/agricultural land uses. Ultimately, the County will assess the pros and cons of each piece of land proposed for preservation at the time an individual open space plan is proposed.

The project's proposed global mitigation strategy is consistent with the Third District Court of Appeal's recent ruling in *Environmental Council of Sacramento v. City of Sacramento* (Sept. 11, 2006, C049527) \_\_ Cal.App.4th \_\_ <<http://www.courtinfo.ca.gov/opinions>> (*ECOS*). The *ECOS* court held that, in light of the project's entire mitigation strategy, the purchase of a half acre for habitat reserves for every acre of development under the project satisfied the mitigation requirements under CEQA and the California Endangered Species Act. Refusing to disturb the lead agencies' decision to reject a 1:1 mitigation ratio based on issues of feasibility, practicality in meeting planned objectives, and other overriding considerations, the appellate court noted that the project mitigated for impacts on covered species in a variety of ways beyond the purchase of a half acre for every acre developed. Adherence to "historic ratios" is not required by CEQA, which does not mandate similar mitigation for all similar projects. The *ECOS* court made clear that the mitigation ratio should not be viewed in isolation, but should be seen as part of a larger comprehensive and integrated mitigation program involving long term management of properties, enhancement and restoration of some portions of some of the properties, and preservation against future development prospects.

In upholding the mitigation ratio employed in *ECOS* (0.5 to 1), the court noted that every acre within the project area must be replaced at the mitigation ratio, whether or not the land proposed for development provides habitat, and regardless of the quality of habitat or existence of known or documented species occurrences. Finally, the *ECOS* court underscored the principle that mitigation under CEQA must be "roughly proportional" to the impacts caused by the project. (CEQA Guidelines, Section 15126.4, subd. (a)(4)(B); *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 360.) In *ECOS*, the lead agencies found the 1:1 ratio alternative infeasible expressly because it would result in developers paying mitigation fees at a level that would exceed the impact caused by their projects. In upholding this approach, the appellate court affirmed that CEQA permits a lead agency to point to legal feasibility constraints on the mitigation ratio.

Mitigation Measures 4.4-1a through 4.4-1j of the Revised Draft EIR constitute the project applicants' proposed global mitigation strategy. Notably, the project's proposed mitigation ratio is twice the ratio at issue in *ECOS*; the proposed Specific Plan requires one acre of open space to be preserved within Placer County for each acre of open space impacted within the Specific Plan area (see Mitigation Measure 4.4-1a of the Revised Draft EIR). Further, the proposed project establishes a core preserve area to address the fragmentation of open space in the Specific Plan area. Subsequent Specific Plan projects would be required to mitigate through the establishment of preserve areas that, to the extent feasible and appropriate, are located adjacent to the core preserve or are associated with other existing preserve sites. Viewing the applicants' proposed mitigation strategy as a whole, as the *ECOS* court suggests, the County has determined that the

impacts of the project are satisfactorily mitigated under CEQA. Taking into consideration economic feasibility and practicality in meeting the County's planning objectives and the applicants' stated project objectives, the County believes that the proposed mitigation strategy satisfies these concerns as well as the objectives and mandates of CEQA.

**Response 15J:** As noted by the commenter, the Specific Plan area proposes use of recycled water for its agricultural water supply. Impact 4.1-13 of the Revised Draft EIR states that potential impacts may occur as a result of compliance with Standard 8 (Agricultural Water Supply) of Exhibit 1 of the *Dry Creek/West Placer Community Plan*. As described in the Revised Draft EIR, Standard 8 states that “[d]evelopment within the Specific Plan area should assist in the provision of affordable agricultural water to surrounding agricultural lands. Sources of such agricultural water include reclaimed and retained water and newly developed surface water sources.” Based on extensive consultation with representatives from PCWA and others, the Specific Plan proponents propose to satisfy Standard 8 by paying a fee to the County or PCWA, which would expend the funds obtained in a manner that would facilitate the provision of affordable water to agricultural users within western Placer County.

Standard 8 of Exhibit 1 reflects a policy commitment made by the Board of Supervisors; it is not a mitigation measure with which CEQA requires compliance. Therefore, the commenter's suggestion that expansion of the City of Lincoln's recycled wastewater storage and conveyance facilities is a “mitigation measure” of the project is incorrect. As reflected in the Revised Draft EIR, the County has made every effort to ensure project compliance with Standard 8; however, the Board of Supervisors will ultimately decide whether the Project complies with Standard 8, as a matter of policy interpretation. As the Revised Draft EIR states, because the policy language found in a County's general plan is susceptible to varying interpretations, it is often difficult to determine, in an EIR, whether a proposed project is consistent or inconsistent with such policies. Case law interpreting the Planning and Zoning Law (Gov. Code, Section 65000 et seq.) makes it clear (i) that the meaning of such policies is to be determined by the Board of Supervisors, as opposed to County staff, EIR consultants, applicants, or members of the public, and (ii) that the Board of Supervisors' interpretation of such policies will prevail if they are “reasonable,” even though other reasonable interpretations are also possible (see *No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 245-246, 249).

When reviewing an agency's decision for consistency with its own general plan, courts accord great deference to the agency's determination because “the body which adopted the general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity” (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 142). Courts have also recognized that, because general plans often contain numerous policies emphasizing differing legislative goals, a development project may be determined by the policy makers to be “consistent” with a general plan, taken as a whole, even though the project appears to be inconsistent or arguably inconsistent with some such policies (*Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 719).

**Response 15K:** Commenter is concerned about groundwater use in dry years or a series of dry years. As described on pages 3-26 and 3-27 of the Revised Draft EIR, the project will rely on

surface water supplies (some of which is recycled water for irrigation of parks and landscape corridors). Groundwater is utilized only as a back-up and emergency supply in the event of dry year cutbacks in surface water (drought) or short term delivery problems with the surface supplies such as emergencies or planned maintenance shut downs.

PCWA has recently completed an Integrated Water Resource Plan (IWRP) (August 2006), which evaluated projected County-wide demands and available supplies. The IWRP is reprinted in its entirety in Final EIR Appendix FEIR-A herein. The following paragraphs and tables prepared by Brown and Caldwell introduce and summarize the IWRP:

PCWA prepared an Integrated Water Resources Plan (IWRP) that presents a detailed assessment of the water supply and demand situation in western Placer County. The IWRP plans the integration of the variety of available water supply resources to meet future water needs.

The IWRP updates the water supply and demand assessment done in 2001. The key conclusion in the 2001 Discussion Paper was that PCWA had adequate surface water supply entitlements to match the demands that would occur at build out of the general plans at that time within its west Placer County service area. The 2001 assessment assumed that groundwater and reclaimed water would not constitute any of the supply, instead relying only on surface water for supply. The IWRP includes both groundwater and reclaimed water as part of the total available supply.

There are several areas in west Placer County that were not included in the 2001 projection of water demands. These areas that are now included are the City of Roseville, Nevada Irrigation District (NID), San Juan Water Districts' service areas in Placer County, the Sheridan area, and lands that lie to the west of the existing boundaries of the cities of Lincoln and Roseville.

### **Growth Scenarios**

This study looked at four alternative land use scenarios for future growth in west Placer County. Scenario 1 is based on the currently approved general plans. Scenario 2, Enhanced General Plan, is based on Scenario 1 plus proposed projects that are in the approval process. A sub-scenario, 2b, includes a recently submitted update to the Placer Vineyards development to reflect the higher dwelling unit densities desired in the Sacramento Area Council of Governments (SACOG) Preferred Alternative. Scenario 3, SACOG Preferred Alternative, is based on the SACOG Blueprint Preferred project, which is based on increased dwelling unit densities. The resulting build out population and dwelling unit projections for each scenario are presented in Table 1.

<b>Table 1 Current and Projected Population and Dwelling Units by Growth Scenario</b>		
<b>Scenario</b>	<b>Total Population<sup>a</sup></b>	<b>Total Dwelling Units<sup>b</sup></b>
2001 Development	208,108	90,483
2006 Development <sup>c</sup>	248,313	114,674
Scenario 1 Existing General Plans	473,234	175,272
Scenario 2 Existing General Plans Enhanced	602,710	223,226
Scenario 2b Existing General Plans Enhanced – Placer Vineyard Blueprint	622,876	230,695
Scenario 3 SACOG Blueprint Preferred	568,000	253,249
Notes:		
a Population for Scenarios 1, 2, and 2b based on assumed 2.7 people per dwelling unit. This is based on year 2000 US Census data for the PCWA service area. Population for 2001 existing development and Scenario 3 provided by SACOG.		
b Total dwelling units for Scenarios 1, 2, and 2b are estimated for this study based on the existing median number of dwelling units per net acre in each residential land use category. This is based on the analysis of PCWA customer database and assessor parcel information, as described in Chapter 4 of this report. Total dwelling units for 2001 existing development and Scenario 3 provided by SACOG.		
c Estimated based on California Department of Finance Placer County 2006 estimate times 2001 west Placer County proportions to total 2001 Placer County population and dwelling units.		

### **Water Demand Projections**

The residential water demands for each growth scenario were determined based on the number of dwelling units at buildout for each land use category combined with the dwelling unit demand factor from Table 2. The buildout dwelling units were calculated based on the number of acres for each land use category combined with a gross to net acre factor that is generally 0.8. The nonresidential treated water demands were computed based on the number of acres of each applicable land use category. The total demands were adjusted to include unaccounted-for water of 16 percent. The total water demand was also adjusted with a maximum year demand factor of 1.045 to account for the higher demands that occur during years in which the spring is dry and the irrigation season begins early. The results are presented in Table 3. Since the water demand projections are based on 2004 unit water use, any future additional water conservation efforts would result in water demands lower than presented in Table 3.

<b>Table 2 Placer County Land Use Water Use Factors</b>				
<b>Land Use Classification</b>	<b>Upper Area</b>		<b>Lower Area</b>	
	<b>Gpd/du</b>	<b>Gpd/ac</b>	<b>gpd/du</b>	<b>gpd/ac</b>
High Density Residential 20.1+ DU/ac	212		230	
High Density Residential 15.1-20.0 DU/ac	232		371	
High Density Residential 10.1-15.0 DU/ac	326		386	
Medium Density Residential	440		539	

<b>Table 2 Placer County Land Use Water Use Factors</b>				
<b>Land Use Classification</b>	<b>Upper Area</b>		<b>Lower Area</b>	
	<b>Gpd/du</b>	<b>Gpd/ac</b>	<b>gpd/du</b>	<b>gpd/ac</b>
7.1-10.0 DU/ac				
Medium Density Residential 5.1-7.0 DU/ac	495		608	
Low Density Residential 3.1-5.0 DU/ac	613		703 1,802 <sup>a</sup> 1,857 <sup>b</sup>	
Low Density Residential 1.1-3.0 DU/ac	783		857 1,802 <sup>a</sup> 1,857 <sup>b</sup>	
Low Density Residential 0.05-1.0 DU/ac	769		998 1,802 <sup>a</sup>	
Commercial		<b>2,299</b>		<b>2,759</b>
Professional Office		<b>2,682</b>		<b>3,219</b>
Industrial		<b>2,682</b>		<b>3,219</b>
Public/schools (average)		<b>2,816</b>		<b>3,379</b>
Agricultural or Timberland		5,251		5,251
Resort/Recreation		5,251		5,251
Recreation/Conservation		5,251		5,251
Open Space		5,251		5,251
Notes: Water use factors include maximum year demand and unaccounted-for water adjustments. Water use factors are applied to net acreage. a 1,802 gpd/DU for Low Density Residential and Rural Residential land uses in Granite Bay - SJWD subarea. b 1,857 gpd/DU for Low Density Residential land uses in Granite Bay - PCWA subarea. DU/ac = dwelling units per acre gpd/ac = gallons per day per acre gpd/DU = gallons per day per dwelling units				

<b>Table 3 Total Water Demand Projections*</b>				
<b>Demand Areas</b>	<b>Scenario 1 Exist General Plans, ac-ft/yr</b>	<b>Scenario 2 Enhanced General Plans, ac-ft/yr</b>	<b>Scenario 2b Enhanced General Plans and Placer Vineyards BP, ac-ft/yr</b>	<b>Scenario 3 SACOG Blueprint Preferred, ac-ft/yr</b>
Auburn	12,188	12,188	12,188	13,278
City of Lincoln	29,959	44,243	44,243	35,192
Rocklin	27,841	27,841	27,841	25,795
Loomis/Granite Bay Area	16,284	16,284	16,284	18,641
West Placer	30,129	49,078	52,125	43,839
<b>PCWA Plus Lincoln Subtotal</b>	<b>116,400</b>	<b>149,634</b>	<b>152,681</b>	<b>136,745</b>
Roseville	57,825	65,970	65,970	51,924
San Juan Water District	16,415	16,415	16,415	14,339
<b>Roseville and SJWD</b>	<b>74,240</b>	<b>82,385</b>	<b>82,385</b>	<b>66,263</b>

<b>Table 3 Total Water Demand Projections*</b>				
<b>Demand Areas</b>	<b>Scenario 1 Exist General Plans, ac-ft/yr</b>	<b>Scenario 2 Enhanced General Plans, ac-ft/yr</b>	<b>Scenario 2b Enhanced General Plans and Placer Vineyards BP, ac-ft/yr</b>	<b>Scenario 3 SACOG Blueprint Preferred, ac-ft/yr</b>
<b>Subtotal:</b>				
Remainder area	1,469	1,643	1,643	3,754
NID demand areas	9,355	9,364	9,364	31,659
<b>Subtotal:</b>	<b>10,823</b>	<b>11,007</b>	<b>11,007</b>	<b>35,413</b>
<b>West Placer County Treated Total:</b>	<b>201,463</b>	<b>243,026</b>	<b>246,073</b>	<b>238,421</b>
<b>Raw Water:</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>
<b>West Placer County Total:</b>	<b>276,463</b>	<b>318,026</b>	<b>321,073</b>	<b>313,421</b>
Notes: * Demand includes treated water, municipal groundwater, private groundwater, and reclaimed water. Raw water includes PCWA deliveries to canal customers. ac-ft/yr = acre-feet per year BP = Blueprint				

### Water Supplies

Surface water, reclaimed water, and groundwater are the water supply sources available in west Placer County. PCWA's water supply sources consist of water purchased from Pacific Gas and Electric (PG&E) from the Yuba and Bear Rivers, Middle Fork Project (MFP) water from the American River, and CVP water from the American River. Surface water supplies in normal, single dry, and multiple dry years are summarized in Table 4. Dry year restrictions for the CVP supply are based on the US Bureau of Reclamation (USBR) stated maximum reduction of 25 percent for CVP water used for municipal and industrial purposes. Due to the large amount of storage capacity in the MFP compared to its consumptive water rights, the MFP supply is assumed not to be impacted during dry years, which was the case during the 1977 drought. The PG&E supply is assumed to have reductions up to 50 percent based upon data from the 1977 drought.

Reclaimed water supply is currently available from two sources, City of Lincoln and City of Roseville. Indirect reclaimed water is also available from City of Auburn's WWTP, as its effluent is discharged to the Auburn Ravine where it is available to meet agricultural demands during the irrigation season.

Reclaimed water demand estimates used for this analysis are based on the assumption that the reclaimed water use will be limited to large common area landscapes. The reclaimed water supply is assumed to be equal to the reclaimed demand. This analysis assumes there is no change in reclaimed water supply or demand during dry years.

Existing groundwater use in west Placer County is mostly limited to supplying agricultural demands. The City of Lincoln does supplement their surface water with groundwater when necessary during peak periods. The City of Roseville has existing groundwater supply capacity, but little actual historic use. There is some groundwater use by private wells. Preliminary findings from an ongoing PCWA groundwater study indicate the maximum average annual yield within the Placer County portion of the groundwater basin is approximately 95,000 acre-feet per year (ac-ft/yr). This study assumes that groundwater yield is not impacted by dry years.

<b>Table 4 Surface Water Supplies</b>			
<b>Agency holding water right or contract entitlement</b>	<b>Normal year, ac-ft</b>	<b>Multiple dry year, ac-ft</b>	<b>Single dry year, ac-ft</b>
PCWA			
Middle Fork Project	120,000	120,000	120,000
Central Valley Project	35,000	26,250	26,250
PG&E (Drum – Spaulding Project)	100,400	75,300	50,000
South Sutter Water District	5,000	0	0
<b>PCWA Subtotal:</b>	<b>260,400</b>	<b>221,550</b>	<b>196,250</b>
City of Lincoln surface water (agreement with NID/PCWA)	3,300	2,475	1,650
City of Roseville			
Central Valley Project	32,000	24,000	24,000
<b>Total</b>	<b>295,700</b>	<b>248,025</b>	<b>221,900</b>
Note: ac-ft = acre-feet			

### **Allocation of Water Shortages from the Yuba-Bear River System**

The Yuba-Bear River supply purchased from PG&E (the PG&E supply) has historically been the primary water supply for western Placer County. The original water system dates back to the California gold rush and the Zone 1 facilities operated by PCWA today were purchased from PG&E in 1968. All of PCWA's Zone 1 raw water customers and the Auburn/Bowman treated water system are served exclusively from the PG&E supply. Most of the present demands on the Foothill/Sunset treated water system and some of the irrigation demands in Zone 5 are also met with the PG&E supply. The remainder of the Foothill/Sunset and Zone 5 demands are currently met from diversion of MFP water from the American River at Auburn. As the treated water demands on PCWA's system grow in the future it will be necessary to further develop PCWA's currently unused MFP and CVP supplies to meet these demands.

As shown in Table 4, surface water supplies from the Yuba-Bear River system are subject to reductions during dry periods. In any dry year, the South Sutter Water District supply is reduced to zero. It is assumed that a PG&E supply cutback of 25 percent would occur in multiple year droughts and 50 percent in the driest single year event.

Due to the physical and geographic layout of PCWA's water supply and raw water delivery system (open channel configuration, location, and altitude), dry year reductions in the PG&E supply cannot be reasonably mitigated with other sources of supply. Water which is delivered from the Yuba-Bear River serves a geographical area that will continue to be mostly separated from PCWA's other water sources as they are developed to meet the urban development proposed in western Placer County. There are physical, environmental, and economic constraints that will likely prevent supplying any significant backup water from other sources to supply PCWA's raw water system. As a result, raw water customers that are supplied by the Yuba-Bear River System would be subject to more significant supply reductions than other customers during dry years.

An analysis of the allocation of the PG&E supply indicates that in a future multi-year drought, the reduction in deliveries through the Yuba-Bear system would be 30,000 ac-ft/yr. Figure ES-7 from the IWRP (Final EIR Appendix FEIR-A) depicts graphically the allocation of Zone 1 and 5 water supplies. Although it would be the subject of Board policy at the time it occurs, it is assumed in the modeling that raw water cutbacks would be allocated as follows:

- Raw water to Zone 5 would be cut to zero first because they have greatest access to groundwater to replace PCWA deliveries.
- Zone 1 raw water customers would be cut to 92 percent of their normal supply (55,000 ac-ft versus 60,000 ac-ft).
- 10,000 ac-ft/yr of treated water demands in the Foothill/Sunset system would be supplied by groundwater.

This conjunctive use of groundwater recognizes the physical limitations of the raw water system and benefits both treated and raw water customers. Zone 1 raw water customers would see limited demand reductions because less PG&E water would be supplied to the treated water customers, and instead would be supplied to raw water demands. Zone 1 treated water customers would see no demand reductions, even though the PG&E supply would be greatly reduced, because groundwater would be used to make up the difference. The conjunctive strategy provides the greatest drought supply reliability for the PCWA system overall, and for the raw water and treated water systems individually.

In the single driest year, the reduction in Yuba-Bear system deliveries would be 55,000 ac-ft/yr. The modeling for this scenario is driven primarily by the inability to shift much additional water within the Yuba-Bear system from treated water deliveries to raw water deliveries. All of the rest of the loss in Yuba-Bear supply must be allocated to the raw water system. The result is that raw water deliveries would be reduced from a normal year supply of 75,000 ac-ft/yr to only 34,000 ac-ft/yr (57 percent supply in Zone 1, 45 percent overall) in a single driest year

event. Zone 1 treated water demands would still rely on 10,000 ac-ft groundwater to maintain total supply needs under this scenario.

### **Water Supply to Demand Comparison**

Water demands can be met through an integrated water resources approach that incorporates groundwater and reclaimed water supplies in addition to surface water supplies. Table 5 presents the total demand and integrated supply available for normal and dry years. Table 6 presents the water supply to demand comparisons for PCWA's west Placer County service area, including the City of Lincoln. The water supply to demand comparison is based on Scenario 2b, which results in the highest demands for PCWA, which results in a conservative planning approach.

<b>Table 5</b>			
<b>West Placer County Supply to Demand Comparison, Scenario 2b, ac-ft/yr</b>			
<b>Supply</b>	<b>Normal</b>	<b>Multi Dry Years</b>	<b>Single Driest Year</b>
<b>PCWA</b>			
MFP	120,000	120,000	120,000
CVP	35,000	26,250	26,250
PG&E	100,400	75,000	50,000
South Sutter WD	5,000	0	0
<b>Lincoln</b>			
NID	3,300	2,475	1,650
<b>Roseville</b>			
CVP	32,000	24,000	24,000
Total Recycled	21,261	21,261	21,261
Private Groundwater	5,273	5,273	5,273
<b>Groundwater</b>			
Roseville	0	6,790	6,790
Lincoln/PCWA	0	10,000	10,000
<b>Total</b>	<b>322,234</b>	<b>291,049</b>	<b>265,224</b>
<b>Demand</b>			
Treated water demand factor	100%	100%	97% <sup>a</sup>
<b>PCWA</b>			
Auburn	12,188	12,188	11,822
Lincoln	44,243	44,243	42,916
Rocklin	27,841	27,841	27,006
Loomis/Granite Bay	16,284	16,284	15,795
West Placer	52,125	52,125	50,561
Roseville	65,970	65,970	65,970
San Juan Water District	16,415	16,415	16,415
Treated water subtotal	235,066	235,066	230,485
Raw water	75,000	55,000	34,000
<b>Total</b>	<b>310,066</b>	<b>290,066</b>	<b>264,485</b>
<b>West Placer Net</b>	<b>12,168</b>	<b>983</b>	<b>739</b>
Groundwater recharge sale to SSWD	29,000	29,000	29,000
<b>Net</b>	<b>-16,832</b>	<b>-28,017</b>	<b>-28,261</b>
Note:			

<b>Table 5</b>			
<b>West Placer County Supply to Demand Comparison, Scenario 2b, ac-ft/yr</b>			
<b>Supply</b>	<b>Normal</b>	<b>Multi Dry Years</b>	<b>Single Driest Year</b>
a Applied only to PCWA demands. ac-ft/yr = acre-feet per year			

<b>Table 6</b>			
<b>PCWA (Including Lincoln) Supply to Demand Comparison, ac-ft/yr</b>			
<b>Supply/Demand</b>	<b>Normal</b>	<b>Multi Dry Years</b>	<b>Single Driest Year</b>
<b>Supply</b>			
MFP	77,490	76,280	76,280
CVP	35,000	26,250	26,250
PG&E	100,400	75,000	50,000
NID to Lincoln	3,300	2,475	1,650
South Sutter WD	5,000	0	0
Recycled water	13,386	13,386	13,386
Private residential groundwater	5,273	5,273	5,273
Groundwater	0	10,000	10,000
<b>Total Supply</b>	<b>239,849</b>	<b>208,664</b>	<b>182,839</b>
<b>Demand</b>			
Treated water	152,681	152,681	148,101
Raw water	75,000	55,000	34,000
<b>Total demand</b>	<b>227,681</b>	<b>207,681</b>	<b>182,101</b>
PCWA net	12,168	983	738
Groundwater recharge sale to SSWD	29,000	29,000	29,000
<b>Net</b>	<b>-16,832</b>	<b>-28,017</b>	<b>-28,262</b>
Note: ac-ft/yr = acre-feet per year			

## **Findings and Conclusions**

Several conclusions are made based on the analysis presented in this study:

1. Using an integrated resources approach that combines surface water, reclaimed water, and groundwater, there is adequate water supply to reliably meet all of the projected PCWA western Placer County service area demands under normal climate, multiple year, and single year drought conditions.
2. Under multiple year (moderate) drought conditions, PCWA would be required to implement drought restrictions on raw water customer usage sufficient to reduce raw water demands to balance supply and demand.
3. Under single year (severe) drought conditions, PCWA would be required to implement drought restrictions on treated and raw water customer usage sufficient to reduce demands to balance supply and demands.
4. Under drought conditions, raw water customers would likely experience a larger cutback than treated water customers because of physical limitations of the PCWA water delivery system.

5. Due to the physical separation of PCWA's historic systems served exclusively by the PG&E supply and PCWA's new systems built to serve the west Placer County demands, cutbacks to the PG&E supply during droughts or due to regulatory action do not impact the supply for the new west Placer County demands.
6. Under drought conditions PCWA, Roseville, and Lincoln will all need to rely on groundwater to improve the reliability of their system.
7. Reclaimed water supply is an important supply source, and its use is required to meet buildout demands.
8. The buildout of the existing Placer County General Plan within the San Juan Water District service area will not require all of the 25,000 ac-ft/yr currently contracted to San Juan Water District to serve that area.
9. The surface water being supplied to the Sacramento Suburban Water District will be reduced in normal years but not eliminated as water demands increase within Placer County.

The IWRP identifies the need for 10,000 acre-feet of groundwater in a single dry year for the entire PCWA Zone 1 Service Area (Table 6 above). This represents approximately 4 to 5 percent of the total urban water demand.

In addition to the IWRP, PCWA completed a report entitled Western Placer County Groundwater Storage Study in December of 2005. This report is referenced in the Revised Draft EIR in Section 4.3 beginning on page 4.3-49. On page 4-8 the report concludes that the sustainable yield of the groundwater basin for Western Placer County is 95,000 AF.

On page 7-3 of the IWRP, 2003 groundwater use in Western Placer County is estimated to be 97,371 AFA, which approximates the assumed sustainable yield for the groundwater basin (95,000 AFA). Of the 97,371 AFA, approximately 90,000 AFA is devoted to agriculture. According to the IWRP, the groundwater basin is not in an overdraft condition. Although declines in water levels occur during drought years, in its current condition, the basin is capable of recovery during wet cycles. On pages 7-5 and 7-6 of the IWRP, the effects of future agricultural land conversion are discussed. It is estimated that approximately 20,000 AFA will be removed from agricultural use as urbanization in Western Placer County displaces irrigated agriculture. This would reduce groundwater withdrawal to approximately 77,000 AFA. With the addition of 10,000 AFA for urban use, total groundwater withdrawal would then be approximately 87,000 AFA, which is well within the safe yield for the groundwater basin (95,000 AFA).

The IWRP concludes that "...it is anticipated that some portion of groundwater will be used during dry years in conjunction with demand reductions in order to meet demands when surface water supply is reduced." Although it would be a relatively rare event: "It is anticipated that

groundwater pumping exceeding the safe yield during dry periods is feasible as long as the long term (multiple years) average does not exceed the safe yield of 95,000 ac-ft/yr.”

In summary, the IWRP provides that:

- There is adequate water supply to meet all of the demands for each of the growth scenarios.
- Groundwater supplies are not needed to meet normal climate year demands.
- Dry year supplies must include groundwater to meet demand for most scenarios.

The Western Placer County Groundwater Storage Study analyzed historical groundwater use, future groundwater use, and impacts to the groundwater basin. The study area included the land bordered by Sacramento County line on the south, Sacramento River on the west, Bear River on the north, and the eastern boundary of the groundwater basin on the east.

Figures 2-3 and 2-4 (numbered herein as Figures 3A and 3B) from the report appear at the end of this section. Figure 2-3 provides a snapshot of the Department of Water resources cropping land use survey data for 1994 in Placer County. Figure 2-4 presents the average annual irrigation demand based on the methodology presented in the report. The area is divided into quarter sections from the Public Land Survey Grid, with each quarter section representing 640 acres. The Placer Vineyards study area is approximated on the figure. Using this outline, there are approximately 2 grids with average demand 20-40 inches per year, and 2.5 grids at 1-20 inches per year. Converting the lower and upper demands to annual demand, groundwater usage would range from 2,250 to 6,900 AFA, respectively within the Placer Vineyards Specific Plan area. Because the amount of irrigated land has declined within the Specific Plan area since 1994, the Revised Draft EIR conservatively assumes current groundwater use to be approximately 2,650 AFA. Of this amount approximately 2,400 AFA is used for irrigated agriculture which would phased out as the area urbanizes. The 2,400 AFA is a portion of the 20,000 AFA reduction in agricultural groundwater use described in the IWRP.

The commenter states that the City of Roseville could be reduced to 50% of its surface water supply in a series of dry years. Although this could be true, it is not relevant to the Placer Vineyards Specific Plan project because the Specific Plan project does not rely on the City of Roseville for its water supply. Also see Responses 15N, 15DD, and 33L.

**Response 15L:** Commenter is concerned about whether intersections were observed or subject only to calculations. The existing levels of service at all intersections evaluated in the Revised Draft EIR were based on both calculations and field observations during peak hours. Calculations were made based on traffic count data, the existing intersection geometrics and the existing traffic control measures (i.e. the number and location of stop signs and the presence and phasing of traffic signals).

The difference between the calculated LOS and the observed LOS at the intersections along Baseline Road and Riego Road is primarily caused by the fact that the calculation was based on

the counted volume that actually gets through the intersection during an hour. That count did not include the vehicles queued up on some intersection approaches which were unable to pass through the intersection during that one hour period. It has been observed that there are significant queues on some legs of some intersections along Baseline Road and Riego Road. At the Baseline/Pleasant Grove Road intersection, if the volume of vehicles in the queue were added to counted volumes, the volume to capacity ratio would exceed 1.0 and the LOS would be F. The stop-sign controlled intersections along Riego Road are closely spaced and vehicle queuing from one intersection affects the amount of traffic that can pass through adjacent intersections. When these conditions were observed in the field, it was noted in the DEIR. At all other intersections, the calculated LOS was deemed to be consistent with field observations.

Placer County, Sacramento County and the City of Roseville have used the Circular 212 methodology for 15 to 20 years to evaluate levels of service at hundreds of intersections. They have adjusted the capacities to match the calculated LOS level with their “comfort level” of an observed LOS. Based on many years of experience and field observations, these jurisdictions have confidence that the Circular 212 methodology provides reasonable estimates of existing levels of service in their jurisdictions. The Circular 212 methodology is discussed further in Response to Comment 15HH.

Commenter states that LOS policy in Specific Plan should parallel language in General Plan. General Plan Policy 3.A.7 establishes a standard of LOS “C” or better, except within one-half mile of a state highway, or as otherwise specified in a community plan or specific plan. Consistent with this policy, the Placer Vineyards Specific Plan establishes a service level of LOS “D”, which is more in keeping with the type of urban development proposed by the Specific Plan.

Commenter states that Mitigation Measure 4.7-2a does not provide mitigation for impact on other jurisdictions. Section 4.7 of the Revised Draft EIR does identify mitigation for traffic impacts in other jurisdictions (see Mitigation Measures 4.7-4, 4.7-5, 4.7-6, 4.7-8, 4.7-9, 4.7-14, 4.7-15, 4.7-16, 4.7-18 and 4.7-19). Recognizing that Placer County cannot construct improvements in another jurisdiction or cause another jurisdiction to construct such improvements, the Revised Draft EIR concludes that these impacts would be significant and unavoidable. However, Mitigation Measure 4.7-2a identifies a process and commitment of the County to enter into agreements with other jurisdictions in order to determine and assess fees on Placer projects (in this case, Placer Vineyards Specific Plan) for their fair share of project impacts. Mitigation Measure 4.7-2a also recognizes that the County cannot compel other jurisdictions to enter into such agreements. Furthermore, any inter-jurisdictional agreements must be consistent with the County General Plan. For these reasons, the relevant impacts are found to be significant and unavoidable.

Although the actual costs of improvements in other jurisdictions are not known at this time, an estimate of these costs was prepared and circulated for public review from August 1 to September 14, 2006. Note that the Revised Draft EIR does not assume that mitigation would be ineffective. To the contrary, the Revised Draft EIR provides the post-mitigation service level for road segments and intersections (see Mitigation Measures 4.7-4, 4.7-5, 4.7-6, 4.7-8, 4.7-14, 4.7-15, 4.7-16, and 4.7-18). The discussion for each of these mitigation measures specifies whether

or not the identified traffic improvements would reduce the impact to a less-than-significant level. For mitigation that must be partially or wholly implemented by another jurisdiction, the Revised Draft EIR concludes that the impact is considered significant and unavoidable, because Placer County cannot compel another jurisdiction to take action.

Commenter states that Revised Draft EIR appears to differ with the Specific Plan. The Revised Draft EIR analyzes the impacts of the Specific Plan. Where an improvement is identified in the Specific Plan, it is considered part of the project. As stated in the comment and on page 3-10 of the Revised Draft EIR, the Specific Plan would improve several intersections outside of Placer County. The project applicants are prepared to pay for the improvements as part of the backbone infrastructure. Therefore, the analysis assumes that the improvements are in place and are in addition to fair share participation. There is, therefore, no contradiction or difference between the Specific Plan requirements and the mitigation set forth in the Revised Draft EIR.

Commenter states that the Revised Draft EIR contains no discussion of potential inconsistency of the project with LOS requirements of the General Plan. The standards of significance for Placer County road segments and intersections are based on the General Plan policy (see pages 4.7-16 and 4.7-29). Impacts 4.7-2, 4.7-3, 4.7-12 and 4.7-13 report whether the County service level policy would be met under existing and cumulative conditions. In some cases, service levels would not meet the General Plan threshold. However, exceeding the service level standard does not mean that the project is inconsistent with the General Plan. General Plan Policy 3.A.7 allows exceptions to the service level standards, based on, for example, the number of hours per day that the affected intersection or road segment would operate at conditions worse than the standard, right-of-way needs, aesthetics, air quality and noise impacts, safety and so on (see page 4.7-27 of the Revised Draft EIR). When considering the proposed project, the Board of Supervisors would need to determine that exceptions would be allowed in the case of the proposed project, based on the considerations identified in Policy 3.A.7. If the Board does not find that an exception to the service level standard can be made, then the proposed project could not be approved.

Commenter cites General Plan Policy 6.F7 regarding minimization of direct and indirect air pollutants and notes that traffic impacts in other jurisdictions are found to be significant and unavoidable in the Revised Draft EIR. As explained in the Revised Draft EIR, the finding of significant and unavoidable is primarily a function of the fact that Placer County cannot compel other jurisdictions to act. It is anticipated that funding arrangements will be worked out with other jurisdictions and that recommended improvements will be made. Although the actual costs of improvements in other jurisdictions are not known at this time, an estimate of these costs was prepared and circulated for public review from August 1 to September 14, 2006. Also see Response to Comment 15D.

Commenter states that the Revised Draft EIR does not consider the air pollution impacts of pre-mitigation traffic flow. The air quality analyses do not assume that mitigation measures are in place. The URBEMIS model, which estimates vehicular and other emissions, uses land use data (e.g., number of single and multi-family dwelling units), rather than traffic congestion. The URBEMIS analysis does not use the traffic model for inputs (see Appendix J of the Revised Draft EIR). The CALINE-4 model, which estimates localized carbon-monoxide levels at intersections, is based on the traffic model. For both existing and cumulative conditions, the

unmitigated traffic model is used, so the CO emissions reported in Table 4.8-9 on page 4.8-41 of the Revised Draft EIR are the “worst-case” or unmitigated condition.

Commenter wants modeling done for AM peak hour traffic. Placer County recognizes that the traffic volumes during the PM peak hour are typically higher than the AM peak hour since many commercial businesses are not open during the AM peak period. In the vast majority of cases, improvements required during the PM peak hour will accommodate traffic flows in the AM peak hour at an equal or better LOS. Also see Response to Comment 15EE.

Commenter requests Financing Plan and cost information for improvements in other jurisdictions. Please see Response to Comment 15D.

**Response 15M:** The commenter states that the Revised Draft EIR did not comply with the requirements of CEQA Guidelines Appendix F regarding energy conservation. The County disagrees, as the commenter’s assertion is incorrectly premised on the assumption that Appendix F contains mandatory, rather than advisory, directives. Furthermore, as discussed below, the Revised Draft EIR includes numerous air quality mitigation measures that require reduced energy consumption, and includes discussions of energy issues in connection with the extension of Electrical and Natural Gas services to the project area.

The commenter’s assumption that Appendix F to the CEQA Guidelines is “mandatory” rather than advisory is not a correct reading of the purpose of this provision when such language is viewed in light of other provisions of the CEQA Guidelines.

The starting point for understanding the extent to which CEQA requires lead agencies to address energy conservation is the language of Public Resources Code Section 21100, subdivision (b)(3), which provides that EIRs must contain

[m]itigation measures proposed to minimize the significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.

While it might be argued that this language may seem to support the commenter’s position, the California Resources Agency does not agree, and has not agreed for many years. In promulgating former CEQA Guidelines Section 15126 (now Section 15126.4), the Resources Agency interpreted the above-quoted statutory reference by requiring mitigation measures addressing energy conservation only “where relevant.” The pertinent language provides as follows:

- (a) Mitigation Measures in General.
  - (1) An EIR shall describe feasible measures which could minimize significant adverse impacts, including *where relevant*, inefficient and unnecessary consumption of energy.

\* \* \*

- (C) Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed *when relevant*. Examples of energy conservation measures are provided in Appendix F.

(Italics added.)

This interpretation has the force of law behind it. Although the word “Guidelines” in “CEQA Guidelines” might suggest that they are merely advisory, this is not the case. Section 15000 of the Guidelines states that they are “*regulations . . . to be followed by all state and local agencies[.]*” (Italics added). Not all elements are “mandatory,” however, as some are either “advisory” or “permissive” (CEQA Guidelines Section 15005).

In light of these long-established legal principles giving deference to the Resources Agency in its interpretations of CEQA statutes, Placer County has followed the Resources Agency’s interpretation of Public Resources Code Section 21100, which, as construed in Section 15126.4, requires that energy conservation measures be addressed in EIRs only “where relevant” in light of significant energy-related impacts. The County also notes, in response to the commenter’s reference to Appendix F, that it must be interpreted and applied in light of the unambiguous language of Section 15126.4. The County further notes that the State Clearinghouse within the Governor’s Office of Planning and Research, in personal communications with County staff, has verified that Appendix F is only “advisory,” and has confirmed that the Clearinghouse typically sees few EIRs that include separate sections on energy, particularly since late 1998 when the subject of energy impacts was deleted from the state’s model Initial Study Checklist (contained in Appendix G of the CEQA Guidelines). (pers. comm. County Planner Jennifer Dzakowic with Terry Roberts, OPR, Aug. 29, 2006.) This paucity of EIRs with energy chapters is not surprising in light of the fact that, after the 1976 promulgation of Appendix F (at the height of the 1970s “energy crisis”) the State of California adopted comprehensive energy efficiency and energy conservation standards for buildings, found in Title 24 of the California Code of Regulations which are applicable to all building construction. These standards, like many other California regulations are much more advanced and stringent than those found in most other states, and generally obviate the need for local governments to formulate their own standards to apply to individual projects. Absent the statewide standards found in Title 24, a patchwork of conflicting standards might result should local agencies engage in their own standard-making in connection with CEQA review for individual projects.

Because Appendix F is only an appendix to the Guidelines, while Section 15126.4 is a duly enacted regulation, the language of Section 15126.4 should be understood to govern in the event of any conflict between its language and that of Appendix F. The language quoted by the commenter – that CEQA “requires” EIRs to address energy issues – therefore cannot be taken literally. Notably, moreover, even Appendix F itself includes language suggesting its advisory character, including the following:

[p]otentially significant energy implications of a project *should* be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed *to assist* in the preparation of an EIR . . . [a]

Project Description *may* include . . . Environmental Setting *may* include . . .  
Environmental impacts *may* include . . . Mitigation Measures *may* include . . .  
Alternatives *should* be compared in terms of overall energy consumption . . .  
(emphasis added)

Regardless of whether or not Appendix F is purely advisory or contains any mandatory elements, the County did consider the potential energy impacts of the project when preparing the Revised Draft EIR. The absence of any statement in the Revised Draft EIR suggesting that energy-related impacts are significant, either before or after mitigation, reflects the fact that the County considers them less than significant, even before mitigation. This conclusion results from the fact that, in light of the beneficial effects of Title 24 compliance and the existence of various Specific Plan policies, the County does not perceive that the project, even without mitigation imposed by the County, would result in “the inefficient and unnecessary consumption of energy.” (See CEQA Guidelines, Section 15126.4, subd. (a).) Nor would the project’s use of energy be “wasteful,” to use a word found in Public Resources Code Section 21100.

Even so, the Revised Draft EIR, where relevant, includes an extensive discussion of energy saving measures. Although these measures are included primarily in order to reduce air quality impacts, the measures have the simultaneous, salutary effect of reducing energy usage. As recognized by the commenter, “[t]he EIR does include information about the supply of energy to the Project site, and it does include some possible energy conservation provisions. In the air pollution and utility sections, there is a provision to promote passive solar building design and landscaping conducive to passive solar energy. Additionally, Mitigation Measure 4.8-3b requires residential consumption of energy to be reduced 10-20% below the requirements of Title 24. Mitigation Measure 4.8-3f promotes transit usage.” Although not cited by the commenter, the Revised Draft EIR also discusses commitment of energy resources on page 5-100 and includes a complete section on Electrical and Natural Gas Service (Section 4.11.10), which discusses energy efficiency standards and natural gas and electricity consumption. The Specific Plan also includes several energy conservation measures that are reflected in the Revised Draft EIR analysis. As an example, Section 4.7 of the Specific Plan provides as follows:

The Specific Plan’s land use patterns and transportation systems are designed to encourage efficient energy use through the use of nonmotorized transportation and the close proximity of residential uses to jobs and services.

Goal 4.12      Encourage efficient energy use and conservation.

*Policy 4.36      All residential units will be developed in compliance with State of California Title 24 energy conservation measures.*

*Policy 4.37      Use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems, integrated into the building designs, are encouraged.*

*Policy 4.38 Building and site design should take into account the solar orientation of buildings during design and construction.*

Energy sources come from a variety of sources and are consumed in a similar fashion regardless of specific project location. The Placer Vineyards Specific Plan has taken steps to ensure that energy efficiencies are incorporated into project design and specific energy conservation mitigation measures have been proposed where they would have a meaningful effect consistent with the purpose and intent of CEQA. Public Resources Code, Section 21002.1 requires lead agencies to focus the discussion in an EIR on potential environmental effects that the lead agency has determined are or may be significant (also see Section 21100, subd. (c) and CEQA Guidelines, Section 15128). These provisions underscore the importance of devoting the bulk of an EIR to those impacts that are or may be significant, as reflected by the NOP process and other required consultations.

The commenter makes several statements that are clearly incorrect, including the statement that there are no energy consumption calculations in the Revised Draft EIR, yet Table 4.11-14 on page 4.11-115 contains such calculations. The paragraphs following the table also include a discussion of energy sources. Other examples of energy conserving measures discussed in the Revised Draft EIR include Section 4.11-5, which contains an extensive discussion of recycling efforts and includes mitigation to ensure that this energy reducing measure is incorporated in all aspects of the project. The County has no authority to try to impose clean or energy-efficient engines on motorists who might live in or work on the project site, as the California Air Resources Board has exclusive authority over tailpipe emissions in California. (Health & Saf. Code, Sections 39002, 40000.) In summary, it is the County's opinion that the subject of energy conservation has been dealt with appropriately and thoroughly in the Revised Draft EIR to the extent that the subject matter is relevant.

In order to ensure that the above points are understood, the Revised Draft EIR is hereby amended to add the following heading and paragraph to page 4.11-3 of the Revised Draft EIR immediately following the discussion concerning the Public Facilities Financing Plan:

**Energy Conservation**

Public Resources Code Section 21100, subdivision (b)(3), and the CEQA Guidelines provide that EIRs must contain mitigation measures to reduce the wasteful, inefficient, and unnecessary consumption of energy when relevant. Energy conservation has been considered in the preparation of this Revised Draft EIR and such impacts have been found to be less than significant without mitigation. This conclusion results from the beneficial effects of Title 24 compliance and the inclusion of various energy conserving policies in the Specific Plan. Therefore, the project is not viewed as resulting in "the inefficient and unnecessary consumption of energy" (CEQA Guidelines, Section 15126.4, subd. (a)) and would not promote the "wasteful" use of energy as that word is used in Public Resources Code Section 21100. The Revised Draft EIR does include various mitigation measures that promote energy conservation, in particular under Air Quality, where such measures also lead to other beneficial results, such as

cleaner air. The Public Services/Infrastructure section includes a discussion of Electrical and Natural Gas Service, including a discussion of energy conserving Specific Plan policies and energy efficiency standards.

**Response 15N:** The commenter asserts that “[t]he only true water that is available is water that can be legally diverted and used for urban use.” Although it is theoretically possible that “the actual available water to PCWA may be much less than calculated by the sum of its permits and contracts,” this assertion, even if accurate, does not support a conclusion that the Revised Draft EIR’s discussion of water supply issues fails to satisfy CEQA. CEQA does not require that lead agencies predict the future with absolute accuracy. Rather, “the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible” (CEQA Guidelines, Section 15151). Thus, courts reviewing CEQA documents “look ‘not for perfection but for adequacy, completeness, and a good faith effort at full disclosure’” (*River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 178 [43 Cal.Rptr.2d 501], quoting CEQA Guidelines, Section 15151).

Placer County recognizes that only “true water” can be used to support homes and businesses, and for that reason the County has included mitigation measures (discussed below) that will ensure that increments of development within the Specific Plan area will only occur as the Placer County Water Agency (PCWA) makes water available to serve such increments of development. Through the Water Supply Assessment it prepared pursuant to Water Code Section 10910 et seq. (also known as S.B. 610), PCWA has stated that it has sufficient existing supplies from the American River to support partial buildout of Placer Vineyards, and has identified a proposed new 35,000 afa diversion on the Sacramento River that, if and when approved, would provide for the balance of the water needed for the project. For these reasons, the County has good reason to believe that full build-out of the project can be accomplished. The County has satisfied CEQA by conducting a good faith analysis of all of the environmental impacts of proposed new water supplies that might be required, and by proposing mitigation that would pace development so that it only occurs as “true water” materializes. Details are discussed below. The County cannot predict what the future will look like 20 years or more from now with respect to the California water supply picture without basis in fact or reliable growth projections. Any further attempt to do so would be pure speculation.

The Revised Draft EIR adequately addresses all potential water supply impacts of the project, and in fact includes a level of detail about water supply that may be unprecedented in an EIR for a land use plan. Notably, the Revised Draft EIR was not prepared for a stand-alone water supply project, but instead has been prepared for a land use plan that will require water in order to develop. The applicable standards here are therefore less exacting than might be required of an EIR for an actual water diversion proposal. The commenter is asking for more information and certainty about future events than it is practical or reasonable to expect. It is neither economically practical nor legally necessary for a local government, in adopting a long-term plan that may take 15 to 20 years to build out, to be able to point, at the time of plan approval, to existing, fully developed water supplies and infrastructure sufficient to serve all such projected long-term growth (See *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, 205 (“[w]e are not concluding respondent must first find a source of water for the ‘project’ before an EIR will be adequate”)); Wat. Code, Section 10911, subd. (c) (permits

local governments to approve projects even in the face of a lack of a demonstrated water supply necessary for buildout).

Nor are water suppliers able to operate under such conditions, as they typically lack funding to acquire and develop water supplies years or decades in advance of the development for which the water will be required. In light of the Third District Court of Appeal's holding in *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931 (*Amador*), water supply planning may only occur *after* a local agency has made a final decision on growth issues, such as the adoption of a valid general plan. In striking down an EIR that analyzed a proposed water project to meet the needs of the County's *draft* general plan, the *Amador* court concluded that "[m]aking 17,000 af/yr of water available for consumptive purposes removes a major barrier to growth and can virtually ensure development." Thus, the *Amador* court impliedly concluded that the acquisition of water supplies sufficient to support a population beyond what a county's general plan contemplates is likely, if not certainly, growth-inducing (see also CEQA Guidelines, Section 15126.2, subd. (d)).

The law requires only that a lead agency provide, prior to approving a project, a detailed analysis of the anticipated amounts of water the identified likely sources can deliver, giving due consideration to the realities of unreliable deliveries and competition for limited supplies, especially during drought conditions (See *Santa Clarita Organization for Planning and Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 717 (*Santa Clarita*); see *Santiago County Water District v. County of Orange*, 118 Cal.App.3d 818, 830-831 (EIR must analyze, not just make conclusory statements about, the availability of water). The lead agency is *not* required to analyze a "worst case" scenario, such as the utter failure of an entire identified water supply system to come to fruition as expected (*Napa Citizens for Honest Gov't v. Napa County Bd. of Sup.* (2001) 91 Cal.App.4th 342, 373 (*Napa Citizens*)). Such analysis would require pure speculation.

Most notably, the *Napa Citizens* court held that where a lead agency has identified a *possible* water source for new development, but that source is not yet certain to be available at the time of discretionary project approval, the agency may approve the project subject to a mitigation measure that permits actual development only as water supplies become certain and reliable (*Napa Citizens*, at page 374). "As we have found that the FSEIR is inadequate in failing either to identify new sources or to report that none is available, the FSEIR also is inadequate in failing to identify and analyze appropriate mitigation measures related to the alternative sources, if any. *In theory, at least, the FSEIR also could state a mitigation measure that would prevent development if the identified sources fail to materialize*" (*Ibid.* (italics added)). Here, Mitigation Measure 4.11.7-1a ensures that development cannot outpace water supplies, and in theory – though this is unlikely – could freeze development in its tracks should unforeseen water shortfalls materialize. There can be no question that this measure more than satisfies CEQA, in that the measure is more protective than what is required by Government Code Section 66473.7 ("SB 221"), which requires a showing of water availability only for subdivisions of more than 500 residential units. Measure 4.11.7-1a, in contrast, requires such a showing even for projects with fewer than 500 units, and applies to non-residential projects as well as residential projects.

The Specific Plan identifies a comprehensive water supply system to serve the project area, based on extensive modeling and consultation with hydrology experts. The proposed initial surface water supply is presented in Chapter Three of the Revised Draft EIR, identifying an immediate (or initial) surface water supply need of 6,000 AFA. This amount is anticipated to be needed by the Specific Plan area by the time the long-term surface water supply (the proposed Sacramento River Diversion) is expected to become available (i.e., 6 to 8 years into the future) (Revised Draft EIR, page 4.3-59). The proposed 6,000 AFA surface water supply was modeled under current condition hydrology, and the impact evaluations associated with it are a reflection of the potential effects of diverting 6,000 AFA from the American River at Folsom Reservoir.

In the long-term, it is recognized that the full 11,500 AFA water supply would be required to meet the buildout needs of the Specific Plan. This supply, as currently proposed, would be furnished by PCWA, and consists of CVP contract water diverted from the Sacramento River. The modeling analysis simulated diversion of the full 35,000 AFA and documented any impacts related to the full PCWA CVP contract. The additional water supplies considered for each local partner include: (1) Additional water supply of up to 35,000 AF for PCWA's municipal and industrial ("M&I") demand with treatment capacity of 65 MGD; (2) additional water supply of up to 29,000 AF in Water Forum average, drier, and driest years for SSWD's M&I demand and groundwater stabilization program with a treatment capacity of 15 MGD; (3) additional water supply of up to 7,100 AF for Roseville's M&I demand with a treatment capacity of 10 MGD; and (4) additional water supply of up to 58,000 AF with a water treatment capacity of 165 MGD for Sacramento's M&I demand (Revised Draft EIR, pages 4.3-59 to 4.3-60).

In the recently completed PCWA Integrated Water Resource Plan (IWRP, August 2006) a detailed analysis of all water demands for PCWA service area including the Cities of Lincoln, Roseville, and Rocklin as well as PCWA's retail service area was prepared. Three demand scenarios were examined: Existing General Plan, Enhanced General Plans, which includes the Placer Vineyards Blueprint alternative and the SACOG Blueprint Preferred Plan. In all three scenarios PCWA demonstrates adequate water supplies are available to meet project demands.

The commenter mixes new project demands created outside PCWA's retail service (the proposed City of Roseville's Sierra Vista and Creekview Specific Plans and densification projects such as the Hewlett-Packard/JMC Rezone Project) with PCWA retail demand. These plans will receive water supplies from the City of Roseville's existing water contracts (both their own Bureau and 30,000 acre-feet purchased from PCWA) and are fully accounted for in the Integrated Water Resources Plan prepared by PCWA. Also see Response to Comment 15DD.

PCWA has recently written a letter to the County dated September 8, 2006 which elaborates on certain aspects of its Water Supply Assessment (Revised Draft EIR Appendix M). The letter is reprinted in its entirety in Final EIR Appendix FEIR-B herein. Among the subjects covered in the letter is the allocation of water in extremely dry years. The commenter is referred to the Final EIR Appendix FEIR-B for information on this subject.

Until the Sacramento River diversion project is operational PCWA has the capability to deliver 10 MGD on a maximum demand day (sufficient for approximately 8700 dwelling units) to Western Placer County from a delivery point at the intersection of Baseline Road and Fiddymont

Road. This capability is due to a wheeling agreement between the City of Roseville and PCWA to transmit PCWA water from the Foothill Water Treatment Plant system introduced into the Roseville pipeline system near Industrial Blvd. and Blue Oaks Blvd. This wheeling agreement allows PCWA to provide service the areas west and south of the intersection of Baseline Rd. and Fiddymont Rd. In 2005 approximately 1.32 MGD (approximately 1100 du) of this capacity has been committed to projects such as Morgan Creek. The remaining capacity of 8.68 MGD (7700 du) is available under PCWA policies on a first come first served basis. The PCWA Board and staff monitor the available capacity with every water service approval they grant and will cease connections if the capacity limits are reached until adequate additional supplies become available. Placer Vineyards will only be able to use the available supply from this source until the limitations are reached and then must rely on the Sacramento River project or other alternatives. It is also important to recognize that the project will not build out at one time. As shown on Table 3.5-1 of the Revised Draft EIR, it is anticipated that the project will be approximately 50% built out by 2015 (7,000 dwelling units). The wheeling agreement with the City of Roseville provides the 10 MGD capacity in perpetuity (sufficient water for 8,700 dwelling units).

The commenter is referred to the PCWA Integrated Water Resource Plan (IWRP) to understand the cumulative availability of water supply to all the contemplated projects in Western Placer County. The IWRP is reprinted in its entirety in the Final EIR Appendix FEIR-A herein and summarized under Response to Comment 15K. The conclusion of this report states that “[t]here is adequate water supply to reliably meet all the projected PCWA western Placer County service area under normal climate, multiple year, and single year drought conditions” (page 9-11).

The referenced growth scenarios include Placer Vineyards (both proposed plan and Blueprint Alternative), Placer Ranch, Regional University and Specific Plan, and build out of the West Placer/Dry Creek Community Plan which includes Morgan Creek, Riolo Vineyards and Silver Creek, all of which lie in the retail service area of PCWA. In addition the Integrated Water Resources Plan identifies the demand and supply for projects under the jurisdiction of the City of Roseville, which includes the buildout of the West Roseville Specific Plan, the second phase of the West Roseville Specific Plan, Sierraview Specific Plan and the Creek View Specific Plan. Projects approved or proposed by the City of Lincoln are also covered in the growth scenarios.

The commenter has provided a table of water demand in Western Placer County and suggests that the Revised Draft EIR underestimates cumulative water demand. Calculations concerning cumulative water demand in the Revised Draft EIR were done without benefit of the IWRP, which now provides a more comprehensive and rigorous approach to estimation. The 40,000 AFA “general range” used in the Revised Draft EIR was intended to approximate future surface water demand considering the potential buildout of certain (and in some cases relatively undefined) anticipated projects. PCWA’s IWRP August 2006) now examines all the reasonably foreseeable projects in Western Placer County and compares demand and supplies before drawing the conclusion of adequate supplies. It is interesting to note, however, that Table 5-4 of the IWRP (page 5-5) appears to validate the general projection utilized in the Revised Draft EIR: 40,000 AFA (EIR) versus 43,156 AFA (IWRP). Regardless, the differences in calculations do not change the EIR’s conclusion that cumulative impacts related to long-term water supply are less than significant.

**Response 150:** Commenter requests that wet weather flows be stated. *The South Placer Wastewater and Recycled Water Systems Evaluation Project Technical Memorandum No. 4b* dated March 28, 2006 (TM), prepared by RMC Water and Environment (RMC) was not complete at the time the Revised Draft EIR was released, but is now available. Revised Draft EIR Appendix R is hereby amended by adding RMC Technical Memorandum 4b, dated March 28, 2006. On Table 26, Average Dry Weather Flow capacity of 18 MGD is stated, along with Peak Day Wet Weather Flow (PDWWF) of 45 MGD, and Peak Hour Wet Weather Flow (PHWWF) of 54 MGD. At current peak wet weather flows of 27.8 MGD at DCWWTP (from TM 2c), the difference between capacity and actual is  $54 - 27.8 = 26.2$  MGD on a PHWWF basis. The addition of this information raises no new environmental issues or impacts.

Commenter claims that projects and “densification” in the City of Roseville are ignored. The commenter is referred to the *South Placer Wastewater and Recycled Water Systems Evaluation Project TM No 9b*, dated October 24, 2005, prepared by RMC Water and Environment. This TM addresses “Methodology for Adjusting Land Use for Parcels with Approved or Near Certain Zoning or Development Changes (Rezone Parcels)” and their impact on the wastewater system. The incremental flow from the HP rezone is  $0.59 \text{ MGD} - 0.48 \text{ mgd} = 0.11 \text{ MGD}$ , Base Sanitary Flow, and is tributary to the Pleasant Grove, not the Dry Creek, WWTP. It is being considered, as are the other rezones documented in TM 9b, in the Systems Evaluation Project, and does not limit the availability of WWTP capacity at the DCWWTP. Revised Draft EIR Appendix R has been amended to include RMC Technical Memorandum 9b. The addition of this information raises no new environmental issues or impacts.

Commenter suggests that wastewater service is speculative due to the Placer County General Plan requirement that the wastewater service provider certify that service is available. Stated differently, the commenter suggests that wastewater service is speculative because there is no firm commitment to serve the project. Capacity at DCWWTP is available now to serve the project. Expansion is needed to accommodate growth in the Proposed 2005 Service Area as planned, which is programmed for 2010-2011. Supplemental CEQA analysis will be prepared at that time as needed. With regard to CEQA and issue of “speculation” concerning future service, the commenter is referred to the discussion contained in Response to Comment 15N. Relative to service at the DCWWTP, the SPWA has included the Placer Vineyards Specific Plan Area in its Proposed 2005 Service Area as an Urban Growth Area (UGA) (see RMC TM 1b, Appendix R of the Revised Draft EIR) and analyzed the flow from Placer Vineyards into the Trunk Sewers and the DCWWTP. Capacity is available to handle flows from Placer Vineyards, and expansion plans to meet anticipated flows from the Proposed 2005 Service Area are documented in RMC TM 4b, referenced above. Consequently, provision of wastewater treatment service at DCWWTP is not speculative. The Revised Draft EIR simply reflects General Plan stipulations as required by law.

Commenter suggests that the EIR generally does not address the expansions of DCWWTP or the SRCSD plant, yet the Revised Draft EIR is replete with such discussion. The commenter is referred to Revised Draft EIR pages 4.1-10, 4.1-60, 4.2-61, 4.3-30, 4.3-93, 4.3-126 through 4.3-137, 4.4-114 through 4.4-130, 4.5-17, 4.6-81 through 4.6-82, 4.8-42 through 4.8-44, 4.11-33 through 4.11-57, and 4.12-40 through 4.12-41. The referenced pages include extensive

discussions and analysis of land use, aesthetic, hydrological, water quality, biological, geological, archaeological, air quality and operational implications of wastewater treatment plant expansions.

The commenter states that the Revised Draft EIR does not discuss the air pollution impacts associated with DCWWTP expansion. The commenter is incorrect and is referred to Impact 4.8-6, which reads “[i]ncreased volumes of wastewater requiring treatment could cause odors and air quality degradation due to pump station and wastewater treatment plant operations.” The impact is found to be less than significant with the application of Mitigation Measures 4.8-6a and 4.8-6b.

Regarding changes in dissolved oxygen, the Merritt Smith Consulting TM, dated October 27<sup>th</sup>, 2005 is fully described and evaluated under Impact 4.3.4-9 of the Revised Draft EIR (pages 4.3-126 to 4.3-137). As reported, “advanced treatment” is understood to result in lower dissolved organic or oxygen consuming material in treated wastewater, and consequently directly mitigates the DO impact by definition, with “tailoring to the constituent of concern” as explained on pages 4.3-134 and 4.3-135 of the Revised Draft EIR. Current baseline data on dissolved oxygen are presented in Table 4.3-24, on page 4.3-134; past baseline data are not required to conduct this analysis because the State Regional Water Quality Control Board Water Quality Control Plan (Basin Plan) establishes objectives for DO, as explained on page 4.3-134, and it is compliance with those objectives in the future which is at issue herein.

For concerns regarding the Financing Plan, please see Response to Comment 15D.

**Response 15P:** The commenter states that certain technical appendices were missing from the Revised Draft EIR. The commenter references Revised Draft EIR pages 5-32 and 5-33, which are in the section of the Revised Draft EIR summarizing cumulative impacts. The commenter is referred to Section 4.3.3 for a more complete discussion of water supply and the underlying modeling assumptions. The technical appendices referenced are technical appendices accompanying the PROSIM modeling effort (see Revised Draft EIR page 4.3-61) and were not included with the Revised Draft EIR due to their very technical nature. Had the commenter wished to review the referenced appendices he could have been requested them and they would have been supplied in a timely manner. Page 2-18 of the Revised Draft EIR contains the address where documents referenced but not included in the Revised Draft EIR can be obtained.

**Response 15Q:** Commenter requests additional information about airborne construction emissions. The Revised Draft EIR contains estimates of uncontrolled emissions associated with project construction and compares them to the thresholds of significance recommended by the Placer County Air Pollution Control District (PCAPCD). The Revised Draft EIR identifies measures, programs and policies to reduce air emissions. These program, policy and mitigation requirements that would be applied to each subsequent individual development within the project area, would be subject to approval by the PCAPCD as per Mitigation Measures 4.8-1a through 4.8-1e. Because the control methods that would be required over the 20-year life of the project are not known at this time, it is not possible to determine emissions after mitigation. However, it is clear that no mitigation measures are available that would reduce emissions to a level below

the PCAPCD significance thresholds, therefore construction impacts were identified as significant and unavoidable.

PCAPCD Rule 228-303 is enforced by the PCAPCD. The District could require air quality monitoring for any or all development occurring within the Specific Plan area as part of the construction emission/ dust control plan required by Mitigation Measure 4.8-1a that requires PCAPCD approval of the plan prior to ground disturbance.

**Comment 15R:** Commenter inquires about project phasing and off-site infrastructure. As noted in Appendix J of the Revised Draft EIR, estimating construction emissions for a long-term project is difficult since the rate of construction is unknown and will change over the buildout of the project. Construction emissions were based on buildout of the initial phase of the project, assumed to occur by 2015. To account for the higher levels of activity in the initial phases it was assumed that all road building and park lands would be included in this initial phase, so the total acreages for these land uses were included in the estimate of initial phase area to be graded. While the emissions were averaged over a nine-year period, they are still “worst-case” emissions since the URBEMIS-2002 output is the peak emission over all phases of construction even though that maximum emission occurs only during a portion of the construction period.

There is currently insufficient information on construction/development phasing to allow estimation of the emissions over each year through project build-out. Instead, worst-case emissions estimates were utilized to define maximum project impact.

Construction impacts from off-site improvements are addressed in Impact 4.8-2 in the Revised Draft EIR. In terms of acreage and levels of activity, off-site construction activities would likely be far less than on-site activities. As stated in the Revised Draft EIR, the rate of construction activity associated with off-site improvements is unknown at this time, so average daily construction emissions were not estimated for off-site infrastructure construction activity. The Sacramento Metropolitan AQMD’s road construction model requires information on area disturbed, construction period/ timing and construction activity rates that are currently not available for the off-site improvements.

**Response 15S:** Commenter inquires about health effects related to off-site construction and diesel emissions in general. Off-site construction activities would be subject to Mitigation Measures 4.8-1a to 4.8-1e. The PCAPCD could impose additional mitigation requirements for dust control plans where future projects impact sensitive land uses. Mitigation of potential health risks due to diesel exhaust is addressed by Mitigation Measure 4.8-1c. At present, there is insufficient information to quantify potential health risks to specific sensitive receptors or in portions of the project as it becomes operational due to the 20-30 year timeframe anticipated for full buildout, as well as other variables that will be present over time. However all rules administered by the PCAPCD in place at a future point will be applicable to all on-site and off-site aspects of the project.

In the year 2000, the State of California began a program of identifying and reducing risks associated with particulate matter emissions from diesel-fueled vehicles that will affect diesel related risks in the future. The plan consists of new regulatory standards for all new on road,

off-road and stationary diesel-fueled engines and vehicles, new retrofit requirements for existing on-road, off-road and stationary diesel-fueled engines and vehicles, and new diesel fuel regulations to reduce the sulfur content of diesel fuel as required by advanced diesel emission control systems. The risk reduction program is expected to result in a 75-percent reduction in diesel particulate emissions by 2010 (compared to 2000 levels) and an 85 percent reduction by 2020.

Also see Response to Comment 24P.

**Response 15T:** Commenter requests quantification of mitigation measures. The Revised Draft EIR contains estimates of uncontrolled emissions associated with project operation and compares them to the thresholds of significance recommended by the PCAPCD. The Revised Draft EIR identifies measures, programs and policies as mitigation requirements. Mitigation Measure 4.8-3g requires that all requiring issuance of residential and non-residential building permits shall participate in an off-site mitigation program coordinated through the PCAPCD to offset NOx and ROG emissions not mitigated through on-site measures. Because the details of the required air quality mitigation fees and effectiveness of the program in reducing emissions are not known and will very likely vary over time as the project is built-out, it is not possible to determine emissions after mitigation. Furthermore, the effectiveness of some measures cannot be qualified (e.g., provision of bike lockers). Nonetheless, these measures are applicable, because they would provide some reduction in emissions (e.g., by increasing the number of commuters using bicycles). However, it is clear that no mitigation measures are available that would reduce emissions to a level below the PCAPCD significance thresholds, therefore construction impacts were identified as significant and unavoidable. Also see Response 24P for a full discussion of the PCAPCD mitigation fee program.

**Response 15U:** Commenter requests worst case emissions for both summer and winter. The Revised Draft EIR utilized summertime emissions for ROG and NOx and wintertime emissions for CO and PM<sub>10</sub> because of the seasonality of the air pollutant problems in the region. Ozone is a summertime problems, so ROG or NOx emissions associated with wood-burning, for example, have no effect on ozone concentrations. CO and PM<sub>10</sub> are primarily winter problems and emissions for these pollutants peak in the winter. The County believes the approach taken is correct. Estimates of emissions of summertime pollutants such as ROG and NOx were included in Appendix J of the Revised Draft EIR.

**Response 15V:** Commenter questions use of CALINE4 modeling and analysis. The admonition on page 37 of the BAAQMD CEQA Guidelines regarding daily trips is because of the conservative nature of the method which will over-predict concentrations. While the BAAQMD may not recommend the screening method for large projects because it is too conservative, there is no reason it can't be used for large projects if one is mindful of its limitations.

The methodology used in the Revised Draft EIR provides a conservative estimate of emissions, with adjustments made to account for the differences between the climate of the Bay area and the Sacramento Valley. The site is within an attainment area for carbon monoxide and currently has extremely low background concentrations; therefore enhanced modeling of carbon monoxide concentrations is not warranted.

Commenter notes that the input to CALINE4 for the model run was not in the appendix. The Revised Draft EIR does not state that the inputs are in an appendix. Table 4.8-8 of the Revised Draft EIR presents a summary of the inputs. Had the commenter wished to review the raw data she could have requested it and it would have been supplied in a timely manner. Page 2-18 of the Revised Draft EIR contains the address where documents referenced but not included in the Revised Draft EIR can be obtained. Revised Draft EIR Appendix J is hereby amended to include the original CALINE4 inputs.

The following has been added to the discussion of carbon monoxide modeling in Revised Draft EIR Appendix J:

The EMFAC2002 program was used to generate carbon monoxide emission factors assuming winter conditions, an ambient temperature of 40 degrees Fahrenheit and 20% relative humidity.

The site is within an attainment area for carbon monoxide and currently has extremely low background concentrations so any indicated violations of the CO standard from existing traffic can be attributed to the conservative nature of the project. More importantly the standard of significance for the project is an indicated exceedance of the ambient standards, which is not predicted. Therefore, enhanced modeling of carbon monoxide concentrations is not warranted.

**Response 15W:** Commenter is concerned about health risks from wastewater treatment plant emissions. A quantitative health risk assessment would require detailed information on emissions from the expanded treatment plants, which is currently unavailable. Such information would be generated as part of the air quality permitting of any expanded treatment plant. State law and PCAPCD rules and regulations provide that a permit would only be approved if it can be shown that an expanded plant would not result in a significant toxic air quality impact. These regulations and procedures, already established and enforced as part of the permit review process, would ensure that any potential impacts due to expansion of the wastewater plants would be reduced to a level of insignificance.

**Response 15X:** Commenter is concerned about health risks from roadways as traffic increases. While roads within and near the project might currently be considered “rural”, the roadway system associated with the project would be urban. The California Air Resources Board Land Use Handbook identifies urban roads with traffic above 100,000 ADT as being of concern. None of the roadways within the project area are projected to carry 100,000 vehicles per day. The difference between urban and rural roads is due to the higher percentage of diesel vehicles utilizing rural roads.

Key recommendations in the handbook include taking steps to avoid siting new, sensitive land uses:

- Within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day;

- Within 1,000 feet of a major service and maintenance rail yard;
- Immediately downwind of ports (in the most heavily impacted zones) and petroleum refineries;
- Within 300 feet of any dry cleaning operation (for operations with two or more machines, provide 500 feet); and
- Within 300 feet of a large gasoline dispensing facility.

The handbook does not establish a new threshold of significance for air quality. Because the issues raised by the handbook are site specific, consideration of the recommended setbacks would be appropriate for project-level environmental review.

Although the project would result in new diesel vehicle trips and this is estimated by URBEMIS-2002, adding diesel traffic does not equate to a potential health risk. The California Air Resources Board has completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines.<sup>1</sup> High volume freeways, stationary diesel engines and facilities attracting heavy and constant diesel vehicle traffic (distribution centers, truck stop) were identified as having the highest associated risk. The Specific Plan does not currently contain any of these types of uses. Should individual developments within the Specific Plan propose such uses, quantified analysis of risks would be appropriate. Also see Responses to Comments 15S and 24P.

**Response 15Y:** Commenter wants effectiveness of mitigation measures presented and information on funding the off-site mitigation program. See Responses to Comments 15T and 24P.

**Response 15Z:** Commenter requests additional information. Comment noted. See Responses to Comments 15Q through 15Y regarding specific requests for more information and calculations.

**Response 15AA:** Commenter stresses the need to review the project within the regional and cumulative context. The commenter also stresses the need for adequate drainage management, refers to project water supply as “possible” water sources, and refers to the project as “typical” of the area. Commenter also suggests that “new General Plan Amendments” should be put in place first before consideration of specific projects...”

The Revised Draft EIR fully reviews the project in the regional and cumulative context. The Revised Draft EIR has gone to great lengths to identify and discuss all reasonably foreseeable projects (see pages 5-5 through 5-8 of the Revised Draft EIR) and all topical areas contain a cumulative impacts analysis section that considers the impacts of the Specific Plan along with the other reasonably foreseeable projects. Also see Response to Comment 15A. Drainage management is addressed in Revised Draft EIR Sections 4.3.2 and 4.11.9. Specifically Mitigation Measure 4.11.9-2 requires the formation of a drainage service area to manage and

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<sup>1</sup> California Air Resources Board, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000.

maintain the required drainage and flood control-related structures and facilities. Funding mechanisms are provided within the various mitigation measures, including Mitigation Measures 4.3.2-1a, 4.3.2-1e, 4.3.2-1f and 4.3.2-1i. For a discussion of water supply the commenter is referred to Responses to Comments 15N and 15DD.

The County disagrees with the conclusion that the proposed Specific Plan is “typical” of the area. The Placer Vineyards Specific Plan is the largest land development project ever considered by Placer County. From that perspective it is not “typical.” Because it is so large, the project and environmental analysis are extensive and comprehensive, as evidenced by the amount of information contained in the Revised Draft EIR. Although several relatively minor General Plan amendments are proposed as a part of the project, for the most part they are clarifications and would have limited meaning unless accompanied by a project such as the Placer Vineyards Specific Plan where the logic of the changes could be demonstrated. If the commenter is suggesting that a General Plan amendment is necessary to allow the project to proceed, the commenter is mistaken. The site has been designated by the County for the type of development proposed since 1994. Some of the projects included in the cumulative context do require General Plan amendments (e.g., Regional University and Community Specific Plan), but these projects should not be confused with the Placer Vineyards Specific Plan.

**Response 15BB:** Commenter is concerned that all drainage infrastructure may not be in place in timely manner. Commenter states that the Revised Draft EIR needs additional erosion control measures for construction activities. Commenter suggests that modeling may not be accurate due to unforeseen upstream development that alters conditions. Commenter also suggests that global warming may have an unknown effect on runoff and water supply over 20-30 years.

The project will phase the construction of the flood control and peak flow mitigation measures to coincide with development impacts. The various mitigation measures appearing in Sections 4.3.2 and 4.11.9 will assure this outcome. The commenter is referred to those sections of the Revised Draft EIR for additional detail. Very little of the neighboring lands drain towards the Placer Vineyards project lands, with the exception of Curry Creek, and Dry Creek drainages. Where the described potential exists, Placer County requires the analysis of the “Post-project Fully Developed Offsite Unmitigated” flow rates. This analysis was provided in Section II.D of the Project Drainage Study.

Erosion control during construction is addressed in Section 4.3.4 (Water Quality). Mitigation Measures 4.3.4-2a through 4.3.4-2c specifically deal with this subject. The commenter does not state how those mitigation measures may be deficient and does not provide any alternative mitigation measures. Without additional information, no further response is possible. The commenter provides no factual basis for the concern about how global warming, if it is occurring, may affect specific streams in Placer County. Although at some point in the future scientists may reach a full consensus that global warming is occurring and be able to develop complex models that predict with some level of accuracy how the global phenomenon could affect the relatively small creeks within the project area, any attempt at the present to do so would constitute speculation on the part of the County (see CEQA Guidelines Section 15145). At the present time the County assumes that, given the small size of the creeks at issue, any effects from global warming on their flows in a foreseeable time frame would be de minimus and

would not change the manner in which the project has been designed or its impacts mitigated. Project impacts are evaluated per the design events specified in the Placer County Stormwater Management Manual, as required.

The commenter seems to suggest that the project will rely on groundwater as an interim water supply “until project buildout or until sufficient water supply infrastructure is put in place...” As is clearly described on page 3-27 of the Revised Draft EIR, groundwater is proposed to be used only in the event surface water allocations are reduced (temporarily due to drought) after the project has been constructed. No construction will occur without a surface water supply, as is clear from a reading of pages 4.11-80, 4.11-81 and 4.11-82 of the Revised Draft EIR.

**Response I5CC:** The commenter is concerned about downstream flows and effects on Sankey Gap, and detention basin construction. The commenter confuses two aspects of the project, specifically in reference to the Curry Creek area. There are water quality basins and peak flow detention proposed in separate facilities. The comment appears to be directed at the detention aspect, but the project does not propose to construct the detention ponds in this area. The attenuation (detention) will be constructed in the overbank areas of the creek. The project design is based on the preliminary assessments of the soils and geology of the region, based on the US Geologic Survey.

The Sankey Gap flows can occur when flooding backs up in the Pleasant Grove Canal. This usually occurs when the Sacramento River is at a very high stage, coinciding with a large runoff event on the Natomas Cross Canal watershed. Curry Creek is tributary to the Pleasant Grove Canal. The only portion of the Placer Vineyards project which could impact the Sankey Gap spills would be the areas tributary to Curry Creek. The Project Drainage Study identifies (see Table IIC2) that peak flow mitigation objectives are satisfied for the 2-year, 10-year and 100-year storm event, and the downstream project boundary and at node CUS17C downstream of the project.

With regard to detention basin construction, the Placer Vineyards Specific Plan area is essentially flat, which limits the number of geological concerns related to construction. Geological stability issues are addressed in Section 4.5 of the Revised Draft EIR. On page 4.5-14, the Revised Draft EIR finds that:

Although no areas of suspected or potential ground instability were reported or noted during research, construction activities involving ground disturbance could result in a small potential for ground instability. Erosion is anticipated to occur in disturbed soil areas. Soil stockpiles could be susceptible to erosion and soil loss. These impacts are considered to be *potentially significant*.

The Revised Draft EIR then provides six very specific performance-driven mitigation measures to deal with this potential: Mitigation Measures 4.5-4a through 4.5-4f appearing on pages 4.5-14 through 4.5-16. With regard to the amount of earth to be moved, all earth removed for purposes of pond construction will be used on-site in other areas of the project. Shallowest groundwater depth is reported to be 55 feet on page 4.5-8 of the Revised Draft EIR and would not be intercepted by detention basin construction.

With regard to use of recycled water contributing to future low flows, it is unclear how the diversion of wastewater for recycling could contribute to flooding, which appears to be the subject of the comment. With regard to urban runoff contributing to the maintenance of perennial flows, the added runoff typically occurs in the dry portion of the year when flooding from natural events is not a concern. During naturally wet months, little outdoor use of water for landscaping, etc. occurs, therefore little runoff from such sources occurs. Increases in runoff due to the addition of impervious surfaces are typically dealt with through detention/retention so that there is no increase in runoff, as described in the Revised Draft EIR.

With regard to potential “interim” runoff impacts during project buildout, the commenter is referred to Mitigation Measures 4.3.2-1a through 1i where it is clear that each increment of development will be required to provide a site-specific project drainage report that shows how it will comply with the *Master Project Drainage Study* and County standards. The mitigation measures are written to ensure that there are no interim impacts. Further, the applicants will install all “backbone” drainage infrastructure at the onset of development, ensuring that there are no interim impacts of the type envisioned by the commenter.

**Response 15DD:** Commenter raises water supply-related concerns that are similar to those raised by Comment 15K and 15N. The reader is referred to Response to Comments 15K and 15N for additional background.

The commenter states that present estimated groundwater use in the west Placer County area is 65,000-75,000 AF/yr resulting in relatively stable groundwater depths, but that the actual quantity and use within the Project area is unknown. A PCWA report entitled “Western Placer Groundwater Storage Study, December 2005” analyzed the groundwater basin and estimated the total annual usage, safe yield, and other variables in west Placer County. Historical average use in west Placer County is 89,000 acre-feet from 1970 to 1995 (Groundwater Storage Study Table 4-2). The Placer County portion of the estimated safe yield is 95,000 acre-feet per year (Groundwater Storage Study Figure 4-6). The PCWA study did not estimate groundwater use in the Placer Vineyards specifically. Using the information provided in the study, it is estimated that a range of potential use is 2,250 to 6,900 acre-feet per year

The commenter states that a conjunctive use strategy does not translate to available groundwater during dry years because other nearby projects may be not be practicing conjunctive use and the basin will not recover for banked water to be available during dry years. The statement assumes that other projects will be allowed to use groundwater as yearly water supply. However, both Placer County and PCWA have policies that state that no new development will be allowed to use groundwater as its primary source. In addition, Sacramento County has placed a requirement on the planned Elverta Specific Plan, immediately to the south, through its PF-8 requirement that states there can be no net increase in groundwater usage in the plan area. In addition, the Sacramento County area north of the American River is already under a conjunctive use groundwater management program directed by the Sacramento Groundwater Authority that has proven to stabilize the groundwater basin.

The commenter states that the initial water supply arrangement with Roseville (10 MGD max day) leaves very little margin for error when comparing the demand from the first development phase to the available capacity and doesn't account for outages, increased demands during droughts, spillage, etc. The project does not include a phasing plan; therefore it is unclear what the commenter means by "first phase." Mitigation Measures 4.11.7-1a through 4.11.7-1c specifically tie the approval of tentative subdivision maps to a finding regarding actual water availability at the point of consideration. It is also significant to note that the Draft PCWA Integrated Water Resources Plan scaled up the average annual potable water demands to dry year demands. Therefore the Placer Vineyards Specific Plan water demands are dry year demands. In addition, the conjunctive use strategy provides water to the area during droughts or emergency outages, addressing the concerns in the comment regarding these instances.

The commenter states that all development near Placer Vineyards, including areas outside of the County and PCWA's service area, will provide a demand that exceeds PCWA's supplies. A table (Table 1) of said development is provided with estimated numbers to demonstrate this claim. The commenter incorrectly assumes that PCWA's CVP water contract of 35,000 acre-feet per year will be used to serve demands outside of the PCWA service area, such as the Elverta Specific Plan and South Sutter County. PCWA has now completed the Integrated Water Resources Plan (IWRP) (August, 2006) (see Response to Comment 15K) which analyzed all existing and proposed development in Western Placer County. According to the Plan, PCWA does not intend to serve these areas with any of its water rights or contract water.

The analysis provided by the commenter assumes that PCWA supplies and contract water are kept separate within the service area, and that all west Placer County development can only be served by the 35,000 acre-feet CVP contract. This is not correct, as PCWA has the ability to move water from its various sources to various demand areas. Although PCWA can not move 100 percent of any one supply to all of its service areas, the greatest flexibility is in its CVP supply and its Middle Fork American River supply. PCWA's planned infrastructure improvements as listed in the PCWA Water System Infrastructure Plan (October 2003) present infrastructure alternatives to meet several possible growth scenarios.

The net result of these planning efforts is that an analysis of total supplies versus total demand is necessary to determine supply availability. Such an analysis is conducted in the PCWA IWRP. Results from the Plan are used to address the comment that a broader analysis is needed and to provide a corrected version of Table 1 from the commenter's letter. Table 1 from the commenter's letter contains no reference documentation for its projected acreage and dwelling units, and is an incomplete demand analysis. Therefore the values cannot be verified. The table is included below with incorrect information noted and corrected, as appropriate, to show the actual current planning values. A comprehensive and accurate forecast of demand is contained in PCWA's IWRP, which is reprinted in Final EIR Appendix FEIR-A herein.

*Scenario 2 & 2b from PCWA Integrated Resource Plan (Aug 2006)*

Table 1. Cumulative water demands in greater Sacramento-Roseville area from planned and anticipated development project.

Adjacent Projects	Direction	Anticipated Project		Parks/Greenbelts Area (ac)	Water use* (AF/yr)	DU	Estimated Water Requirement		Source? Reliability?
		Begin Date	Project Area (ac)				Domestic <sup>b</sup> (AF/yr)	Total (AF/yr)	
<i>Projects with approved plans</i>									
Lincoln Crossing	North		1070			2958	1325		
Lincoln 270 (light commercial)	North		280			100	22	45	
Dry Creek Community Plan	East								
Riolo Vineyards	S. East		319			805	361		
Morgan Place	S. East		12			91	41		
Silver Creek	S. East		29			79	35		
W. Roseville SP	East	2006	3150			8500	3808		
<b>Subtotal</b>			<b>4860</b>			<b>5615</b>	<b>2807</b>		
<i>Projects designated for development</i>									
Sierra Vista SP	N. East		1900		12,160	10000	4480		
Creekview SP	N. East		570			2160	968		
<b>Subtotal</b>			<b>2470</b>			<b>5448</b>	<b>2724</b>		
<i>Project currently obtaining General Plan amendments</i>									
Regional Univ. & Comm. SP	N. East	2008	1136			4387	983	1965	
Placer Ranch	N. East	2008	2213			6793	3043		
Elverta SP	South	2008				4950	2218		
<i>Project under construction * This is incorrect to associate timing Placer Vineyards w/ Curry Creek Community Plan</i>									
Curry Creek CP	N. East	2012	5200			16200	7258		
S. Sutter Reserve	N. East		10500			17500	7840		
Placer Vinyds. SP	NA	2012	5230			14132	6331	11500	
<b>Subtotal</b>			<b>24279</b>			<b>28655</b>	<b>14327</b>		
<b>Overall Total</b>			<b>31609</b>			<b>88655</b>	<b>39717</b>		

*PCWA does not serve* → Elverta SP

*PCWA does not serve* → S. Sutter Reserve

*Not comprehensive all City of Lincoln 44,243 AF* → Lincoln Crossing, Lincoln 270

*Treated All 10,559 15,856* → Sierra Vista SP, Creekview SP

*Incorrect: Total demand for single family residential demand ranges from 440 gpd to 613 gpd* → 6331

*Not correct* → 2012

*Incorrect* → 14327

*Correct for potable water demands* → 11500

*\* Presumably some of the landscaping water use can be met with recycled treated water. Use of the recycled water may have impacts on Creek summer low flows comprised primarily of WWTP discharges that require further investigation*

*Assumes 200 gpd/DU domestic use plus 200 gpd home landscaping as an approximation, project values should be employed*

o:\18156\excel\Letter 15 table 1 marked up comments per JCR 08-21-06.xls

Commenter also raises concerns regarding impact of development on private domestic wells in the area and references the “well insurance” program. Although it is not anticipated that a project relying primarily on surface water would have any effect on private wells, the project, by bringing in a surface water supply to the project area will give those now dependent on a groundwater an alternative water source. The purpose of the “well insurance” program is not simply to pay people for the loss of water, but to make them whole, which could include the extension of surface water to current groundwater users. Also, see Response to Comment 23-C.

**Response ISEE:** Commenter claims that the Revised Draft EIR fails to disclose and mitigate for AM peak hour impacts. Sacramento County and Caltrans requested that both AM and PM peak hour conditions are evaluated in the Revised Draft EIR. Thus the impacts for Caltrans’ intersections were evaluated for both AM and PM peak hour conditions.

The City of Roseville General Plan level of service policy is specific to the operations of its signalized intersections during the PM peak hour. They have not evaluated AM peak hour levels of service for their intersections in their EIRs. The City of Roseville and Placer County both recognize that traffic volumes are typically higher during the PM peak hour since many commercial businesses are not open during the AM peak period.

Placer County also attempts to make the geometrics of its intersections “symmetrical”. That is, if a double left turn is needed in the PM peak hour for a movement from a major street to a minor

street, they would typically provide a separate right turn lane from that minor street to the major street to ensure that the reverse movement is accommodated during the AM peak hour.

The County's approach is validated by a review of AM conditions under the proposed project. The arterial roadways that would receive the largest increase in traffic from the proposed project include Baseline Road and Watt Avenue. An AM peak hour level of service analysis has been conducted at major intersections along these two roadways and is shown in the two tables below.

Under Existing Plus Project conditions there are no new impacts identified in the a.m. analysis. The AM peak hour impact at Fiddymont Road and Baseline Road is also impacted in the p.m. peak hour. Mitigation Measure 4.7-3b would reduce this impact to less than significant level under both the AM and PM peak hour.

Under Cumulative Plus Project conditions there is no new impacts identified in the a.m. analysis. The a.m. peak hour impacts at East Dyer Lane with Baseline Road and Watt Avenue with Dyer Lane are also impacted in the PM peak hour. The AM peak hour levels of service at these intersections with the proposed project would be somewhat better than the PM peak hour levels of service.

<b>Final EIR Table</b>							
<b>Peak Hour Levels of Service at Study Intersections – Unincorporated Placer County</b>							
<b>Existing Plus Project Conditions</b>							
<b>Intersection</b>		<b>Existing Conditions</b>			<b>Existing Plus Project Conditions</b>		
		<b>Level of Service</b>	<b>LOS Criteria</b>		<b>Level of Service</b>	<b>LOS Criteria</b>	
<b>North-South Roadway</b>	<b>East-West Roadway</b>		<b>Signalized Intersection (V/C Ratio)</b>	<b>Unsignalized Intersection (Delay)<sup>1</sup></b>		<b>Signalized Intersection (V/C Ratio)</b>	<b>Unsignalized Intersection (Delay)<sup>1</sup></b>
<b>AM Peak Hour</b>							
3	Watt Avenue	Baseline Road	B	0.65		A	0.50
4	Fiddymnt Rd	Baseline Road	D (F) <sup>2</sup>	0.88 (>1) <sup>2</sup>		<b>F</b>	<b>1.37</b>
5	Watt Avenue	PFE Road	B		14.8	C	0.78
13	Dyer Lane (E)	Baseline Road				A	0.50
29	Watt Avenue	Dyer Lane				D	0.88
<b>PM Peak Hour</b>							
3	Watt Avenue	Baseline Road	E	0.94		B	0.61
4	Fiddymnt Rd	Baseline Road	D (F) <sup>2</sup>	0.87 (>1) <sup>2</sup>		<b>F</b>	<b>1.29</b>
5	Watt Avenue	PFE Road	C		16.3	C	0.71
13	Dyer Lane (E)	Baseline Road				A	0.54
29	Watt Avenue	Dyer Lane				B	0.68
Notes: “Blank” = Intersection does not exist under this scenario. Intersection numbers refer to Figure 4.7-4. Significant impacts are highlighted in bold letters.							
<sup>1</sup> Average delay for all movements at intersection, including uncontrolled movements. Delay on some stop-signed controlled left-turn movements may be substantial, but typically impacts a limited number of vehicles.							
<sup>2</sup> Observed long queues indicate intersection operates at LOS F.							
Source: DKS Associates, 2006.							

<b>Final EIR Table</b>								
<b>Peak Hour Levels of Service at Study Intersections – Unincorporated Placer County</b>								
<b>Existing Plus Project Conditions</b>								
<b>Intersection</b>			<b>Existing Conditions</b>			<b>Existing Plus Project Conditions</b>		
			<b>Level of Service</b>	<b>LOS Criteria</b>		<b>Level of Service</b>	<b>LOS Criteria</b>	
<b>North-South Roadway</b>	<b>East-West Roadway</b>	<b>Signalized Intersection (V/C Ratio)</b>		<b>Unsignalized Intersection (Delay)<sup>1</sup></b>	<b>Signalized Intersection (V/C Ratio)</b>		<b>Unsignalized Intersection (Delay)<sup>1</sup></b>	
<b>AM Peak Hour</b>								
3	Watt Avenue	Baseline Road	F	1.13		F	1.01	
4	Fiddymment Rd	Baseline Road	F	1.27		F	1.28	
5	Watt Avenue	PFE Road	E	0.95		C	0.79	
13	Dyer Lane (E)	Baseline Road	D	0.81		<b>F</b>	<b>1.09</b>	
29	Watt Avenue	Dyer Lane				<b>F</b>	<b>1.08</b>	
<b>PM Peak Hour</b>								
3	Watt Avenue	Baseline Road	F	1.26		F	1.11	
4	Fiddymment Rd	Baseline Road	F	1.12		F	1.16	
5	Watt Avenue	PFE Road	E	0.93		B	0.70	
13	Dyer Lane (E)	Baseline Road	D	0.84		<b>F</b>	<b>1.04</b>	
29	Watt Avenue	Dyer Lane				<b>F</b>	<b>1.06</b>	
Notes: “Blank” = Intersection does not exist under this scenario. Intersection numbers refer to Figure 4.7-4. Significant impacts are highlighted in bold letters.								
<sup>1</sup> Average delay for all movements at intersection, including uncontrolled movements. Delay on some stop-signed controlled left-turn movements may be substantial, but typically impacts a limited number of vehicles.								
<sup>2</sup> Observed long queues indicate intersection operates at LOS F.								
Source: DKS Associates, 2006.								

**Response I5FF:** Commenter claims LOS analysis understates the traffic impacts of the project because “moderate access control” was assumed. A typical “low access control” roadway would have access to multiple businesses and closely-spaced local roadways and would thus generate a significant amount of conflicting traffic. This situation would not exist on the roadways where “moderate access control” was assumed in the Revised Draft EIR. The urban roads have raised medians to limit access and the rural roads would not have a significant amount of conflicting traffic.

**Response I5GG:** Commenter claims that the Revised Draft EIR fails to address freeway ramp adequacy. The increase in traffic on State highways is discussed in Impacts 4.7-9 and 4.7-19 on pages 4.7-51 through 4.7-54 and 4.7-85 through 4.7-88 of the Revised Draft EIR. The presentation of the daily ramp volumes shows that in most locations the volume change would be small and therefore would not have a significant impact on freeway ramp or mainline operations. Nonetheless, Mitigation Measure 4.7-2 calls for project developers to contribute their fair share toward the funding of improvements on state highways, if and when the County and Caltrans enter into an agreement with Caltrans for such funding. Mitigation Measures 4.7-9b and 4.7-19b identify the highway improvements that would be needed to offset the project contribution to highway congestion.

The Metropolitan Transportation Plan indicates that by 2025 new interchanges would be built at the locations where under cumulative conditions the proposed project would cause the largest traffic increase to freeway ramps: Riego Road/SR 77/99 and Elverta Road/SR 70/99. These new interchanges would be designed to handle the volume of traffic anticipated to come from cumulative development in the region. A detailed merge, diverge, or weaving analysis can not be done on the Riego Road and Elverta Road interchanges since their geometrics have not yet been established. The high volume of on and off-ramp traffic from cumulative development throughout South Sutter, North Sacramento and South/West Placer counties will likely require auxiliary lanes on SR 70/99.

**Response I5HH:** Commenter claims that Circular 212 methodology is out of date. Placer County, Sacramento County and the City of Roseville have used the Circular 212 methodology for 15 to 20 years to evaluate levels of service at hundreds of intersections. Over that time, they have independently adjusted the capacities used in that methodology and they now each use different capacities. They have adjusted the capacities to match the calculated LOS level with their “comfort level” of an observed LOS. Thus each of these jurisdictions has independently tailored the Circular 212 methodology to match their LOS policy. The staffs of these jurisdictions have compared the Highway Capacity Manual (HCM) method with the Circular 212 method and have each concluded that they should continue to use Circular 212 method since it meets their needs and expectations.

For example, the City of Roseville has an LOS C standard. When setting their LOS policy, the City of Roseville staff was able to point to several intersections that would operate at LOS C conditions under the HCM method, but LOS D conditions under the Circular 212. The City Council felt that traffic operations at those intersections were not acceptable to them. This led the City to continue to use the Circular 212 method.

Unlike the Circular 212 method, the HCM method requires a substantial amount of input data, including signal timing information. It can provide a reasonable estimate of the delay incurred by motorists under existing conditions when traffic signal timing is known. However, when one is analyzing new intersections under conditions 20 years into the future, a large number of assumptions are required to use the HCM method. It is thus debatable whether this method is more accurate or useful to the public and decision makers than the Circular 212 method.

**Response I5II:** The commenter claims that the Revised Draft EIR methodology understates traffic impacts where low volume crossroads intersect busier roadways. The criterion used to evaluate stop sign controlled intersections in the Revised Draft EIR is the same one used in other EIRs in Placer County. Just like four-way stop sign-controlled intersections, the criterion for one-way and two-way stop-sign controlled intersections measures average delay on all approaches to the intersection. This criterion is also equivalent to that used for signalized intersections which accounts for the critical traffic movements on all, not just some, of the intersection approaches. The County thus uses this criterion so that one-way and two-way stop-sign controlled intersections are measured in a similar manner as other intersections.

The only existing intersection with two-way stop control that will not be signalized as part of the proposed project, the intersection of Fiddymont Road and Blue Oaks Boulevard, will be signalized as part of the West Roseville Specific Plan development. The two-way stop signs within the project area will be replaced by traffic signals as soon as signal warrants are met.

**Response I5JJ:** Commenter questions size of study area. The travel demand model that was used to estimate traffic volume changes due to the proposed project covers the entire Sacramento region. As an early step in a traffic impact analysis, a comparison is made between “No Project” and “Plus Project” scenarios to determine the change in traffic volumes on roadways throughout the region. It is that comparison that allows the analyst to ensure that a large enough area is selected for the detailed traffic impact analysis. This model comparison was conducted for the Revised Draft EIR traffic impact analysis and it shows that traffic volume changes on roadways and intersections outside that area, such as areas east of I-80, would not be significant.

The City of Roseville requested that all of its intersections be analyzed under its version of cumulative conditions since its level of service policy is based on a citywide analysis. That analysis, which included many signalized intersections east of I-80, confirmed that there would not be significant traffic impacts on Roseville’s intersections east of I-80.

**Response I5KK:** Commenter believes that service level General Plan amendment will lead to confusion. The proposed amendment to General Plan Policy 3.A.12 (see page 3-5 of the Revised Draft EIR) is intended to provide consistency with Policy 3.A.7, which allows exceptions to the service level standards under certain conditions. With the amendment, the proposed project would be required to construct or fund improvements necessary to mitigate traffic impacts, unless the improvements are rejected pursuant to Policy 3.A.7. The proposed amendment does not alter the conditions under which an exception would be made, as those conditions are clearly spelled out in Policy 3.A.7. Given that the General Plan allows for exceptions to the service level policy, it would be inconsistent to insist that improvements are constructed or funded regardless of circumstances. CEQA allows the decision makers to reject mitigation if it is found

to be infeasible (see CEQA Guidelines Section 15091(a)(3)). In order to forego identified mitigation, the County Board of Supervisors would need to find that it meets the circumstances described in Policy 3.A.7 and find that the mitigation is infeasible. The mitigation measures that are adopted by the Board will be compiled in the final Mitigation Monitoring and Reporting Program, so there will not be any confusion over which measures must be implemented.

**Response ISLL:** Commenter suggests that the Revised Draft EIR analysis presumes a change in General Plan policy. The service levels reported in Revised Draft EIR Section 4.7, as revised in the Partially Recirculated Revised Draft EIR, are the result of adding project traffic onto existing and cumulative baseline conditions, independent of the standard that is applied to determine if service levels are adequate. The service level standard is then used to determine which impacts are significant and in need of mitigation. For Placer County roadways and intersections within the Specific Plan and Community Plan areas, the standard is LOS D, because the proposed project includes that standard. As shown in Tables 4.7-16 and 4.7-17, under existing conditions, two road segments in the Community Plan area would operate at LOS D, Walerga Road south of Baseline Road and north of PFE Road. Under cumulative conditions, the segments of Baseline Road east of Paladay Road, east of 16<sup>th</sup> Street and Dyer Lane west of Watt Avenue would operate at LOS D (see Table 4.7-27), while the intersections that would operate at LOS D would be at Baseline Road with Brewer Road, 14<sup>th</sup> Street, 12<sup>th</sup> Street, 11<sup>th</sup> Street and 9<sup>th</sup> Street. The two road segments of Baseline Road and the intersection of Brewer Road/Baseline Road would improve under cumulative plus project conditions, so LOS D at this intersection would not be considered a significant impact even if the standard remained LOS C. The service levels at the remaining intersections are not considered significant, because the proposed project includes adoption of the standard of LOS D within the Specific Plan and Community Plan. The effect of this change is to allow LOS D at these intersections, as report in Table 4.7-29 and defined in Tables 4.7-1 and 4.7-2.

**Response ISMM:** Commenter suggests the Revised Draft EIR fails to provide a critical assessment of proposed Specific Plan policies such as those requiring traffic calming and accessibility. The use of a connected street network would spread traffic through local neighborhood streets, rather than concentrate traffic on a small number of local streets. Traffic volumes on these local streets would be relatively low. The higher traffic volumes and speeds would occur on collectors. As indicated by the comment, traffic calming would be used where appropriate on local streets to maintain safety and quality of life. While traffic calming measures can slow vehicle speed through a neighborhood, they would not necessarily substantially degrade emergency response access or times. Most of the travel time for emergency vehicles would be on arterials and collectors, which would not have traffic calming measures. As stated in Specific Plan Policy 5.15, traffic calming measures on local streets must be designed to allow emergency access and maintain appropriate emergency response times. The specific methods to be used would be determined in consultation with the County Department of Public Works and the Fire Department to ensure that emergency access is adequate. For these reasons, traffic calming measures would not substantially alter emergency response or create safety hazards.

Commenter questions the number of proposed park-and-ride spaces. The Revised Draft EIR analyzes the project as proposed, with 193 park-and-ride spaces. The comment is correct that the park-and-ride lots would serve a small portion of vehicle trips. These lots are only one aspect of

reducing vehicle use included in the Specific Plan. Others include a bike/pedestrian path network throughout the plan area, reservation of right-of-way for light rail and a trolley and other transit facilities.

Commenter questions the value of Specific Plan transit policies absent a regional commitment. The Revised Draft EIR analyzes the project as proposed, which includes various transit facilities, such as bus rapid transit lanes, rights-of-way for a future streetcar system, an internal transit system, park-and-ride lots and commuter services to downtown. As stated in Impact 4.7-10 on page 4.7-56, the ongoing cost for a transit system would be substantial, and funding availability is uncertain. The Revised Draft EIR goes on to identify transit services and facilities that would be needed to serve the proposed project, and identifies mitigation requiring that a Community Service Area be established to provide the necessary funding for capital costs

Commenter questions project's commitment to fair share funding of transportation-related improvements. A development agreement will be required of the project applicants. The project must pay its fair share of mitigation measures that are adopted by the Board of Supervisors. For improvements outside of the County's jurisdiction, the payment of fair share fees will be dependent on agreements with the affected jurisdictions. Mitigation Measures 4.7-4, 4.7-5, 4.7-6, 4.7-8, 4.7-9, 4.7-14, 4.7-15, 4.7-16, 4.7-18 and 4.7-19 recognize that the other jurisdictions may choose not to participate in such agreements or build the improvements identified in the mitigation measures (see Response to Comment 15L). The Revised Draft EIR makes this statement repeatedly, and it will be clearly stated in the Findings of Fact, which will be available to members of the public.

Commenter questions value of including Specific Plan policies in the Revised Draft EIR unless a point-by-point assessment is also provided. The relevant Specific Plan goals and policies are provided in each section of the Revised Draft EIR because they are part of the project. Where those goals and policies would reduce impacts, they are discussed in the impact analysis. The Revised Draft EIR need only evaluate the effectiveness of Specific Plan policies where they are needed to reduce environmental impacts of the project.

**Response I5NN:** Commenter claims internal traffic loads on localized roadways are uncertain. The internal project trips were assigned to the project area roadway network. Therefore the internal trips were considered in the roadway and intersection volumes used in the LOS calculations.

**Response I500:** The Revised Draft EIR traffic analysis assumed land uses that would generate slightly more vehicle trips per day than those land uses that were described in the project description of the Revised Draft EIR. As shown in the following table, the trip generation assumed in the Revised Draft EIR traffic was almost 5 percent higher than trip generation for the project description. Therefore, the traffic analysis was conservative. Since the Revised Draft EIR was released, additional revisions have been made to the project and other traffic assumptions, which were analyzed in the Partially Recirculated Revised Draft EIR released on August 1, 2006.

<b>Final EIR Table Trip Generation Comparison Buildout of Specific Plan</b>						
<b>Land Use</b>		<b>Daily Trip Ends per Unit</b>	<b>Revised Draft EIR Traffic Assumptions (Table 4.7-14)</b>		<b>Revised Draft EIR Project Description (Table 3.4-1)</b>	
			<b>Units<sup>1</sup></b>	<b>Daily Trip Ends</b>	<b>Units<sup>1</sup></b>	<b>Daily Trip Ends</b>
Residential	Single-Family	9.0	9,198 DU	82,782	9,130 DU	82,170
	Multi-Family	6.5	3,728 DU	24,232	3,688 DU	23,972
	Age-restricted	3.3	945 DU	3,119	903 DU	2,980
	SPA	9.0	261 DU	2,349	411 DU	3,699
	<b>Subtotal</b>		<b>14,132 DU</b>	<b>112,482</b>	<b>14,132 DU</b>	<b>112,821</b>
Non-residential	Retail	35.0	1,855.4 KSF	64,940	1,858.2 KSF	65,037
	Office	17.7	1,764.2 KSF	31,226	1,744.6 KSF	30,879
	Public/Quasi-Public	25.0	307.1 KSF	7,677	307.1 KSF	7,677
	Churches	9.3	801.5 KSF	7,454	801.5 KSF	7,454
	K-12 Schools	1.0	9,017 Students	9,017	8,273 Students	8,273
	Parks	2.2	217 Acres	477	217 Acres	477
	<b>Subtotal</b>			<b>120,791</b>		<b>119,797</b>
Total Trip Ends Generated by Specific Plan				<b>233,273</b>	<b>232,618</b>	
Percent of Trips Remaining Internal to Specific Plan Area				<b>21 %</b>	<b>21%</b>	
Total Trips Generated by Specific Plan <sup>2</sup>				<b>192,788</b>	<b>183,768</b>	
Notes:						
<sup>1</sup> DU = dwelling unit and KSF = 1,000 square feet						
<sup>2</sup> Total trips = total trip ends/1.21 (to eliminate the double counting of trips that remain with the Specific Plan area)						
Source: DKS Associates, 2006						

**Response 15PP:** Commenter questions the Revised Draft EIR findings in absence of Financing Plan. Please see Response to Comment 15D.

**Response 15QQ:** Commenter questions the Revised Draft EIR's analysis of construction-related traffic impacts. Construction of the proposed project would occur over approximately 20 years. Construction of backbone infrastructure would occur prior to any residential or commercial development, so the primary roads would be fully constructed before development occurs. The construction of residential and non-residential development will depend on market and other factors, and could occur anywhere in the plan area. Therefore, it is not known at this time where and when construction would be occurring within proximity to roads used by development traffic. It can be anticipated that construction traffic will occur in various locations for relatively short periods. As development occurs within the plan area, construction traffic would interact with project traffic. These interactions would be localized and temporary. In order to ensure that delays are minimized regardless of when and where construction occurs, Mitigation Measure 4.7-1 on page 4.7-35 requires that each development project prepare and implement a

construction traffic management plan when actual conditions are known, which would take into account other construction occurring in the vicinity, as well as traffic levels that would be anticipated during construction. The construction traffic management plan would identify appropriate detour routes and inform the affected public.

**Response 15RR:** Commenter questions whether internal trips assigned to the local roadway network were erased from the analysis at the trip generation stage. See Response to Comment 15-NN

Commenter seeks clarification on how the output from the traffic model was adjusted during the analysis. The Placer County Travel Demand Model that was used for the Revised Draft EIR traffic impact analysis provides daily traffic volumes plus AM and PM peak hour volumes. Like SACOG's regional travel demand model, the Placer County Travel Demand Model follows "state-of-the-practice" methodologies for a four-step model. It uses daily trip generation rates by trip purpose (i.e. home-work, home-shop, home-school, home-other and non-home-based trips) in a "production and attraction" format for input to the trip distribution and mode choice models. To produce peak hour trips for the model's assignment process, a series of factors are applied by trip purpose and by direction (i.e. from production to attraction and visa versa). These "peaking factors" are based on the extensive household travel surveys conducted by SACOG. This complex but standard four-step model process ensures that the model produces peak hour traffic volumes that reflect directional flow imbalances where they exist and produces balanced daily traffic flows. As discussed in Item 3 below, the model is validated to daily and peak hour traffic count data to ensure it accuracy.

Commenter inquires about anomalies in the Placer County traffic model. Since it was first developed in 1992, the Placer County Travel Demand Model has been periodically validated to both daily and peak hour traffic volumes. The most recent model updates in 2001 and 2004 involved collection of extensive daily and peak hour traffic count data through Placer County in a cooperative effort between Placer County and the cities of Roseville, Rocklin and Lincoln. The model validation involved a systematic comparison of model outputs to hundreds of traffic counts, including comparisons (1) across a large number of screenlines, (2) by volume ranges and (3) by facility types. Since the model results are in acceptable tolerances for each of these traffic count comparisons for both daily and peak hour conditions, the validation process has shown that the model does not exhibit any systematic errors. The process described in the Revised Draft EIR of using the model's estimation of traffic growth for each roadway segment and each intersection turning movement and then adding those estimates to existing count data is a very appropriate method to further refine traffic forecasts from a well-validated model such as the one used for this Revised Draft EIR.

Commenter questions whether the traffic analysis looked broadly enough to determine that non-project traffic that was redistributed or re-assigned would not create unexpected impacts. See Response to Comment 15-JJ.

**Response 15SS:** Commenter questions mitigation for Walerga and PFE roads. Please see Response to Comment 15-LL.

**Response 15TT:** Commenter questions project's commitment to transit. The Revised Draft EIR does not defer transit mitigation. To the contrary, Mitigation Measure 4.7-10a requires establishment of a Community Service Area (CSA) to provide funding for transit facilities. Furthermore, the project proponents have agreed, through the Development Agreement they are proposing, to construct transit facilities, such as bus shelters, the corporation and maintenance yard and bus fueling facility; purchase busses or other necessary vehicles; and form the CSA which will provide funding for operations of both local and regional transit services. The CSA will be formed by the developers prior to the sale of any units. The costs for those improvements that will serve the region, such as the maintenance yard, fueling facility and vehicles, will be distributed over other projects as they are approved. Each project will also be required to provide funds for operational costs. It is important to note, however, that the traffic analysis performed for the project is conservative and did not assume that all transit mitigation measures listed in Revised Draft EIR Section 4.7 would be implemented.

**Response 15UU:** Commenter is concerned about impacts on bicycle travel. In addition to the extensive on-street and off-street bikeway system that would be constructed as part of the proposed project, bike lanes will be provided along Baseline Road and along the roadways that will connect the project to the future Sierra Vista development in the City of Roseville, (e.g. Watt Avenue, Westside Drive, etc.). Thus there will be several bikeways connecting the proposed project to the City of Roseville's very extensive bikeway system, and through that system to other bikeway systems (e.g. the City of Rocklin). Recreational and commuting bicyclist from the proposed project would thus be connected to an on-street and off-street bikeway system in South Placer County that will be one of the most extensive in the Sacramento region.

There are few destinations that would attract bicyclists from the proposed project to use nearby rural roadways. Just as very few residents of western Roseville would bicycle on nearby rural roadways, very few bicyclists from the proposed project would use nearby rural roadways.

**Response 15VV:** Commenter requests an assessment of the cumulative consequences of the project's significant and unavoidable traffic impacts. In order to understand the overall impacts of the proposed project, the reader would need to read all of the traffic impacts. Each jurisdiction has its own adopted policies and standards, and a single, uniform impact would not reflect these jurisdictional differences. As indicated in the traffic analysis, while state highways and freeways and some arterials would be congested (in most cases with or without the project), many would operate at acceptable levels, particularly with implementation of the Mitigated Traffic Network. Therefore, a "complete functional breakdown of freeway and arterial circulation..." is not anticipated as a result of the project.

Many of the Revised Draft EIR mitigation measures that are located in other jurisdictions appear to be physically feasible. Placer County would encourage these jurisdictions to consider implementation of the recommended mitigation measures or similar measures to reduce or eliminated the identified traffic impacts. In some cases these other jurisdictions and agencies have already begun to study improvements on the roadways where impacts were identified. Placer County recognizes, however, that these other jurisdictions may choose not to implement

these or similar measures and has no control over their implementation. Thus the Revised Draft EIR must conclude that the identified impact is significant and unavoidable.

**Response ISWW:** Commenter questions adequacy of the Revised Draft EIR. For the reasons discussed in Responses to Comments 15-EE through 15-VV, and throughout this response to comment document, the County believes that the traffic analysis contained in the Revised Draft EIR, as revised in the Final EIR, is adequate. Because no new significant impacts or substantially more severe significant impacts have been identified in response to comment, recirculation is not necessary.



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May 15, 2006

Michael Johnson  
Planning Director  
Placer County Planning Department  
11414 B Avenue  
Auburn, CA 95603

**R E C E I V E D**  
MAY 15 2006

**PLANNING DEPT.**

**Re: Request for the Extension of the Public Comment Period for the Placer Vineyards Specific Plan Draft Environmental Impact Report**

Dear Mr. Johnson,

The Sierra Club requests an extension of the public comment period on the Placer Vineyards Specific Plan Draft EIR. Currently, comments on the Revised Draft EIR are due on May 19, 2006. We hereby request the comment due date be extended to *close of business June 9, 2006* for the following reason.

The Revised Draft EIR is a unique CEQA document in that it is essentially two DEIRs rather than one. The DEIR evaluates the environmental impacts of two substantially different projects with different degrees of impacts, the Placer Vineyards Base Specific Plan with 14,132 dwelling units and the Placer Vineyards Specific Plan Blueprint Alternative with 21,631 dwelling units.

The two versions of the project have differing levels of impacts in regard to traffic, air quality and infrastructure requirements. Members of the public who wish to comment on the DEIR are placed in the unique position of having to comment on two in many ways distinct projects in a single DEIR, with a 45-day comment period typically allocated for a single project.

The Sierra Club therefore requests that the comment period be extended 21 days until close of business on June 9, 2006 in order to provide the public with a review time which is more appropriate under these unique circumstances.

Sincerely,

Terry Davis  
Conservation Program Coordinator

cc: J. William Yeates Esq.

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A

**LETTER 16      TERRY DAVIS, SIERRA CLUB**

**Response 16A:** Commenter requests extension of Revised Draft EIR public comment period. See third paragraph of Response to Comment 15C.

**From:** James Pachl <jpachl@sbcglobal.net>  
**To:** Holly Heinzen <HHeinzen@placer.ca.gov>, Paul Thompson <PKThomps@placer.ca.gov>  
**Date:** 5/17/2006 12:04:11 PM  
**Subject:** Re: Request for extension of comment period, Placer Vineyard RDEIR

Dear Holly,

Below are references to a couple of Court of Appeal public opinions holding that an EIR must provide financial information sufficient for the reader to form an opinion on whether mitigation measures are financially feasible:

. "The commitment to pay fees without any evidence that the mitigation will actually occur is inadequate." (Save Our Peninsula Committee v. Monterey County Board of Supervisors (2001) 87 Cal.App.4th 99, 140, citing Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 728.) Without review of the financing plan with the Specific Plan and EIR, it is impossible to know whether any of the mitigation will actually occur. The public needs to be able to review the fee program in conjunction with the mitigation measures to determine if there are sufficient fees to pay for the infrastructure improvements relied upon by the Mitigation Measures. In Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th, 342, 363-365, the court said that the EIR included information about the fees to be paid by the project and said stated: "Although the existing mitigation fee appears to be a reasonable attempt to have developers pay their proportionate share of the costs of needed highway improvements, and the continued use of such fees undoubtedly would be useful, it cannot reasonably be argued that the funds that the county already has raised or that it reasonably can expect to raise in the future, will be enough to mitigate the effect on traffic that will result from cumulative conditions."

In the present case, there is no information whatever about the actual amount of the mitigation fees and other funding which is relied upon to build the infrastructure that comprise the mitigation measures.

Jim

James P. Pachl, Attorney at Law  
 817 -14th St., Suite 100  
 Sacramento, Ca. 95814  
 Telephone: 916-446-3978 Fax: 916-447-8689  
 jpachl@sbcglobal.net

Holly Heinzen wrote:

James, we are reviewing your request with Planning and will reply > directly to you later this week. /hh

>

> Holly Heinzen  
 > Assistant County Executive Officer  
 > Placer County Executive Office  
 > 175 Fulweiler Avenue  
 > Auburn, CA 95603

A

>  
> 530-889-4030  
> 530-889-4023 (Fax)  
>  
>  
>>>> James Pachl <jpachl@sbcglobal.net> 5/16/2006 4:11:42 PM >>>  
> Dear Ms. Heinzen and Mr. Thompson,  
>  
> Yesterday, I contacted your offices and asked about the availability  
> of the  
> Specific Plan Public Facilities Financing Plan for the Placer Vineyard  
> Specific Plan, which is referenced in the draft Specific Plan and  
> RDEIR.  
> Mr. Thompson said that he was not aware that it had been completed and  
> referred me to the office of the County Executive. I twice telephoned  
> the  
> office of the County Executive, and received no answer or call-back.  
> There  
> was also no response to my e-mail of yesterday. Therefore, I assume  
> that  
> the document does not exist or is being withheld from the public.  
>  
> Attached hereto is a request to extend the public comment period on  
> the  
> Placer Vineyard RDEIR until 45 days after the Financing Plan is  
> completed  
> and Notice of Availability is issued to the public. Failure to make  
> the  
> Specific Plan Financing Plan available during the entire 45-day CEQA  
> comment  
> period is a CEQA violation.  
>  
> Jim  
>  
>  
> James P. Pachl, Attorney at Law  
> 817 -14th St., Suite 100  
> Sacramento, Ca. 95814  
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>  
>  
>

**From:** James Pachi <jpachi@sbcglobal.net>  
**To:** Holly Heinzen <hheinzen@placer.ca.gov>, Paul Thompson <pkthomps@placer.ca.gov>  
**Date:** 5/16/2006 4:10:21 PM  
**Subject:** Request for extension of comment period, Placer Vineyard RDEIR

Dear Ms.Heinzen and Mr. Thompson,

Yesterday, I contacted your offices and asked about the availability of the Specific Plan Public Facilities Financing Plan for the Placer Vineyard Specific Plan, which is referenced in the draft Specific Plan and RDEIR. Mr. Thompson said that he was not aware that it had been completed and referred me to the office of the County Executive. I twice telephoned the office of the County Executive, and received no answer or call-back. There was also no response to my e-mail of yesterday. Therefore, I assume that the document does not exist or is being withheld from the public.

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Attached hereto is a request to extend the public comment period on the Placer Vineyard RDEIR until 45 days after the Financing Plan is completed and Notice of Availability is issued to the public. Failure to make the Specific Plan Financing Plan available during the entire 45-day CEQA comment period is a CEQA violation.

Jim

James P. Pachi, Attorney at Law  
817 -14th St., Suite 100  
Sacramento, Ca. 95814  
Telephone: 916-446-3978 Fax: 916-447-8689  
jpachi@sbcglobal.net

**CC:** Terry Davis <coordinator@SIERRACLUB-SAC.ORG>, Ed Pandolfino <ERPfromCA@AOL.COM>, Judith Lamare <judelam@sbcglobal.net>, Vicki Lee <vickilee10@comcast.net>

**LETTER 17     JAMES PACHL, ATTORNEY AT LAW**

**Response 17A:** Commenter argues that the Revised Draft EIR must contain financial information. See Response to Comment 15D.

**Response 17B:** Commenter requests extension of Revised Draft EIR public comment period to allow review of project financing plan. See first and second paragraphs of Response to Comment 15D.

Letter 18

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

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OUR FILE NUMBER:

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May 18, 2006

VIA FACSIMILE (530) 886-3080

Mr. Paul Thompson  
Principal Planner  
Placer County Planning Department  
11414 B Avenue  
Auburn, CA 95603

**Re: Comments on the Revised Draft EIR for Placer Vineyards Specific Plan**

Dear Mr. Thompson:

The Center Joint Unified School District wishes to make comments to the Revised Draft Environmental Impact Report for the Placer Vineyards Specific Plan ("Draft EIR") prepared by Quad Knopf and dated march 2006. The draft EIR's extensive text and voluminous exhibits analyze a great many of environmental impacts from adopting the Specific Plan and how these impacts might be mitigated. However, independent of financing concerns, the Draft EIR needs more analysis as to how the Project impacts on affected school districts.

This is particularly so given the size of the Project. The problems of project size are compounded by the lack of phasing for the Project. In the absence of segmented development, public agencies, including this responding school district, will partially lose their ability to reasonably plan the facilities, programs and hiring needed to respond to the large scale development.

Additional mitigation proposed the District will therefore propose a number of additional mitigation measures to lessen the impact of the Project on school district operations. These measures include the following:

- (1) The inclusion of finished school sites in the definition of backbone infrastructure.
- (2) The lease of finished school sites to the District for a nominal amount in advance of purchase agreements.
- (3) The advance payment of developer fees in some instances to accelerate the school development process.

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- (4) The creation of a standing county, developer and district committee to provide advance information regarding construction dates and how public agencies can respond to this development.
- (5) The location and size of school sites reflect education code requirements.
- (6) That appropriate street infrastructure be constructed immediately adjacent to each school site.
- (7) That the integrity and current boundaries of school districts be maintained, reflecting the fact that the boundary adjustment reflected in the Draft EIR is an unnecessary and costly diversion of District resources in an already challenging period.

A cont.

It should be noted that the foregoing issues have been raised with the lead Developer of the Project. They have indicated to the District that they are willing to work with the District, by including the material in a revised EIR, or by a separate agreement reached between the Developer and the District. These concerns are raised in advance of any finalized agreement between the parties and it is the expectation of the District that their primary function will be to preserve the record and the District's position.

**Scope of the Project**

The specific plan contemplates a massive project, covering over 5,230 acres and the construction of 14,132 dwelling units. (Draft EIR, Vol. 1, Section 3.1). The Development contemplated by the Project is not only large, but the Draft EIR also contemplates rapid development. The Draft EIR notes the following:

For planning purposes, an initial development plan has been described that is projected to be substantially constructed by 2015.

(Vol. I, 3-33)

The size of the Project plus the possibility of rapid build out will have a dramatic impact on the surrounding school districts. These comments address the impacts specifically on Center School District.

The Center School District currently has within its boundaries a total of nine (9) schools, two (2) of which are charter schools. There are approximately 6,288 students currently enrolled in the District. The number of schools and students in the District would change dramatically.

A Placer Vineyards Schools Funding Analysis ("Funding Analysis") was drafted by Economic & Planning Systems and is included as Exhibit "C" to the Draft EIR. According to the Funding Analysis, the Placer Vineyards Development will generate an estimated 6,269 students

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almost exactly the total number of students in the District currently. Enrollment in the District could double in the next nine (9) years.

All of these additional students will generate a commensurate demand for school facilities. According to the Funding Analysis, the District will be required to construct six (6) additional schools to match the expected student generation (Table C-2). Again, if charter schools are excluded, the District will need to almost number the amount of schools it currently has. There will also be a need to expand district administrative and service centers.

The construction of facilities and the expansion of personnel in response to the Development is challenging but achievable. However, these challenges are deepened by the fact that this draft EIR removed the phasing component contained in the earlier plan:

"Phase 1" has been eliminated. There is now a single project - level analysis for the entire Specific Plan area. The prior format had differentiated between the impacts of Phase I and the impacts of the entire Specific Plan. These two separate analytical categories have been eliminated.

(Volume 1, Section 1-1).

The Draft EIR provides more elaboration of this lack of phasing, an unusual approach for a development of this size:

According to the Specific Plan, the goal is to facilitate order and development while providing opportunities for individual properties to develop independently and simultaneously. The rate and pattern of development would ultimately depend on factors, such as shifts in market demand, changing long term development goals and the need to provide infrastructure.

This lack of phasing contradicts the development standards of the Dry Creek/West Placer Community Plan, as amended on August 16, 1994. Policy Seven (7) states as follows:

Phasing of Development: Phasing shall maintain a balanced mix of land uses throughout development of the Specific Plan and shall address necessary infrastructure and other relevant issues. Development in the Wet Placer Specific Plan area shall be required to proceed in a logical fashion.

Without additional mitigation measure, large scale and simultaneous construction could impact substantially the resources of the District. The District's first choice would re-insert the need for Phasing within the Specific Plan. Failing this, the EIR should contain additional

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mitigation measures for coordinated efforts and advance notice between the District and the Developer.

B cont.

### Impact of SB 50

In making this request for additional mitigation measures, the District is mindful of the requirements and prohibitions of SB 50, incorporated into Government Code section 65996, et seq. These sections prohibit government agencies from imposing developer fees in excess of the formulas set out in the statutory scheme.

In suggesting additional mitigation measures, the District is not suggesting directly or indirectly, that the Developer pay the District in excess of the statutory schedule. Instead, the District is aware of the long lead time necessary for the development of a school site. The mitigation measures listed below are all in the service of two objectives:

- (1) Given the potential of rapid and simultaneous developments, the District should be given as much notice as possible regarding the construction start dates of residences that will generate students and require the building of school facilities; and
- (2) Shorten the time frame in which those facilities can be built by preparing the school site and related activities advance.

The additional mitigation measures will require some revision to the Draft EIR. For example, the Draft EIR Executive Summary contains a table S-1 which lists environmental impacts from different elements of the Project. At pages I-161 and I-162, the report states that no mitigation measures are required for a school impact. Table S-1 will have to be revised to include mitigation measures, as should other sections of the report, including the following:

- (1) Public Schools - Section 4.11.4
- (2) Traffic - Section 4.7
- (3) Hazardous wastes - Section 4.12
- (4) School boundaries - 4.11.4
- (5) Public Infrastructure (Throughout draft report).

### II - Mitigation Measures

- (a) Location and size of school sites.

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The location of school sites governed by Education Code section 17210, et seq. Among the site features that can preclude the location of school on a given property are the following:

- (1) Hazardous waste disposal site.
- (2) Hazardous substance release site.
- (3) Pipelines containing hazardous substances.
- (4) A site with a boundary within 500 feet of a freeway or other busy traffic corridor.
- (5) Within two (2) miles of an airport.

In order to determine whether a particular school site is free of hazardous materials, school districts are required to conduct environmental assessments of proposed school sites. Since the developer will be conveying the school sites to the District, the Developer should pre-test the sites according to the standards set forth in the Education Code.

The Draft EIR lists the following lot sizes for school sites:

Elementary Schools - 10 acres

Middle Schools - 20 acres

High Schools - 40 acres

Under current Department of Education regulations, the minimum size for school sites are as follows:

Elementary Schools - 12 acres

Middle Schools - 22.5 acres

High Schools - 60 acres

The Draft EIR should be revised to reflect the larger lot size. [See, e.g., 4.1-20.]

A review of the Development map indicates that many school sites are not projected to be busy. However, one high school is bounded by West Towne Center Drive (to the south) and A street to the north), streets that appear to have the potential of developing into alternate transportation. Given the fact that both A Street and West Towne Center Drive are slated to remain two (2) lane roadways, careful consideration shall be given to the periodic impact of school operation on traffic congestion. These impacts (for example, students arriving at, or

C cont.

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leaving school) could be mitigated by requiring the construction of left turn lanes on A Street and West Towne Center Drive, as well as appropriate merge lanes.

Left turn lanes and merge lanes should also be considered for the schools located on Palladay Road and Tanwood Avenue.

(a) Site Improvements for School Sites

As it has been mentioned above, the design and construction process of school sites is a lengthy and complicated, sometimes taking several years. Given the scope and potentially rapid development of projects, the school sites should be prepared in advance.

On the most basic level, the Developer(s) and the District should prepare option or contingent purchase agreements. These agreements would incorporate the mitigation measure outlined in this section. The developer would perform the following tasks pertaining to the site:

- (1) Environmental Assessments of the property, pursuant to Education Code section 17213.1.
- (2) The school site shall be "construction ready" at the time of the tentative map. Construction ready is defined as the school site being rough graded.

(b) The School Site shall be delivered by the Developers to the District in a construction ready condition. Construction ready is defined as the School Site being rough graded to master pad condition, utilities stubbed on the site, including water, sewer, computer cable hook ups, fiber optics, etc., and curbs, gutters, roads on at least three sides, and work necessary to prepare site for construction, including on-site drainage and retaining walls ("Construction Ready"). In addition, the School Site shall be made Construction Ready in accordance with the standards for school site construction, as approved by the Division of State Architect ("DSA") or other applicable approving authority and shall include all of the following:

- i) Utility Services On-Site to include: water, sewage, gas, electricity, telephone, computer cable, fiber optics.
- ii) Utility Services Off-Site to include: water, sewage, gas, electricity, computer cable, fiber optics.
- iii) Off-Site Development outside of property lines of the School Site to include: Pavement of adjacent streets, curbs and gutters, sidewalks, street lighting, planting areas and parkways, landscape street signs, traffic signals, street trees, off-site rough and final grading, off-site driveways and aprons.

C cont.

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iv) Service Site Development inside of School Site property lines to include, if applicable, to site: site clearance, demolition, removal/relocation of utility services, rough grading, soil, compaction, on-site draining facilities, erosion control and embankment improvements, fire code requirements, fire service roads, emergency site access gates, on-site hydrants and related water supply.

v) Letters from the DTSC, and Department of Education approving the site for intended school use pursuant to obtaining state funding for land purchase and school construction..

**Backbone Infrastructure**

The preceding section states that generally, school sites should be construction-ready at the time the tentative map is approved. However, it would be more economical for all concerned if, where appropriate; the school sites were constructed as part of the backbone infrastructure. The definition and costs associated with the backbone infrastructure would have to be adjusted to account for the school sites developed.

Not all school sites would be prepared as part of the backbone infrastructure. Site not associated with the path of infrastructure construction would be developed at a later time. The school sites that should be developed as part of the backbone infrastructure are as follows:

The middle school and elementary school on Palladay Road

- The elementary school at Tanwood and Dyer Lane.
- The High School on West Towne Center Drive

(c) **School Boundaries**

The Developer has placed the high school site across the boundaries of two Districts. The Developer has suggested that the school boundary be revised to accommodate the new site. Unfortunately, under the relevant Education Code sections 35700, et seq., the adjustment of school boundaries is a time-consuming, complex and uncertain process. The process is not shortened in cases such as here, where the transfer is modest. Because whatever gains are obtained is not worth the costs incurred, the Developer should shift the site east, to a location securely within the District.

(d) **Joint Development Committee**

The Developer(s), the District and other agencies affected by the Placer Vineyards Development should form a joint committee for the free exchange of information. The committee could also determine if the Developer fees to expedite the planning and design process.

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**ATKINSON, ANDELSON, LOYA, RUUD & ROMO**

**Mr. Paul Thompson**

**May 18, 2006**

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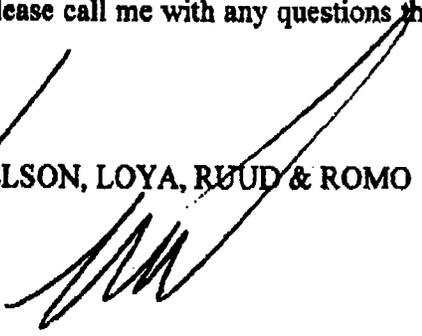
We hope the foregoing analysis has been helpful. Please call me with any questions that you may have.

Very truly yours,

**ATKINSON, ANDELSON, LOYA, RUUD & ROMO**



**Mark S. Williams**



**MSW/vm**

**LETTER I8      MARK WILLIAMS, ATKINSON, ANDELSON, LOYA, RUUD & ROMO**

**Response I8A:** Commenter requests additional analysis of impacts on school districts. As evaluated in Impacts 4.11.4-1, 4.11.4-2, 4.11.4-4 and 4.11.4-5 in the Revised Draft EIR, the impact of the project on the Center Joint Unified School District is considered less than significant (see Revised Draft EIR, pages 4.11-23 to 4.11-26). Thus, no mitigation measures are required. The commenter proposes a number of “mitigation measures”; however, CEQA does not require the County to adopt mitigation for an impact that has been deemed to be less than significant.

As discussed in the Revised Draft EIR, the Leroy F. Greene School Facilities Act of 1998 (SB 50) and the bond procedures under Proposition 1A of 1998 regulate school facilities financing and mitigation of land use approvals by setting fee caps, removing entitlement application denial authority from lead agencies, and setting the CEQA standard for full and complete mitigation for school facilities (Revised Draft EIR, page 4.11-21). The proposed “mitigation measures” exceed what is permitted under SB 50.

Moreover, with the exception of proposed “mitigation measure” number (5), the measures proposed by the commenter are not related to physical environmental impacts. Therefore CEQA does not require analysis of these issues in the Revised Draft EIR. Rather, the issues raised in these “mitigation measures” would be resolved in the Development Agreement negotiation process. In terms of proposed “mitigation measure” number (5), the location and size of all proposed school sites are consistent with Department of Education requirements. The applicants have revised the proposed school sites sizes as follows: (1) elementary school sites would be 12 acres; (2) middle school sites would be 22.5 acres; and (3) high school sites would be 50 acres under the Project as proposed (14,132 dwelling units (“the Base Plan”) and 70 acres under the Blueprint Alternative (21,631 dwelling units).

**Response I8B:** Commenters question removal of phasing plan and requests additional mitigation. See Responses to Comments 7J and 19K for discussion of project “phasing.”

As discussed in the Revised Draft EIR, at buildout, the Specific Plan area will generate approximately 8,273 new students in the region (Revised Draft EIR, page 4.11-24). According to student generation rates provided by the CUSD in 2005 (Michael Winters of Cauldwell, Flores and Winters, Inc., pers. comm., October 2005), 4,212 elementary students, 1,417 middle school students and 2,644 high school students will reside in the Specific Plan area upon full buildout (Revised Draft EIR, page 4.11-25). As the commenter correctly notes, existing educational facilities are unable to accommodate the projected growth from the Project. Therefore, the Specific Plan would set aside 140 acres of land for school district acquisition for the development of six elementary schools, two middle schools and one high school located throughout the Specific Plan area as shown on Figure 4.11-2 of the Revised Draft EIR (page 4.11-24).

Since Proposition 1A was passed by the voters and SB 50 was passed by the Legislature, school fees generated by new development are currently deemed sufficient mitigation of any impacts based on generation of students on school facilities. Provided school impact fees are collected

pursuant to State law, the impact on school facilities is considered less than significant (see Revised Draft EIR, pages 4.11-24 to 4.11-25).

With regard to compliance with the development standards contained in the Dry Creek/West Placer Community Plan, the commenter is referred to Response to Comment 10B.

**Response 18C:** Commenter discusses SB 50 and the need for additional mitigation measures. For reasons explained in Response to Comment 18A, the County declines to adopt the “mitigation measures” proposed by the commenter. Therefore, the County need not consider the corresponding revisions to the Revised Draft EIR suggested by the commenter.

In determining the final location of school sites in the Specific Plan area, the Project proponents will comply with the requirements of Education Code Section 17210 et seq.

The applicants have revised the school site sizes to comply with the requirements set forth in the California Department of Education, Regulation 2000, “Site and Development Guide.” The revised school site sizes, which will be reflected in the Final EIR, are as follows: (1) elementary school sites – 12 acres; (2) middle school sites – 22.5 acres; and (3) high school sites – 50 acres (Base Plan or “the Project”) and 70 acres (Blueprint Alternative).

The commenter’s statement concerning minimum sizes for school sites is somewhat misleading for the following reasons. First, the California Department of Education (CDE) does not set minimum site sizes, rather they publish recommended site sizes and school districts may request approval of larger (rare) or smaller (often) site sizes. The recommended site sizes are dependent on the projected enrollment of the school, grade levels served, the availability of adjacent joint-use park land, and other factors such as whether class size reduction programs are in place.

Second, the 60 acre high school site calculation for the number of students generated within the Center USD (CUSD) portion of Placer Vineyards is incorrect. Using the high school students generated, the latest CDE recommended site size would be 50.1 acres. Verbal communications with Mike Winters representing Center USD confirmed CUSD's request for an even 50 acres. The 50 acres was also discussed and affirmed during a meeting with CUSD's superintendent.

The commenter suggests that the Revised Draft EIR does not adequately address the potential periodic impact of school operation on traffic congestion. Because the high school site has been revised since the Revised Draft EIR was published, the issue of impacts from school traffic to the specific roadways cited in the comment has been rendered moot.

As noted above, the project description has changed slightly, shifting the high school site so that it would be within the boundaries of a single school district. This would place the high school along Palladay Road between Baseline Road and A Street (see Revised Draft EIR Figure 3-12). The traffic impacts of the revised project description have been evaluated in a Partially Recirculated Revised Draft EIR released on August 1, 2006.

Access to the new school site would be located on Palladay and/or A Street. The Specific Plan identifies Palladay Road as a major collector roadway with a right-of-way cross section of 86 feet. A Street is identified as a collector street with a right-of-way of 82 feet. Tanwood Avenue

(also mentioned by the commenter) would also be a major collector roadway with a right-of-way cross section of 86 feet. Palladay Road, A Street and Tanwood Avenue will have left turn lanes at major intersections and have adequate right-of-way for left turn lanes to be located at major driveways, such as school sites. The location of such left turn lanes would be identified by Placer County at the time a tentative map is submitted.

The trip generation of all the school sites is fully accounted for in the traffic forecasts. Those forecasts indicate that the number of travel lanes along Palladay Road, A Street and Tanwood Avenue are adequate for the projected traffic volumes. The EIR analysis identifies where left turn lanes are required at major intersections.

The site improvement issues raised by the commenter are not CEQA issues; again, these are issues that will be addressed through the Development Agreement negotiation process. Therefore, no further response is required.

**Response I8D:** Commenter discusses backbone infrastructure and school sites. Decisions regarding timing of construction of infrastructure components, including school sites, are necessarily complex. It would be both speculative and premature to make such decisions at this time. The project applicants' final determination of which school sites would be developed first, and if any of those sites would be developed as part of the "backbone infrastructure," necessarily depends on a number of factors, including, but not limited to, market conditions and the pattern of residential development. The school sites preferred by the commenter to be developed as part of the "backbone infrastructure" are noted. The condition of property at the time it is sold from a landowner to a school district is a matter of negotiation.

**Response I8E:** Commenter discusses concerns with the location of the high school site as it relates to district boundaries. As reflected in the Final EIR, the applicants have revised the location of the originally proposed high school site so that it is located entirely within Center School District. Although a school district boundary adjustment would therefore likely be unnecessary, the Revised Draft EIR still acknowledges the possibility of a school district boundary adjustment so that the consequences of such an adjustment are addressed. The inclusion of such an option in the Revised Draft EIR, however, is merely intended to preserve the option, and does not necessarily indicate that the adjustment will be pursued. Also see Response to Comment 32B.

**Response I8F:** The commenter suggests the formation of a joint committee between the Project applicants, the Center Joint Unified School District and other interested agencies affected by development of the Project. The Project applicant is amenable to this suggestion. Since this is not an issue governed by CEQA, no further response is required.

**Matt Friedman**  
3210 La Madera Way  
Antelope, California 95843  
(916) 726-2424 [mlfriedman@yahoo.com](mailto:mlfriedman@yahoo.com)

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May 18, 2006  
Ms. Lori Lawrence  
Placer County Planning Department  
Auburn, CA 95608

Dear Ms Lawrence,

As a homeowner near the proposed Placer Vineyards project I have received a notice regarding the opportunity to comment on the EIR for this proposed project. In review of the Draft EIR I offer the following comments:

**General Comment**

The draft EIR for the Placer Vineyards project is an exhaustive document. The preparers are to be commended for their efforts. This document is especially important as the Placer Vineyards project will set the tone for the entire build out of this part of Placer County. This area also represent a key connection between Sutter County, the neighborhoods of Elverta and Antelope and the City of Roseville. Thus, the choices and decisions made here have regional and indeed state wide implications. The comments of this letter focus primarily on aspects of transportation and community facility development. The comments that follow seek to suggest enhancements to this document.

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**Specific Comments**

- Impacts (4.7) and Mitigations (4.7-1 and following) discusses the collection of a variety of fees (4.7-2a, 4.7-2b, 4.7-5b, 4.7-6b, 4.7-9b, 4.7-10a, 4.7-14b, and 4.7-14c) for transportation improvements (4.7-2b, 4.7-3b, 4.7-4b, 4.7-5b, 4.7-6, 4.7-8b, 4.7-9-b, 4.7-10-b, 4.7-13-b, 4.7-15b, 4.7-16b, 4.7-18b, 4.7-19b, 4.7-21, and 4.7-22).
- While the mitigation list summarizes a list of projects and financing mechanisms it fails to:
  - Clearly and specifically identify the timing of projects relative to build out
  - Clearly and specifically the mechanism for determining the various fees
  - Clearly and specifically identify the timing of fee collection
  - Clearly and specifically identify proportional amounts of fees that will be collected from this project relative to the recommended transportation system improvement costs and relative to other major planed projects.
  - Clearly and specifically identify improvement construction timing relative to existing CIP's, transportation plans, transportation project list priorities and transportation funding schedule.

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- Several traffic impacted segments and locations were not addressed:
  - Watt Ave. between Don Julio and Airbase
  - Watt Ave. between Roseville Rd. and Interstate 80.
  - Wallerga Rd between Elkhorn and Hillsdale
  - The intersection of Wallerga and Hillsdale
  - Hillsdale between Wallerga and Madison
  - The intersection of Hillsdale and Madison
  - Madison between Hillsdale and Interstate 80
  - The anticipated LOS at Wallerga and PFE is unacceptable.
  - Pedestrian access along PFE in the vicinity of the existing Wilson R. Riles Middle School extending easterly towards Sabre City.
  - Pedestrian access from the existing Middle School westerly towards the planned rex Fortune Elementary School
  - Lack of signal coordination on Watt from Elkhorn to Interstate 80.
  - Lack of signal coordination on Wallerga from PFE to Hillsdale
- Policies 5.4 addresses non motorized access, but consideration should be given to separate bike/pedestrian paths throughout the development.
- The document does not adequately address the interconnection of the various transit systems or intercity bus or rail transportation.
- Policy 5.12 addresses barriers to access but the document does little to identify a policy regarding the interconnectivity of bicycle and pedestrian facilities throughout the plan area and their connection to adjoining areas. While cul-de-sacs and smaller pockets of housing decrease heavy traffic in low-density residential area it does not assist facilitate “as the crow flies” movement for bicycles and pedestrians. This increases the need for vehicle traffic and especially lengthens home to school trips as school district bus transportation is based on policy of a straight line radius from a school rather than “road distance.” I recognize that the purpose of the document is not to describe specific local streets, however the document can and should address overarching design considerations. Thus, this level of interconnectivity is appropriate.
- Policy 5.14 is to be commended as excessive construction of sound walls decreases community cohesiveness.
- Policies 5.14 through 5.27 are commended.
- Sensitivity to existing stands of “heritage” trees is to be commended.
- The document does little to encourage transit friendly densities and grouping of facilities.
- The document does not address the timing of construction of community facilities such as schools, libraries and parks. It does not create a phasing of residential construction that will allow for the logical and orderly development of the aforementioned facilities.
- The document does not address the possibility of creating joint use facilities such as the combined Sierra College and High School project at Twelve Bridges in Lincoln. Combined facilities mean non duplication which results in saving funds and potentially enhanced facilities. Libraries, schools, colleges, recreation

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facilities and parks can share sites. This will reduce trip generation, create community cohesiveness and reduce other negative impacts.

- The document is to be commended for its sensitivity to wetlands.

K cont.

L

Thank you for your consideration.

Sincerely,

Matt Friedman

## LETTER I9 MATT FRIEDMAN

**Response I9A:** The commenter commends the County for its efforts in EIR preparation and suggests that the following comments suggest enhancements in the areas of transportation and community facilities. The comment is acknowledged.

**Response I9B:** Commenter questions adequacy of traffic-related mitigation. Revised Draft EIR Mitigation Measure 4.7-2a states that project developers within the Specific Plan area shall be responsible for the project's fair share of all feasible physical improvements necessary and available to reduce the severity of the project's significant transportation-related impacts (see Revised Draft EIR, pages 4.7-37 to 4.7-39). The Partially Recirculated Revised Draft EIR, circulated for public review between August 1 and September 14, 2006, provides additional information on the subject of fees. (See Appendices W and Z of the Partially Recirculated Revised Draft EIR). California courts have consistently held such fair-share fee-based mitigation permissible under CEQA.

As the appellate court made clear in *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 140 (*Save Our Peninsula*), an agency may properly rely on fee programs as mitigation where the agency reasonably expects that such fees actually will be used for mitigation.

What constitutes a "reasonable plan for mitigation" is of course dependent on circumstances. Here, the global mitigation scheme that would be established by Mitigation Measure 4.7-2b identifies both existing programs and proposed new mechanisms by which traffic improvement mitigation measures can be either constructed or funded on a fair-share basis through the collection of fees (Revised Draft EIR, pages 4.7-37 to 4.7-39). The Revised Draft EIR explains how the fee program would address various impacts and discloses the fact that the improvements are not expected to be immediately forthcoming. This is a proper form of mitigation, as the *Save Our Peninsula* court held that in this type of situation, an EIR is not necessarily required to set forth a specific time schedule for the implementation of the mitigation.

In considering the adequacy of the approach recommended in the Revised Draft EIR, it is important to understand that there are currently only very limited institutional means by which Placer County can require development occurring within the unincorporated area to mitigate traffic impacts occurring in other jurisdictions. Such extraterritorial mitigation necessarily requires the cooperation of the political bodies that govern the affected jurisdictions. Mitigation Measures 4.7-2a therefore would require the County to take the initial steps necessary to create the new institutional arrangements needed to ensure proper coordination between Placer County, Sutter County, Sacramento County, the City of Roseville, and Caltrans. The County hopes and expects that its sister agencies will be cooperative, but absent the initiation of new arrangements, as required by Measure 4.7-2a, it is premature and impossible to provide members of the public with the kind of detailed information and assurances that would typically be available in connection with established capital improvement programs. In short, Measure 4.7-2a is a pioneering effort by which Placer County is reaching out to its neighboring jurisdictions to try to forge a regional approach to traffic mitigation. To the County's knowledge, no other jurisdiction in the region has undertaken a comparable effort to look beyond its own boundaries to try to

ensure proper mitigation of *all* significant traffic-related impacts of a development project. In the past, and still in the present in many areas, the typical approach to extraterritorial impacts is to simply ignore them on the theory that the lead agency has no power to effect what occurs outside its boundaries. The result has been worsening congestion all over the region. Measure 4.7-2a embodies a new and different approach, by which the County in good faith will try to work with its neighbors to create mechanisms by which projects of regional magnitude mitigate on a regional scale.

**Response 19C:** Commenter identifies roadway segments and locations that he believes “were not addressed” in the Revised Draft EIR. The Revised Draft EIR either addressed traffic impacts on the roadway segments or intersections that were noted, or the Revised Draft EIR analysis found that the change in traffic volumes was not significant enough to warrant a detailed analysis. As an early step in a traffic impact analysis, a comparison is made between “No Project” and “Plus Project” scenarios to determine the change in traffic volumes on roadways throughout the region. It is that comparison that allows the analyst to ensure that a large enough area is selected for the detailed traffic impact analysis. This model comparison was conducted for the Revised Draft EIR traffic impact analysis and it shows that traffic volume changes on roadways and intersections outside that area would not be significant

Specific responses to the roadway segments or intersections are:

- Watt Avenue between Don Julio and Airbase Drive is covered by the roadway segment LOS analysis in the Revised Draft EIR.
- The segment of Watt Avenue between Airbase Drive and I-80 is covered by the analysis of the intersection of Watt Avenue with Roseville Road.
- The Revised Draft EIR found that there would not be an LOS impact on the segment of Walerga Road between Antelope Road and Elkhorn Boulevard or the Walerga Road/Elkhorn Boulevard intersection. The Revised Draft EIR analysis found there would not be a significant volume change to cause impacts further away from the project, such as on the segment of Walerga Road south of Elkhorn Boulevard, the segment of Madison Avenue between Hillsdale and I-80, the Walerga Road/Hillsdale Road intersection and the Madison Avenue/Hillsdale intersection.
- While the proposed project would add traffic volume to PFE Road, it would not create pedestrian impacts along PFE Road. Development projects along PFE Road (i.e. Riolo Vineyards Specific Plan) will provide pedestrian facilities in that area.
- Coordination of traffic signals along the noted segments of Watt Avenue and Walerga Road is the responsibility of Sacramento County.

Also see Response to Comment 15JJ.

**Response 19D:** Commenter requests consideration be given to separate bike/pedestrian paths. Pedestrian and bicycle paths and routes are integrated into the community-wide open space and street system throughout the Specific Plan (Revised Draft EIR, page 4.1-17). Trails, paths and sidewalks connect major elements of the community. A continuous series of east-west and north-south roadways, greenways and trails run parallel to each other connecting the neighborhoods, schools, parks and recreation facilities, and the community centers of activity (*Ibid*).

Specific Plan Goal 5.7 states that the project would “provide a system of on- and off-street trails that connect to destinations within the Plan [a]rea and to the regional trail network” (Revised Draft EIR, page 4.7-16). This circulation goal would be achieved through Specific Plan Policies 5.21, 5.22, 5.23 and 5.24, which provide for a comprehensive system of bicycle and pedestrian trails within the Specific Plan area.

The Specific Plan provides for approximately 48 miles of Class I off-street bike trails located within open space and landscape corridors along thoroughfares and arterial streets. Class II on-street bike lanes are proposed within the right-of-way of arterial and collector roadways. As the Revised Draft EIR notes, there will be a need to connect these bike trails and lanes within the Specific Plan area to the bikeway systems in adjacent jurisdictions. This includes provision of bike lanes on Baseline Road between the Specific Plan area and the City of Roseville (at Fiddymont Road) and on Watt Avenue into Sacramento County.

As set forth in Impact 4.7-11 of the Revised Draft EIR, the County analyzed the project’s potential impact on demand for recreational and transportation-related bicycle trips, concluding that the proposed bikeway system in the Specific Plan area appears to meet the intent of the General Plan policies and thus is a less than significant impact (Revised Draft EIR, page 4.7-57).

**Response 19E:** The commenter states that the Revised Draft EIR and Specific Plan do not address the interconnection of the various transit systems or intercity bus or rail transportation. The Revised Draft EIR adequately discusses and analyzes the interconnection of the various transit systems affected by development of the Specific Plan. Although it is not entirely clear what the commenter means by “intercity” bus or rail transportation, as demonstrated below, the Revised Draft EIR discusses bus transportation both within the Specific Plan and to downtown Sacramento (Revised Draft EIR, pages 4.7-54 to 4.7-56). As the Revised Draft EIR notes, Placer Vineyards will participate in regional service with connection to light rail transit on Watt Avenue in Sacramento County, Regional University, Galleria Mall and other Regional Centers (Revised Draft EIR, page 4.7-55).

Impact 4.7-10 of the Revised Draft EIR analyzes the project’s impact on demand for transit services and its potential to result in unmet transit needs (see Revised Draft EIR, pages 4.7-54 to 4.7-57). As Impact 4.7-10 notes, transit does not presently serve the Specific Plan area because the area’s minimal current density does not create such a demand. The closest transit services to the Plan area are Roseville Transit and Sacramento Regional Transit (RT).

The Revised Draft EIR also notes that the 14,132 residential units and a substantial amount of non-residential uses in the Specific Plan area would generate a significant demand for new transit

services (Revised Draft EIR, page 4.7-54). If significant transit services are not provided to the Specific Plan area, an unmet transit need would likely be identified prior to buildout of the Specific Plan (*Ibid*). Therefore, the proposed Specific Plan states that “the Plan Area will include systems and facilities to promote public transit use” including the following:

- Bus rapid transit lanes will be dedicated on Watt Avenue from Baseline Road to Dyer Lane and a transit center at Watt Avenue and Town Center Drive.
- Dedication of rights-of-way for a future streetcar system will be provided along the northern side of Town Center Drive, extending from the transit center on Watt Avenue to the Town Center, ending at 16<sup>th</sup> Street.
- An internal transit system will be planned and implemented as the project is constructed that connects the Village Centers with the Town Center and other areas as deemed appropriate.
- An ADA dial-a-ride service will be provided.
- Commuter service will be provided to downtown Sacramento.
- Placer Vineyards will participate in regional service with connection to light rail transit on Watt Avenue in Sacramento County, Regional University, Galleria Mall and other Regional Centers.
- Park and ride lots will be constructed with a minimum of 193 parking spaces.

In addition to these transit systems and facilities required by the Specific Plan, the Revised Draft EIR also lists the following optional transit services and facilities recommended by Placer County for inclusion:

- Two internal bus routes that would originate at the transit center on Town Center Drive, circulate through the Specific Plan area with frequent headways, and connect to other commercial centers.
- A fixed bus route connecting the Specific Plan area to the City of Roseville. This would consist of regular route service all day, running at least hourly and connecting to the transit center at the Galleria Mall.
- A fixed bus route connecting the Specific Plan area to the Watt/I-80 Light Rail station. This would consist of regular route service all day, running at least hourly. The route would probably originate near Watt/Dyer Lane, with timed transfers with the Roseville route and direct service to the Watt/I-80 Light Rail station. This route could be established by contracting with Sacramento RT to extend their route from Watt/Elverta 1.5 miles north to connect to Watt/Dyer Lane.

- Commuter express bus service to downtown Sacramento. This service would originate at East Dyer Lane and Baseline Road and use Baseline Road and Riego Road to travel to downtown Sacramento via Hwy 70/99. The City of Roseville has future plans to operate a commuter bus route on Baseline Road. The most efficient option would be to contract with the City of Roseville to share this route.
- A general public dial-a-ride (demand-response) service within the Specific Plan area with potential service to important services outside the Specific Plan area (hospitals, etc.). This would serve as a feeder into the fixed routes.
- Bus stops/park and ride lots. It would be reasonable to plan for sheltered bus stops at one-half-mile intervals along the fixed routes. This would require approximately ten pairs of passenger shelters (twenty total). Park and ride lots should be provided at the commercial centers and at the Town Center, which should have the largest lot with a pull-through bus stop for quick access/egress for the commuter bus route.
- Bus storage/fueling. Transit service provided to the Specific Plan area could be contracted to other transit service providers (City of Roseville, Sacramento RT) or directly provided by Placer County. The City of Roseville corporation yard, which serves as their transit operation base, is located four miles from the Specific Plan area. At the outset of development, the County could explore basing transit services from this location. City services are expanding, however, and will likely use all of the space at the corporation yard. Buses could also ultimately be stored and operated out of the Placer County corporation yard to be located in the Specific Plan area (Revised Draft EIR, pages 4.7-54 to 4.7-56).

In the General Plan, the County has designated some transit corridors where high capacity transit service may be possible. The designation of these transit corridors is intended to promote transit use through land use and design standards that enhance transit accessibility. In the vicinity of the proposed Specific Plan area, the County has designated Watt Avenue as an arterial transit corridor. Ongoing planning for Bus Rapid Transit (BRT) in West Placer County envisions a BRT route that continues north of Baseline Road. In Sacramento County, Watt Avenue has been designated as a BRT corridor in SACOG's MTP. Due to these designations, adequate right-of-way should be provided along Watt Avenue through the Specific Plan area for a potential exclusive BRT facility. The Specific Plan provides right-of-way for exclusive 10- to 12-foot BRT lanes in each direction on Watt Avenue from Baseline Road to the Dyer Lane intersection just north of Dry Creek (Revised Draft EIR, page 4.7-56).

**Response 19F:** The commenter is concerned that the documents do not contain policy regarding the interconnection of bicycle and pedestrian facilities and their connections to adjoining areas. Impact 4.7-11 of the Revised Draft EIR states that the Specific Plan, with its 14,132 residential units, would generate a substantial demand for bicycle facilities. The Specific Plan would connect these bike trails and lanes within the Specific Plan area to the bikeway systems in

adjacent jurisdictions. The project would accomplish the trail interconnectivity requested by the commenter through the provision of bike lanes on Baseline Road between the Specific Plan area and the City of Roseville (at Fiddymont Road) and on Watt Avenue into Sacramento County (Revised Draft EIR, page 4.7-57). The County has determined that the proposed bikeway and trail system in the Specific Plan appears to meet the intent of the General Plan policies, and thus the impact on such facilities is less than significant (*Ibid*).

Since this is an EIR for a Specific Plan, the level of detail requested by the commenter, such as specific street design, is neither required nor appropriate for purposes of environmental review under CEQA.

**Response I9G:** The comment concerning sound walls is noted. No further response is required.

**Response I9H:** The comment concerning Specific Plan policies 5.14 through 5.27 is noted. No further response is required.

**Response I9I:** The comment concerning heritage trees is noted. No further response is required.

**Response I9J:** The commenter recommends including transit friendly densities and grouping of facilities in the project. A significant portion of the Specific Plan devoted to the issues raised by the commenter, the encouragement of transit friendly densities and grouping of facilities. The Specific Plan for the proposed project incorporates many features to encourage the use of public transit including the clustering of high and medium density residential uses along public transit corridors such as Watt Avenue, along which, bus rapid transit lanes will be dedicated. A multi-modal transit center will also be developed along Watt Avenue at Town Center Drive. Additionally, the proposed local transit lines will run through the Town Center where most high density residential and commercial mixed use development will occur.

The Revised Draft EIR also addresses these issues through the inclusion of the Blueprint Alternative, reflecting principles contained in the SACOG Preferred Blueprint Plan. Development under the Blueprint Alternative is demonstrably more compact than under the proposed project, and thus the Blueprint Alternative addresses SACOG's growth principles to a greater extent than the proposed project (Revised Draft EIR, page 6-43).

In residential-only land use designations, the Blueprint Alternative increases the overall density by 60% – from 5.4 dwelling units per acre to 8.6 dwelling units per acre. Commercial intensity increases are similar – with the exception of the Town Center commercial designation. Both the proposed project and the Blueprint Alternative provide for higher densities at the Town and Village Centers, although the Blueprint Alternative would increase population near these centers relative to the proposed project, with medium and lower density residential development occurring at greater distances from the centers (Revised Draft EIR, page 6-43). The Blueprint Alternative would be more compact because it would provide for more units per acre at every density and have more acreage designated Medium- and High-Density residential than the proposed project. Approximately one-third of residential development under the Blueprint Alternative would be at densities approaching or exceeding 10 units per acre, compared to less than 5% under the proposed project (Revised Draft EIR, page 6-43). The Blueprint Alternative

also includes more mixed-use commercial, which means more dwelling units in proximity to commercial services and jobs, and a potential reduction in vehicle miles traveled as well as vehicle emissions (see Revised Draft EIR, pages 4.1-57 to 4.1-58).

Another Blueprint growth principle designed to reduce vehicle trips and emissions is transit-oriented development. The Blueprint Plan concentrates high-density development along the BRT Line on Watt Avenue and other major thoroughfares that could potentially support bus and/or rail lines. It should be noted that the proposed project already clusters high-density development near potential transit corridors. However, the Blueprint Plan would increase the density in transit-oriented developments, intensifying the effect. Moreover, the increased density around transit corridors would make more frequent stops by buses and trains more economical, further encouraging ridership (see Revised Draft EIR, page 4.1-58). As a result, the Blueprint Alternative would likely result in higher transit use because it provides for higher densities in proximity to the Transit Center and other potential transit hubs such as the Town Center. According to SACOG, the minimum residential density needed to support infrequent bus service is seven dwelling units per acre. Almost one-third of the housing in the Blueprint Alternative would be at or near this density, compared to less than 5% under the proposed project. Therefore, bus service and ridership would likely be increased under the Blueprint Alternative (see Revised Draft EIR, page 6-43).

**Response 19K:** The commenter states that there is a need for a description of the timing of construction of community facilities, such as schools, libraries and parks and the phasing of residential construction. CEQA does not require a Specific Plan EIR to precisely specify the timing of construction of community facilities such as schools, libraries and parks. As noted in the Revised Draft EIR, due to the size and complexity of development within the Specific Plan area, there is no formal project phasing plan. The rate and pattern of development of the project would ultimately depend on factors such as shifts in market demand, changing long-term development goals, and the need to provide infrastructure to the Specific Plan area (Revised Draft EIR, page 3-34). For planning purposes, an initial development scenario has been described that is projected to be substantially constructed by 2015. This scenario is not a required sequencing of activity, and alternatives to this scenario are permitted, subject to satisfaction of the performance standards provided in the Specific Plan. This initial development scenario is shown in Figure 3-15 of the Revised Draft EIR, and Table 3.5-1 of the document provides an approximation of the projected residential and commercial buildout in the development scenario shown on Figure 3-15, (Initial Development Areas). A plan for the sequencing and timing of infrastructure is described in the *Placer Vineyards Specific Plan Public Facilities Financing Plan, Base Case Scenario* (EPS, 2006), which was made available for public review in July 2006.

In terms of impacts to school facilities, the Specific Plan would be consistent with Placer County General Plan policies 4.J.6, 4.J.7, 4.J.10 and 4.J.11 (Revised Draft EIR, page 4.11-22). The timing of construction of school facilities within the Specific Plan area would also be consistent with the CUSD and GJUHS D Facility Master Plans (Revised Draft EIR, page 4.11-23). The CUSD and GJUHS D have established policies to maintain existing schools and to provide sufficient funds to accommodate students from new residential developments as the districts continue to grow (*Ibid*). As Impact 4.11.4-1 of the Revised Draft EIR concludes, pursuant to

Proposition 1A and SB 50, school fees generated by new development within the Specific Plan are would be deemed sufficient mitigation of any impacts based on generation of students on school facilities (Revised Draft EIR, 4.11-24).

With respect to impacts of the project on library facilities, Mitigation Measures 4.11.12-1a, 4.11.12-1b and 4.11.12-1c would reduce the impacts of the Specific Plan on the City of Roseville's library system and the Auburn-Placer County Library District to a less than significant level (Revised Draft EIR, page 4.11-125). As provided in Mitigation Measure 4.11.12-1a, the Specific Plan developers shall enter into a Development Agreement to ensure the project makes a fair share contribution toward adequate library facilities, and that such facilities are available prior to demonstrated need (*Ibid*). Mitigation Measure 4.11.12-1b ensures that completion of new libraries meeting the *Auburn-Placer County Library Long-Range Plan* shall occur concurrent with demand (*Ibid*). Finally, Mitigation Measure 4.11.12-1c provides that the Project developers shall ensure a funding mechanism to ensure adequate funding of the Specific Plan's fair share for the ongoing operation and maintenance of library facilities is established prior to recordation of the first final subdivision map.

The potential impacts of the Specific Plan on park facilities are discussed in Impacts 4.11.13-1 through 4.11.13-4 of the Revised Draft EIR (see Revised Draft EIR, pages 4.11-159 to 4.11-162). Pursuant to Mitigation Measure 4.11.13-1, "[a] procedure or agreement to govern the acquisition of parklands and completed park improvements acceptable to the County and/or managing agency, and in compliance with applicable General Plan standards and policies, shall be in place prior to recordation of the first final small lot subdivision map" (Revised Draft EIR, page 4.11-160). Mitigation Measure 4.11.13-3 requires that a procedure or agreement to govern park maintenance and local recordation programs shall also be finalized prior to recordation of the first final small-lot subdivision map within the Specific Plan area (Revised Draft EIR, page 4.11-161). Finally, Mitigation Measure 4.11.13-4 provides that "[a]s a condition of Specific Plan approval, proponents shall submit a phased schedule for providing community recreation facilities for approval by the County Park Division" which "shall comply with County levels of service for parks and recreational facilities" (Revised Draft EIR, page 4.11-162).

**Response 19L:** The County acknowledges the various benefits associated with joint use facilities, as noted by the commenter. Placer County General Plan Policy 5.A.19 provides that "[t]he County shall encourage the development of parks near public facilities such as schools, community halls, libraries, museums, prehistoric or historic sites, and open space areas and shall encourage joint-use agreements whenever possible." The issue also addressed in Response to Comment 19J. The arrangement of land uses in the land use plan encourages public/ quasi-public uses to be clustered around community nodes and centers. Public/ quasi-public uses have also been located adjacent to open space corridors and Class I trails for safe bike and pedestrian passage routes. All elementary and middle school sites are designed as joint-use sites which share facilities. This comment does not raise an issue of environmental impact that is governed by CEQA.

**Response 19K:** The comment concerning sensitivity to wetlands is noted. No further response is required.



## County of Sacramento

MUNICIPAL SERVICES AGENCY – CHERYL CRESON, ADMINISTRATOR

### Department of Transportation

*Including service to the Cities of Citrus Heights and Rancho Cordova*

Thomas J. Zlotkowski, Director

Letter 20

May 18, 2006

Ms. Lori Lawrence  
Placer County Community Development Resource Agency  
Environmental Coordination Services  
11414 B Avenue  
Auburn, CA 95603

**SUBJECT: REVISED DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
PLACER VINEYARDS SPECIFIC PLAN**

Dear Ms. Lawrence:

The Sacramento County Department of Transportation has reviewed the Revised Draft Environmental Impact Report (DEIR) for the Placer Vineyards Specific Plan dated March 2006. We appreciate the opportunity to review this document and have the following comments:

1. The Revised DEIR identifies significant impacts and mitigation measures in Sacramento County in the existing plus project scenario. The document states that the Specific Plan must pay its fair share toward various improvements in Sacramento County (i.e. pages 4.7-45 and 4.7-48 mitigation measures 4.7-5b and 4.7-6b). According to Sacramento County policy and because the project causes the impact, the Specific Plan should pay the entire cost of the improvement rather than a fair share. Further discussion should be had with Sacramento County to identify acceptable financing for these improvements. Note: Please make sure to coordinate with other County Departments (i.e., Planning, DERA, SHRA, etc.) to make sure that the mitigation measures identified in the Specific Plan are consistent with these department goals. For instance, there is analysis along the Watt Avenue corridor that looks at alternative treatments to widening to 6 lanes. It is possible that the Specific Plan coordinate with the County to finance its fair share of whatever improvements are identified in those analyses.
2. The Revised DEIR also identifies a handful of significant impacts and mitigation measures for Sacramento County in the cumulative plus project scenario. The Specific Plan should be required to pay its fair share towards these various cumulative condition improvements in Sacramento County (see pages 4.7-79 and 4.7-82 and mitigation measures 4.7-15b and 4.7-16b). Further discussion should be had with Sacramento County to identify acceptable financing for these improvements.

A

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3. Mitigation measure 4.7-2.8a does reference the collection of fees for a fair share of mitigation measure costs that are identified based on Specific Plan significant impacts that will occur in Sacramento County. Sacramento County supports and requests the establishment of a funding source and requests that Placer County meet with Sacramento County to identify and present the cost estimates of the improvements identified in the Revised DEIR for inclusion in a Placer County managed Public Facilities Financing Plan. Sacramento County is concerned that only asking the Specific Plan to pay for its "fair share" will not mitigate the traffic impacts to less than significant. Therefore, we request that the Specific Plan identify any additional funding that will be required to implement the recommended mitigation measure. The cost shares and the specific mitigation measures should be discussed and agreed upon by the two counties (see comments 1 and 2). C
4. The financing plan should also consider and possibly incorporate the funding for an additional capital improvement project that currently exists as an alternative in the Elverta Specific Plan that was recently approved by the Sacramento County Planning Commission. This Specific Plan has yet to go before the Sacramento County Board of Supervisors but will do so in the next few months. This project is identified as the connection of 16<sup>th</sup> Street across the Dry Creek Parkway and is shown to add additional north to south roadway capacity in this area of Sacramento County. Since the Placer Vineyards Specific Plan will add significant amounts of traffic to the roadways in this area this could be considered as a possible mitigation measure in Sacramento County and the funding of this identified improvement should be included in any Public Facilities Financing Plan that is prepared for the Placer Vineyards Specific Plan. This assumes the Sacramento County Board of Supervisors approves this connection alternative when hearing the Elverta Specific Plan. D
5. Sacramento County also supports the identified mitigation measure that requires the Placer Vineyard Specific Plan to fund identified improvements to the State highway facilities that will add more capacity necessary to support the project impacts associated with this plan. Placer County should coordinate this requirement with Caltrans. E
6. In addition to the roadways analyzed in the Revised DEIR, the environmental document should also determine the project impacts and appropriate mitigation on the following major roadway segments:
  - 16<sup>th</sup> Street: Elverta Road to Q Street
  - Dry Creek Road: U Street to Ascot Avenue
  - Elkhorn Blvd: Watt Avenue to I-80

The project would also impact the minor roadways in the area. In our comment letter on the Notice of Preparation for this DEIR, dated July 1, 1999, we had requested that the DEIR analyze the following minor roadways for project related impacts and appropriate mitigation: F

- Sorento Road
- Elwyn Avenue
- El Modena Avenue
- El Verano Avenue
- Palladay Road
- Kasser Road
- Tanwood Road

The existing two-lane rural facilities in northern Sacramento County cannot adequately accommodate the increased traffic levels caused by the Placer Vineyards Specific Plan. As a number of these facilities have residential frontage, impacts to those residences and any feasible mitigation should also be identified.

F cont.

7. The DEIR considers that the intersection of Elverta Road with 16<sup>th</sup> Street would be signalized under cumulative no-project conditions. Sacramento County does not have any approved and funded projects to signalize this intersection. Improvements for these intersections are recommended as mitigation measures of the Elverta Specific Plan. However, Elverta Specific Plan is not an approved project, and the DEIR should not assume that the Elverta Specific Plan would be approved or be in place by 2025. The assumptions made for the cumulative no-project conditions in the DEIR should be consistent with the assumptions for the cumulative no-project conditions in the *Traffic Impact Analysis for the Elverta Specific Plan*.
8. Some of the roadway sections show that Watt Avenue in Placer County will contain right-of-way for a dedicated BRT line. Sacramento County is concerned about what will happen when Watt Avenue crosses into Sacramento County and this right-of-way does not exist? Does Regional Transit have BRT identified on any regional plan?
9. The transportation Plan of the Sacramento County General Plan provides for additional north-south mobility between Sacramento and Placer Counties in this area. Both El Verano Avenue and Tan Wood Road (two-lane rural collectors) extend north into Placer County. In addition to 16<sup>th</sup> Street, the Elverta Specific Plan proposes to extend Palladay Road (two-lane rural collector) into Placer County. To maintain adequate mobility between Placer and Sacramento County as envisioned by the General Plan, the Department of Transportation recommends that Palladay Road be extended to the Sacramento County line and that all existing street connections between counties remain open. Collaboration with Sacramento County is also recommended to accommodate the possible extension of El Verano Avenue and potentially of Placer County's 14<sup>th</sup> Street into Sacramento County.
10. The County of Sacramento endorses the Blueprint land use scenario as developed by the Sacramento Area Council of Governments (SACOG). When comparing the cumulative plus project to cumulative plus blueprint impacts to traffic and circulation on the studied Sacramento County roadways and intersections, there is only a minor increase in impacts. The roadway ADT and intersection LOS increases on the average approximately 2%. As reported in the DEIR, although some of the local impacts could be slightly greater than other alternatives studied, the overall and regional benefits may be greater. Based on a regional reduction in traffic impacts, the Sacramento County Department of Transportation recommends the approval of the Blueprint alternative as the preferred alternative.

G

H

I

J

Ms. Lawrence  
May 18, 2006  
Page 4 of 4

If you have any questions, please feel free to contact me at 874-6291.

Sincerely,

Thomas J. Zlotkowski  
Director  
Department of Transportation

TJZ:mgd

Cc: Steve Hong, IFS  
Judy Robinson, Planning  
Rich Blackmarr, IFS  
Dan Shoeman, DOT  
Dean Blank, DOT  
Matt Darrow, DOT  
Theron Roschen, DOT

**LETTER 20 THOMAS ZLOTKOWSKI, COUNTY OF SACRAMENTO DEPARTMENT OF TRANSPORTATION**

**Response 20A:** Commenter states that Sacramento County policy requires a project to pay the entire cost of an improvement rather than its fair share. A significant impact occurs when a project causes an environmental threshold to be exceeded, or causes an impact that already exceeds a threshold to increase substantially. Mitigation can only be required to address the portion of the impact that is attributable to the project (see CEQA Guidelines 15126.4(a)(4)(B)). In some cases, particularly under existing plus project conditions, a project's fair share contribution may be 100 percent. In other cases, the improvement required to mitigate the project share of an impact might provide more capacity than needed simply for mitigation. In that case, the additional capacity would improve existing or future conditions beyond the level strictly necessary for mitigation.

Placer County will coordinate with Sacramento County in the development of an agreement for the funding of traffic improvements in Sacramento County, as required by Revised Draft EIR Mitigation Measure 4.7-2a.

**Response 20B:** Commenter requests fair share payments for cumulative impacts. Revised Draft EIR Mitigation Measures 4.7-15 and 4.7-16 do require that the project pay its fair share toward improvements in Sacramento County, if and when a reciprocal agreement is made between the two counties, as required by Mitigation Measure 4.7-2a.

**Response 20C:** Commenter requests that any additional funding, in addition to fair share, be identified. Please see Response to Comment 20A.

**Response 20D:** Commenter wants consideration given to the connection of 16<sup>th</sup> Street across Dry Creek Parkway. Extending 16<sup>th</sup> Street across the Dry Creek Parkway would provide a connection to the Raley Boulevard interchange on I-80 and could divert both project and non-project-related traffic from Watt Avenue. This could provide an alternative to some roadway improvements along Watt Avenue identified in Mitigation Measure 4.7-16b in the Revised Draft EIR.

Placer County will coordinate with Sacramento County in the development of an agreement for the funding of traffic improvements in Sacramento County, as required by Mitigation Measure 4.7-2a. See Response to Comment 15D regarding the Financing Plan.

**Response 20E:** The commenter's support for the mitigation measures to address impacts on State highways is noted.

**Response 20F:** Commenter requests analysis of additional roadways. The analysis of Sacramento County's roadway system has been expanded to cover the requested roadway segments and intersections, where the project added trips, in the Partially Recirculated Revised Draft EIR released August 1, 2006. There are no project trips added to El Modena Avenue and El Verano Avenue because they are both local dead end streets that do not connect to the proposed project. Traffic volumes on Tanwood Avenue and Kasser Road would decrease with

the project due the construction of a better alternative route, including the extension of Dyer Lane and 16<sup>th</sup> Street.

**Response 20G:** Comment concerning consistency with Elverta Specific Plan traffic analysis is noted. See the additional traffic analysis in the Partially Recirculated Revised Draft EIR, August 2006. Sacramento County staff had requested that the Revised Draft EIR analysis include buildout of the proposed Elverta Specific Plan under Cumulative (2025) conditions. The analysis concluded that a traffic signal would be warranted at the Elverta Road/16<sup>th</sup> Street intersection under Cumulative No Project conditions. See Partially Recirculated Revised Draft EIR, Mitigation Measure 4.7-6b.

**Response 20H:** Commenter requests information about BRT right-of-way in Sacramento County. A BRT facility along Watt Avenue has been identified in a number of planning and program documents. A BRT facility was identified as an important project in the Multi-Corridor Study conducted by Regional Transit in 2000-2001 which led to its inclusion in the 2002 MTP and subsequent 2006 MTP. It was also studied by Sacramento County in 2004 as part of the “Mobility Strategies for County Corridors”. While there is currently no committed funding for this facility and it uncertain how this facility would be implemented in Sacramento County, Placer County has requested that applicants preserve exclusive right-of-way for BRT along Watt Avenue through the proposed project.

**Response 20I:** Commenter requests that all roadways between Sacramento County and the Placer Vineyards Specific Plan remain open and be extended. See additional traffic additional traffic analysis in the Partially Recirculated Revised Draft EIR, August 2006. The proposed project provides for Elwyn Avenue, 16<sup>th</sup> Street, Palladay Road and Tanwood Road to connect the proposed project to Sacramento County. All other existing local street connections crossing the County line (El Modena Avenue and El Verano Avenue) will remain open but will not serve new development in Placer County.

**Response 20J:** The support for the Blueprint Alternative and the observation that increases in traffic on Sacramento County roads would be slight under the Blueprint (compared to the proposed project) are noted.



PLACER COUNTY  
TRANSPORTATION  
PLANNING AGENCY

Via FAX to 530.886.3003 and U.S. Postal Service

May 18, 2006

BOB SNYDER  
City of Auburn  
SHERRIE BLACKMUN  
City of Colfax  
TOM COSGROVE  
City of Lincoln  
MIGUEL LICOVICH  
Town of Loomis  
KATHY LUND  
City of Rocklin  
GINA GARBOLINO  
City of Roseville  
TED GAINES  
JIM HOLMES  
Placer County  
RON MCINTYRE  
Citizen Representative  
CELIA MCADAM  
Executive Director

Lori Lawrence, Environmental Coordination Services  
Placer County Community Development Resource Agency  
11414 B Avenue  
Auburn, CA 95603

Re: **Revised Draft EIR – Placer Vineyards Specific Plan  
(SCH #1999062020)**

Dear Ms. Lawrence,

Thank you for the opportunity to comment on the revised Draft Environmental Impact Report (DEIR). The revised DEIR makes a number of text and map references to the proposed Placer Parkway. PCTPA's comments follow.

**General**

As our January 3, 2005 DEIR comment letter indicated, the primary relationship between the proposed Placer Vineyards Specific Plan and the proposed Placer Parkway is vicinity transportation and circulation. The revised DEIR (page 4.7-61) concludes that, as part of the Mitigated Transportation Network (Figure 4.7-19), the future Placer Parkway would:

- provide substantial east-west traffic capacity
- help mitigate traffic impacts of not only the proposed Placer Vineyards project but the traffic impacts from other proposed developments in western Placer County

A

This conclusion is consistent with the proposed Placer Parkway Corridor Preservation project. Its objectives are to preserve right-of-way for the future Parkway, to respond to existing and anticipated travel demand/congestion, and to provide access to the regional transportation system in areas planned/projected for growth.

In September 2005, the South Placer Regional Transportation Authority (SPRTA) Board identified five corridor alignment alternatives. In addition to these five 'build' corridor alignment alternatives, the Tier 1 Environmental Impact Statement/Environmental Impact Report (Tier 1 EIS/EIR) will analyze a No Project Alternative. See [www.pctpa.org](http://www.pctpa.org) for more background. At this time, a public review Draft Tier 1 EIS/EIR is expected by spring 2006. The final Tier 1 EIS/EIR is expected to be complete by 2008.

A cont.

### Specific Comments

1. DEIR page 4.7-38 cites Mitigation Measure 4.7-2a (4) would require specific plan developers to be responsible for the project's fair share of all feasible physical improvements to reduce the severity of the project's significant transportation-related impacts. It recognizes that the specific plan's contribution toward these improvements will not be sufficient to mitigate all transportation-related impacts to less than significant levels. It lists a number of transportation construction improvements and impact fee payments. Item #4 in this list refers would pay impact fees to SPRTA for construction of transportation facilities for Tier 1 and/or Tier 2 projects.

As the DEIR points out, the Placer Parkway would help to mitigate traffic impacts of the specific plan as well as other west Placer County development. The estimated cost for the Placer Parkway ranges from \$500 to \$650 million (URS Corp. – October 2005). This range includes environmental mitigation, right-of-way, design, and construction for a four- to six-lane facility within a 500'-wide to 1,000'-wide corridor. At this time, there is no State or Federal funding for the Placer Parkway.

B

SPRTA member jurisdictions consist of the Cities of Lincoln, Rocklin, and Roseville and the County of Placer. The regional fee program, based on new development, is to assist in funding a number of regional transportation projects. The fee program will generate \$55 million for the Placer Parkway. PCTPA is exploring a number of additional regional transportation improvement funding options including a county-wide transportation sales tax, increased developer fees, and toll road facilities.

Although the Corridor Preservation project is not a construction project and does not require federal permits, there has been considerable coordination with federal resource agencies. A NEPA/404 process, modified for the Tier 1 phase of the Parkway project, has resulted in concurrence on the range of alternatives to study in the Tier 1 EIS/EIR. This work is intended to streamline subsequent project-level environmental review and permitting. The Tier 1 EIS/EIR will outline two mitigation strategies – one, with an adopted Placer County Conservation Plan (with SPRTA as a participating agency and the Parkway as a covered activity) and – second, without the PCCP.

One of the first funding challenges for Placer Parkway development will be to acquire feasible mitigation. Waiting until the roadway project and its Tier 2-level environmental review to be completed will make securing mitigation more difficult and expensive.

B cont.

In addition to the SPRTA fees, Placer County and the specific plan developers could facilitate Placer Parkway implementation by helping to secure mitigation land via the developer agreement. We request that the County consider this approach to meeting the specific plan's mitigation obligation, which would facilitate future Parkway permitting.

2. Revised DEIR page 4.7-65 cites the Conceptual Plan and the Parkway's no access provision.

The EIR should state that the Placer Parkway Interconnect Study (2000) introduced a Potential Implementing Mechanism that would not allow access to the Parkway within the segment between Fiddymment Road and Pleasant Grove Road – but study the impacts of access at Watt Ave. An interchange at the extension of Watt Avenue is not a component of the proposed Placer Parkway.

C

This is a key project provision contained in a series of project goals and policies. Restricting access through the project area's central segment will help to ensure the Parkway is a high-speed, free-flowing facility.

The restricted access measure is also reflected in the 2001 Project Study Report for Placer Parkway (PSR). The measure was re-affirmed by three advisory committees providing guidance for the Placer Parkway Corridor Preservation project. The advisory committees clarified the measure's text –

Restrict access in the 7-mile segment between Fiddymment Road and Pleasant Grove Road to one potential connection to a future expansion of Watt Avenue or another nearby roadway extension. Study the impacts of Placer Parkway with and without such a connection.

3. Revised DEIR page 4.7-65 also cites the Cumulative Plus Project with Mitigated Transportation Network scenario assumes that (1) Placer Parkway would be implemented along a general alignment recommended in its adopted PSR and (2) there is an interchange on Placer Parkway near the intersection of the Watt Ave. Extension and Blue Oaks Blvd.

D

At this time, there is no recommended Placer Parkway corridor alignment alternative. The selected corridor alignment will be based on the completed Tier 1 EIS/EIR. To avoid confusion, the EIR should state that PSR's 'recommended alignment' was used only for programming purposes. It was

applied to help identify future project scope, schedule, and engineering/environmental study costs. Also note, this PSR alignment connects at SR 70/99 -- north of Riego Road -- not at or along Sankey Road as illustrated in the DEIR (Figure 4.7-23/24 and Appendix I -- Traffic Capacity & Forecasts).

For information purposes, we enclose the five corridor alignment alternatives that are being analyzed in the Placer Parkway Corridor Preservation's Tier 1 EIS/EIR. We request that you include this information in the Final EIR for the specific plan.

D cont.

Based on extensive coordination with Placer County and the City of Roseville, a potential local roadway network, for analysis purposes, was developed in west Placer County. This work included identifying feasible Watt Ave. interchange locations for each corridor alignment alternative. The Tier 1 EIS/EIR will analyze each Placer Parkway corridor alignment alternative with and without a Watt Ave. interchange. A Watt Ave. extension and/or an interchange are not a part of the Tier 1 EIS/EIR. These would be separate projects requiring separate environmental reviews.

4. DEIR page 4.7-91 (Figure 4.7-23 -- Super Cumulative Plus Project Conditions) illustrates the Placer Parkway, with an assumed northern alignment, as part as roadway network that could occur beyond 2025 based on proposed and anticipated development in west Placer County. See previous comment -- there is no preferred corridor alignment at this time.
5. DEIR page 4.7-99 cites that the Placer Parkway, one of a number of possible improvements identified in Mitigation Measure 4.7-14 and included in the Mitigated Transportation Network, would provide additional east-west roadway capacity and decrease volumes on numerous roadways in Roseville and west Placer County. The DEIR also states that the Placer Parkway would increase traffic on portions of SR 70/99 in Sutter County.

E

The EIR should be revised to indicate the following preliminary Transportation Technical Report findings. Under the No (Placer Parkway) Project alternative, the following SR 70/99 segments would operate at LOS F conditions:

F

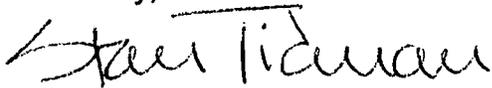
- 2020 -- I-5 to Elkhorn Boulevard
- 2040 -- I-5 to Riego Road

All five corridor alternatives (with and without Watt Avenue interchange) in 2020 and 2040 would add more traffic south of the Parkway's SR 70/99 connection. This would increase the amount of travel time vehicles would spend during AM and PM peak commute periods on these SR 70/99 segments, which are projected to already be operating at LOS F.

Lori Lawrence, Placer County Community Development Resource Agency  
May 18, 2006  
Page 5 of 5

Thank you for the opportunity to comment on the DEIR. Please contact Celia McAdam, PCTPA Executive Director (530.823.4030 – [cmcadam@pctpa.org](mailto:cmcadam@pctpa.org)) or me (530.823.4033 – [stidman@pctpa.org](mailto:stidman@pctpa.org)) if you have any questions.

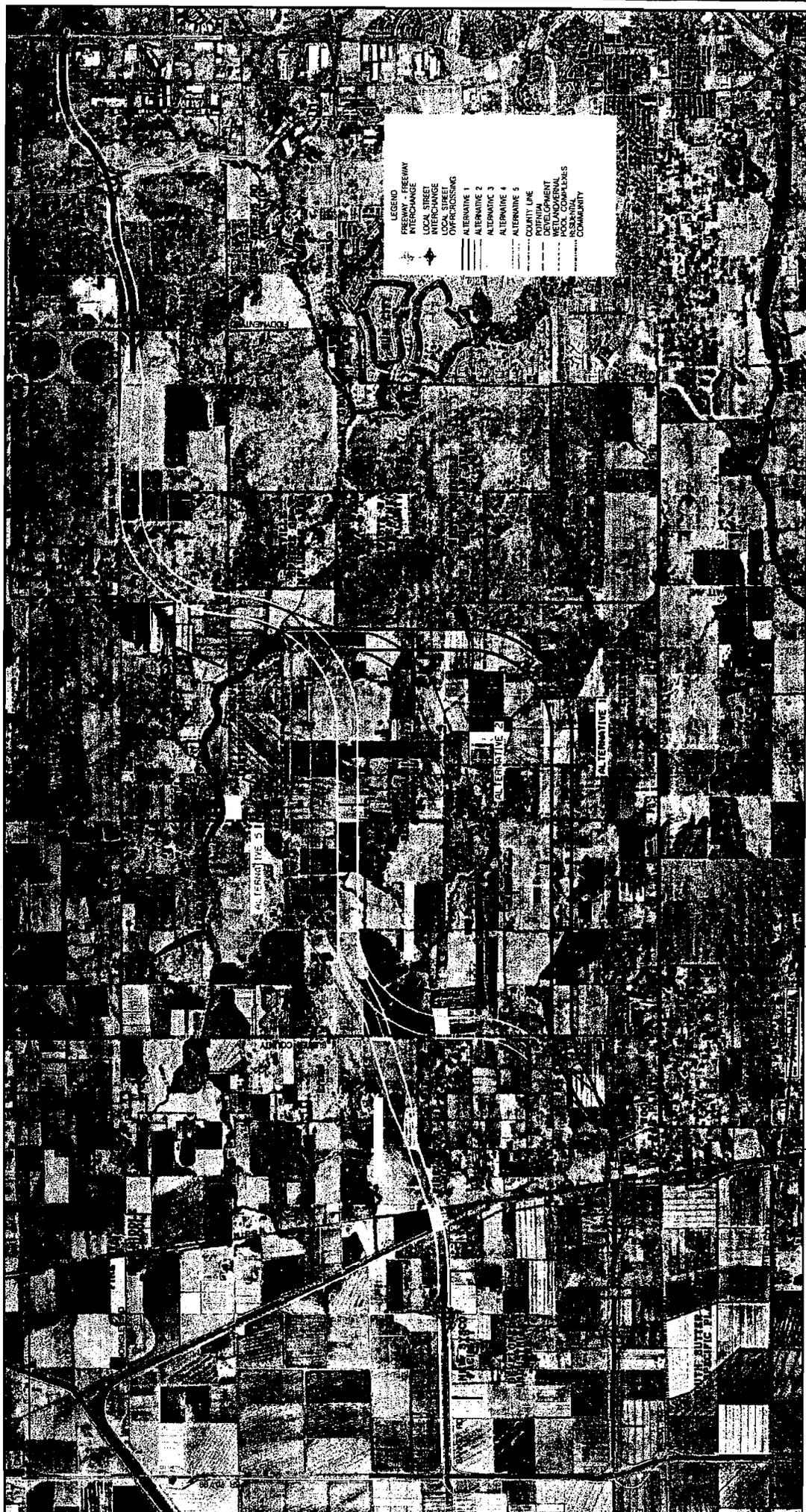
Sincerely,

A handwritten signature in black ink that reads "Stan Tidman". The signature is written in a cursive style with a horizontal line above the first few letters.

Stan Tidman, Senior Planner

Enclosure

Copies: Celia McAdam, PCTPA Executive Director  
Rick Dondro, Placer County -- Deputy Director of Public Works



SEPTEMBER 28, 2005

FIVE CORRIDOR ALIGNMENT ALTERNATIVES TO BE EVALUATED IN TIER 1 EISEIR

TIER 1 EIS / EIR

**PP** PLACER PARKWAY  
CORRIDOR PRESENTATION



SCALE: 1" = 1000'

**LETTER 2I      STAN TIDMAN, PLACER COUNTY TRANSPORTATION PLANNING AGENCY**

**Response 2IA:** Commenter provides general background on the planning process for Placer Parkway. The consistency between the conclusions on page 4.7-61 of the Revised Draft EIR and the Placer Parkway Corridor Preservation project and the status of the Tier 1 EIS/EIR for this project are noted. No further response is required.

**Response 2IB:** Commenter suggests that the County and developers facilitate Placer Parkway implementation by including habitat mitigation lands for Placer Parkway in the Placer Vineyards Specific Plan project development agreement. Comment noted. The proposed Development Agreement includes a provision that the developer(s) agree to pay the proposed Tier II Transportation Fee, which includes funding for Placer Parkway. The fee is currently under review, but was based on estimates that include funding for construction, acquisition of right-of-way, and environmental mitigation. The extent of mitigation necessary will be determined once a specific alignment is chosen and an environmental evaluation completed. The Tier II fee will be modified or adjusted to reflect a specific alignment, detailed construction costs and full project mitigation.

**Response 2IC:** Commenter points out that an interchange with Watt Avenue is not a component of the proposed Placer Parkway project. The comments about the restricted access measure for Placer Parkway are noted. As a participant in the Technical Advisory Committee and Policy Advisory Committee for the Placer Parkway Corridor Preservation project, Placer County is aware that an interchange on Placer Parkway at an extension of Watt Avenue is not a component of the proposed Placer Parkway. Placer County is also aware that the 2001 PSR for Placer Parkway calls for restricting access between Fiddymont Road and Pleasant Grove Road to one potential connection at a future extension of Watt Avenue and that the subsequent EIS would study the impacts with and without such a connection. The on-going Tier 1 EIS/EIR for the Placer Parkway Corridor Preservation project recognizes that a connection to the Parkway at Watt Avenue is an option.

The Revised Draft EIR analysis assumed that a Watt Avenue connection would be made under Cumulative conditions with the Mitigated Transportation Network since 1) this connection has been shown to provide the greatest congestion relief on the surrounding local roadway system and 2) because traffic volumes along Watt Avenue would be higher with the interchange and thus represent a worst-case for traffic volumes at some key intersections near the proposed project.

**Response 2ID:** Commenter points out that there is currently no recommended Placer Parkway alignment. Commenter requests that the EIR state that the assumed alignment was used only for programming purposes. Commenter provides five corridor alignment alternatives that are being analyzed (see Final EIR Figure 4 at the end of this section). Commenter also states that each corridor alignment will be analyzed with and without a Watt Avenue interchange and that a separate environmental review would be performed for a Watt avenue interchange. Comments are noted. Placer County is aware of the five corridor alignment alternatives that are being analyzed in the Placer Parkway Corridor Preservation Tier 1 EIS/EIR and that the Tier 1 EIS/EIR will analyze each alternative with and without a Watt Avenue interchange.

The third full paragraph on page 4.7-65 of the Revised Draft EIR was modified in the Partially Recirculated Revised Draft EIR as follows:

A Project Study Report (PSR) for Placer Parkway was adopted by SACOG and the Placer County Transportation Planning Agency (PCTPA) in 2001. An ongoing environmental review process (Tier 1 EIS/EIR) will evaluate a range of alternative alignments and will select a corridor so that right-of-way can be preserved. In the 8- to 10-mile area between Fiddymont Road and Pleasant Grove Road, the adopted Conceptual Plan for the Placer Parkway calls for no access to this facility except for a possible interchange at an extension of Watt Avenue. The Cumulative Plus Project with Mitigated Transportation Network scenario assumes that (1) Placer Parkway would be implemented along one of the five alignments under consideration in the ongoing PCTPA Tier 1 EIS/EIR process as shown on Figure 4.7-19 and (2) there is an interchange on Placer Parkway near the intersection of the Watt Avenue Extension and Blue Oaks Boulevard.

Commenter also indicates that Revised Draft EIR Figures 4.7-23 and 4.7-24 show the “recommended alignment” for Placer Parkway at the wrong location. Comment noted. The two figures show the Placer Parkway alignment assumed for Placer Vineyards Specific Plan traffic modeling purposes. The PCTPA letter notes that the on-going Tier 1 EIS/EIR is evaluating 5 alignments (see Final EIR Figure 4). The PSR for Placer Parkway evaluated a number of alignments and identified a “preferred alignment for programming purposes.” The Sankey Road connection was modeled for the Placer Vineyards Specific Plan because three of the five alignments that PCTPA is considering connect at Sankey Road and it is the connection preferred by Sutter County.

**Response 2IE:** Commenter points out that there is no preferred corridor alignment for Placer Parkway. Comment noted. See Response to Comment 21D.

**Response 2IF:** Commenter requests revision to the Revised Draft EIR based on preliminary Transportation Technical Report findings. The Revised Draft EIR found that SR 70/99 would operate at LOS F conditions under Cumulative (2025) No Project Conditions from north of Riego Road to I-5. This analysis is thus consistent with the Placer Parkway Corridor Preservation project’s preliminary Transportation Technical Report findings that segments of SR 70/99 would operate at LOS F in 2020 and 2040 conditions.

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 3, SACRAMENTO AREA OFFICE

Venture Oaks -MS 15

P.O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 274-0634

FAX (916) 274-0648



*Flex your power!  
Be energy efficient!*

May 19, 2006

06PLA0024

SCH# 1999062020

Placer Vineyards Specific Plan

Revised Draft Environmental Impact Report (DEIR)

06PLA80 PM 3.60

Mr. Paul Thompson, Principal Planner

Placer County Planning Department

11414 B Avenue

Auburn, CA 95603

Dear Mr. Thompson:

On Tuesday, May 16<sup>th</sup> during your telephone conversation with Bob Justice, approval was granted to submit Caltrans' official comment letter to Placer County regarding the Placer Vineyards Specific Plan Revised DEIR during the week of May 22<sup>nd</sup> through May 26<sup>th</sup>, 2006. We appreciate your consideration in granting us additional time to review this project document, and to submit our comment letter to you.

This letter formally requests that Placer County's comment period for the Placer Vineyards Specific Plan Revised DEIR, be extended until the close of business on Friday, June 16, 2006. The additional time will allow us to provide Placer County with comprehensive and valuable comments that will benefit all concerned parties. Please let us know at your earliest convenience whether or not you will grant the comment period time extension, so that Caltrans can respond accordingly. Please contact me at (916) 274-0634, or Bob Justice at (916) 274-0616 with your decision.

A

Thank you for your time and consideration of this request.

Sincerely,

MARLO TINNEY, Chief  
Office of Transportation Planning – East

**LETTER 22      MARLO TINNEY, CALTRANS**

**Response 22A:** Commenter requests extension of Revised Draft EIR public comment period. Recognizing the important role played by Caltrans in the planning of infrastructure in the greater Placer County region, the County agreed to accept a late comment letter from Caltrans. A letter was received from Caltrans on September 1, 2006 and is responded to herein. See Letter 35 and accompanying responses. Also, see Letter 37 received following circulation of the Partially Recirculated Revised Draft EIR and responses thereto.

**From:** <SSSSranch@aol.com>  
**To:** <ljlawren@placer.ca.gov>  
**Date:** 5/19/2006 8:08:30 AM  
**Subject:** Placer Vineyards Specific Plan Revised Draft EIR, PEIR-T200540651SCH#199062020

Lori Lawrence,

My name is Kelly Switzler and my husband Jeffrey and I live at 9555 Baseline Road in Elverta , Parcel # 023-150-031-000 which is part of what you list as the SPA area in the plans.

We have four major concerns on how this development will impact us.

**Road expansion:**

The amount of property we will lose, is there any consideration of taking land from the undeveloped north side of Baseline Rd. as they did when they developed the area of Baseline Rd. between Walegra and Foothills Blvd. We have extreme concerns about our home becoming closer to the road due the several minor and three major accidents we have experienced in front of our home already. One accident the car rolled several times onto our property and resulted in the death of the driver on our property. We have no desire to be brought closer to this busy roadway and have many concerns about access to our property with increased traffic from development.

A

**Zoning:**

The plans show a commercial office park just to the east of our property. How will this effect future zoning? We currently have horses and other domestic animals on our property.

B

**Ground Water:**

We obtain all of our water from the well on our property and have had no problems to date with the existing water table. Will this development change the current water table forcing us to dig our existing well deeper? Will there be any plans to offer water to existing home owners?

C

**Drainage:**

We have lived in the Rio Linda/Elverta area for the last 21 years and have observed that with each development there become more drainage and flooding issues. The land that normally absorbs or pools water after developed arrives downstream faster and then has nowhere to go, therefore flooding the properties of those that previously never had a problem. The small rural road Newton to the east of our property already has drainage and pooling of water that enters our property but never thus far has caused any problem for us. The water that has pooled during heavy storms has remained in the pasture behind our home, our concern is that additional run off if the drainage issues are not dealt with properly may put our home at risk.

D

We would appreciate a response regarding our concerns. We completely understand that growth is inevitable. However, we do not wish to have our property devalued because of lack of consideration for existing residents in the development area. We are also unclear about what being a part of the SPA area means and what the future development plans regarding the SPA area are.

E

Thank you,

Kelly L. Switzler

**LETTER 23      KELLY SWITZLER**

**Response 23A:** Commenter is concerned about the widening of Baseline Road and its effect on her property. Impact 4.1-12 on page 4.1-60 of the Revised Draft EIR (Acquisition of existing off-site structures and alteration of existing off-site land uses would occur due to the widening of Baseline/Riego Road and Watt Avenue) discusses potential impacts to existing offsite structures and land uses resulting from the widening of Baseline Road. On page 4.1-9 the Revised Draft EIR discusses the potential for land to the north of Baseline Road to be acquired for the widening of Baseline Road. However, according to the impact discussion, although right-of-ways for road widenings are typically acquired equally on both sides of the existing roadway, the initial stages of widening Baseline Road will occur south of the roadway within the Specific Plan area in order to avoid offsite encroachments. However, as Baseline Road approaches the SPA, where the Switzler property is located, the right of way is moved northward to avoid improvements and landscaping along SPA properties. In other words, the right of way take occurs primarily north of Baseline Road, as requested. This transition can be seen by comparing Figures 3-8B, 3-8C, and 3-8D of the Revised Draft EIR. As discussed on page 4.1-61, owners of property are entitled to compensation at fair market value for any real property acquired or diminished in value from the widening of Baseline Road.

According to Specific Plan Policy 6.6 and as shown on Figure 4.2-2A, a bicycle lane and 50-foot landscaped setback buffer with meandering bicycle/pedestrian trails will separate Baseline Road from all uses within the Specific Plan area. Due to noise impacts, a sound wall and/or earthen berm may also be constructed between Baseline Road and existing uses within the Specific Plan area. This buffer will provide a separation from the traffic and related hazards on Baseline Road. Furthermore, five intersections along Baseline Road will be improved including the installation of traffic signals at Locust Road to the west of the commenter's home and at Brewer Road to the east of the commenter's home. These improvements will increase traffic safety and access to existing uses along Baseline Road. Also, see Response to Comment 12D.

**Response 23B:** Commenter questions how office uses will affect the keeping of horses and other domestic animals on adjoining properties. Impact 4.1-7 of the Revised Draft EIR (Land use conflicts could occur within and adjacent to the Specific Plan area between agricultural uses and proposed development) discusses potential incompatibilities between proposed uses in the Plan area and existing surrounding agricultural uses. Horses and other livestock fall within the meaning of "agricultural uses" and are addressed under current General Plan policies, which require a 50- to 200-foot buffer for nonresidential uses adjacent to livestock pasture (Revised Draft EIR page 4.1-35). The Revised Draft EIR reports on page 4.1-57 that "...Specific Plan policies have been proposed that meet the standards prescribed by the General Plan." Therefore, a buffer of 50 to 200 feet will be provided between the commenter's property containing horses and other domestic animals and the proposed office uses to the east. Buffers of this dimension should be adequate to mitigate any potential localized dust and odor from livestock. Further, office uses are not continuous occupancies and will generally be devoid of activity on weekends and after work hours when rural residents are most likely to be riding or otherwise caring for livestock. Existing zoning surrounding the project site will not be affected by project implementation. No changes to land use designations or zoning are proposed within the Special Planning Area (SPA).

**Response 23C:** Commenter is concerned about project effect on existing wells. As development occurs within the Specific Plan area, groundwater use will gradually be displaced by future surface water. Groundwater will only be used within the project area as a back up supply for use during dry years and emergency situations. Impacts to existing area wells from drilling new wells in the project area are discussed in Impact 4.3.3-8 of the Revised Draft EIR (Any wells drilled on-site for purposes of a backup groundwater supply will have the potential to affect other wells in the area). According to this impact discussion, the drilling of additional wells in the project area could result in dynamic drawdown impacts to groundwater levels in the immediate vicinity of the wells (cones of depression). Three mitigation measures are proposed (Mitigation Measures 4.3.3-8a, 4.3.3-8b, and 4.3.3-8c of the Revised Draft EIR) to reduce impacts to existing wells to a less than significant level. As described in Response to Comment 12B the surface water supply developed for the Specific Plan area will be available to residents of the SPA and could be accessed by them to replace substandard or failing systems within the SPA.

**Response 23D:** Commenter is concerned about flooding and drainage impacts. Section 4.3 of the Revised Draft EIR provides a full analysis of drainage and flooding issues based on the Master Project Drainage Study prepared for the proposed project. The issue of drainage and flooding impacts on adjacent properties and downstream areas from increased runoff resulting from project implementation are discussed in Impacts 4.3.2-1, 4.3.2-2 and 4.3.2-3. Seventeen mitigation measures are proposed (Mitigation Measures 4.3.2-1a through 4.3.2-1i, 4.3.2-2a through 4.3.2-2b, and 4.3.2-3a through 4.3.2-3f) to reduce these impacts to a less than significant level. Also, see Response to Comment 12C.

**Response 23E:** Commenter requests a response to concerns and information about what being a part of the SPA means. A response to each of the commenter's concerns regarding the proposed project is provided above (Response to Comments 23A through 23D).

As discussed on page 3-1 of the Revised Draft EIR, the August, 1994 *Placer County General Plan* identified the Specific Plan area (which includes the SPA) as appropriate for urbanization following adoption and implementation of a comprehensive Specific Plan. The boundaries of the Specific Plan area were decided by the County during the preparation of the General Plan. However, the project applicants have proposed development for only 4,251 acres of the Specific Plan area. The remaining 979 acres are reserved as a Special Planning Area (SPA) and will continue to be used for large lot rural residential development for the present time. No changes to the existing land use designations or zoning within the SPA are proposed as part of this project. Also see Response to Comment 6A.



May 19, 2006

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Reply to: Mother Lode Chapter Sierra Club  
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916-557-1100/Fax: 916-557-9669

**Re: Comments on Placer Vineyards Specific Plan, Revised DEIR, and Water Supply Assessment**

Dear Mr. Thompson,

These comments are submitted on behalf of the Sierra Club, Friends of the Swainson's Hawk, Sierra Foothills Audubon Society, and Defenders of Wildlife. We support and incorporate by reference the comment letter of William Kopper, Attorney, and the three reports of experts accompanying it, and the separate letter of Friends of the Swainson's Hawk commenting on SWH impacts and proposed mitigation. We also incorporate all other written and oral comments submitted by all persons and organizations commenting on this Revised DEIR, the previous DEIR, and the NOPs for the previous and revised DEIRs. All of these written comments and record of oral comments are in the County's records pertaining to the previous and revised draft Specific Plan and EIR. Based on our review of the RDEIR and draft Specific Plan, our organizations must oppose approval of the proposed Specific Plan, Amendments to the General and Community Plans, Development Agreements, DEIR, and any approvals and permits based upon upon these documents.

A

There are serious violations of CEQA and Government Code §65451(a). Particularly egregious are the repeated assumptions that the project financing measures and unspecified "fair share" developer fees will generate funding sufficient to implement costly mitigation measures even though financial information required by California Planning Law and CEQA is completely lacking, and the repeated unfounded assumptions that other jurisdictions and future projects will financially contribute towards the mitigation of the major impacts of the project even though the other jurisdictions and future developments have not agreed to do so.

B

The RDEIR's analysis of biological impacts and proposed biological mitigation measures are very seriously inaccurate and misleading, as discussed below. Development in the specific plan area which is mitigated only by the grossly inadequate measures proposed by the RDEIR may in violation of the Federal and California Endangered Species Acts, as well as CEQA.

C

Our organizations reserve the right to submit additional comments prior to project approval by the Board of Supervisors.

C cont.

I. **The Specific Plan Violates Government Code §65451(a)(4) By Failing to Describe Those Financing Measures Necessary To Construct, Operate, and Maintain Public and Private Facilities Needed to Support the Project**

Government Code § 65451(a) requires that "A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail":

"(1) The distribution, location, and extent of uses of land --- within the area covered by the plan."

"(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan."

"(3) Standards and criteria by which development will proceed ---."

"(4) A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3)." (emphasis added).

The State of California has defined the requirements of Government Code § 65451(a)(4) in The Planner's Guide to Specific Plans, (1998, Governors Office of Planning and Research), (see <http://ceres.ca.gov/planning/specific>), Part II, p. 8, which requires that the following information be included in any Specific Plan:

D

- (a) estimated cost of capital projects identified by the specific plan's infrastructure plan;
- (b) the measure by which each capital project will be financed; and
- (c) identification of parties responsible for completing each proposed improvement.

As to financing measures for implementation of proposals other than capital improvements, The Planner's Guide, Part II, p. 8, states that the following should be included:

- (a) list and description of projects needing financing;
- (b) cost estimates;
- (c) the measures by which each specific plan proposal will be financed;
- (d) identification of parties responsible for completing each proposal.

The Placer Vineyard Specific Plan, Section 9.4, "Public Facilities Financing Plan, " contains very general statements and policies which are not a program of financing measures, and do not comply with Government Code §65451(a)(4) or The Planner's Guide, supra.

The Specific Plan, § 9.4, and RDEIR, pp. 3-34 and 4.11-3 repeatedly refer to a separate document titled "Placer Vineyards Public Facilities Financing Plan" and "Specific Plan Public Facilities Finance Plan", as an existing document available for public review during the RDEIR

comment period. The fact that the Specific Plan Public Facilities Financing Plan does not exist is a very strong evidence that the true costs of providing public facilities necessary to support the project are unacceptable to the developers.

D cont.

## II. Procedural Violations of California Environmental Quality Act (CEQA)

### A. **Failure To Make Available Documents Referenced In The RDEIR For The Requisite 45-Day Comment Period.**

Public Resources Code §20192(b)(1) and CEQA Guideline §15087(c)(5) require an agency to disclose the address at which all documents referenced in the RDEIR are available for public review. The obvious corollary is that all documents referenced in the RDEIR must actually exist and be available to the public.

The RDEIR, p. 3-34 refers to a "Specific Plan Public Facilities Financing Plan, Base Case Scenario (EPS 2006) and states that:

"It is the County's intention to release the Public Facilities Financing Plan during the public review period for this [RDEIR] so that the public and affected agencies will have the ability to review the document in the context of the [RDEIR]. This document is available for review at the location identified in Section 2.9 of this [RDEIR]."

The RDEIR, p. 4.11-3, states that a Placer Vineyard Public Facilities Financing Plan "**has been prepared.**" The draft Specific Plan, p. 9-11, states that there is a "Public Facilities Financing Plan" and describes the general content.

It is clear from the above passages of the RDEIR and Specific Plan, and from review of the proposed Mitigation Measures, that (1) the County is relying upon the Public Facilities Financing Plan to support assertions that costly infrastructure necessitated by the Specific Plan will be constructed, and Findings that impacts will be mitigated to less than significant by new public facilities which are paid for in accordance with the Financing Plan; and (2) the authors of the RDEIR expected that the Public Facilities Financing Plan would be available during the public comment period of the RDEIR, and that the public would have the opportunity to review it in the context of the RDEIR. However, attempts to obtain the Public Facilities Financing Plan disclosed that either (1) it does not exist or, (2) if it exists, it is being improperly withheld from the public.

An agency decision must be set aside if the agency abuses its discretion. "Abuse of discretion is established if an agency has not proceeded in the manner required by law or if the determination or decision is not supported by substantial evidence." Public Resource Code §§22168, 22168.5.

Violation of Public Resources Code §20192(b)(1) and CEQA Guideline §15087(c)(5) by (1) failing to make the Specific Plan Public Facilities Financing Plan available during the full 45-day RDEIR public comment period, or (2) by repeatedly asserting in the RDEIR that there is a Specific Plan Public Facilities Financing Plan when in fact there is no such document, are clear failures by the County to proceed in the manner required by law. Moreover, if the Specific Plan Public Facilities Financing Plan does not exist, then Findings that public facilities will be built and will mitigate project impacts are not supported by substantial evidence that such public

E

facilities are financially feasible or have sufficient funding to complete and operate the public facilities relied upon by the RDEIR's analysis and conclusions. Either of these failures by County is abuse of discretion which would require a Court to set aside County's approval of the Specific Plan, EIR, and associated documents, and any approvals relying on the Specific Plan and EIR.

E cont.

**B. Violation Of Public Resources Code §21091(A) By County's Failure To Make Project Documents Available For Public Review For The Required 45-Day CEQA Public Comment Period.**

The financing plan is a necessary component the Placer Vineyard Specific Plan, required by Govt. Code §65451(a)(4), *supra*. A complete project description of a Specific Plan must include the financing plan.

CEQA requires that the public comment period on the DEIR remain open for 45 days after the complete project description, which is the entire draft Specific Plan, including the financing element, is available for public review. The funding in accordance with the Public Facilities Financing Plan is necessary to implement those Mitigation Measures which require funding. In reviewing the RDEIR, the public and affected public agencies cannot form an opinion about the financial feasibility of the proposed Mitigation Measures without the financing plan. The nonexistent financing plan has significant environmental impacts because it determines whether there will be funding to implement the Mitigation Measures proposed in the RDEIR.

F

CEQA requires an agency to address specific economic considerations related to mitigation measures to determine if they are feasible or infeasible. See Public Resources Code §21081(a)(3); *Federation of Hillside and Canyon Associations v City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1259, 1260.

On point is *Ultramar, Inc. v. South Coast Air Quality Management District* ("Ultramar") (1993) 17 Cal. App. 4th 689, 700 - 701, in which the agency failed to mail out a section of an DEIR to requesting parties. The agency learned of the omission and mailed out a supplemental environmental document, but refused to extend the comment period to provide the full public review period for the supplemental document. The Court of Appeal held that failure to permit public review in the manner required by law, was a *per se* prejudicial abuse of discretion, and that no deviation from CEQA's notice and public review requirements are acceptable.

At minimum, Public Resources Code §21092.2 and CEQA Guideline 15088.5 will require recirculation of the RDEIR for the statutory 45-day comment period after County's issuance of Notice of Availability of a Specific Plan that includes the Public Facilities Financing Plan, and RDEIR. See also *Sutter Sensible Planning v Board of Supervisors* (1981) 122 Cal App 3d 813.

**III. Substantive Violations of the California Environmental Quality Act.**

**A. There Is No Evidence That Those Mitigation Measures Which Require Financing And Operation Of Public Infrastructure Are Feasible or Reasonably Certain Of Being Implemented**

G

Many of the mitigation measures, such as infrastructure to mitigate for project impacts (such as but not limited to traffic, sewage, drainage) can be implemented only if the project and other sources generate sufficient revenue to pay the cost of constructing and operating on-site and off-site infrastructure. It is impossible to determine if such measures are feasible, because the program of financing measures required by Government Code §65451(a)(4), *supra*, is lacking. The RDEIR repeatedly referred to the Specific Plan Public Facilities Financing Plan as an existing document which is available during the RDEIR comment period, *supra*, except it does not exist or is being improperly withheld.

"The commitment to pay fees without any evidence that the mitigation will actually occur is inadequate." (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140, citing *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App.3d 692, 728.) Without review of the Financing Plan in conjunction with the Specific Plan and RDEIR (as was anticipated by the authors of the RDEIR at p. 3-34), it is impossible to determine whether the promised mitigation measures will be fully implemented or at all. The public needs to be able to review the fee program in conjunction with the Mitigation Measures to determine if there is sufficient funding to pay for the infrastructure improvements relied upon by the Mitigation Measures and proposed Findings. In *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th, 342, 363-365, the court said that the EIR included information about the fees to be paid by the project and said: "Although the existing mitigation fee appears to be a reasonable attempt to have developers pay their proportionate share of the costs of needed highway improvements, and the continued use of such fees undoubtedly would be useful, it cannot reasonably be argued that the funds that the county already has raised or that it reasonably can expect to raise in the future, will be enough to mitigate the effect on traffic that will result from cumulative conditions."

G cont.

In *Anderson First Coalition v City of Anderson* (2005), 130 Cal. App. 4th 1173, the Court of Appeal held that bare recitation that a project would pay "fair share" fees towards highway improvements, was too speculative to be deemed an adequate mitigation measure. (*Id.*, pp. 1193, 1194.)

CEQA requires an agency to address specific economic considerations related to mitigation measures to determine if they are feasible or infeasible. See Public Resources Code §21081(a)(3); *Federation of Hillside and Canyon Associations v City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1259, 1260.

**B. The RDEIR Fails To Demonstrate That Wastewater Flows Generated By Development Under The Specific Plan, and Impacts of Expansion of Off-site Wastewater Treatment Facilities Serving the Specific Plan Area, Will Be Mitigated**

The preferred option is to connect the entire Specific Plan area to the Dry Creek Wastewater Treatment Plan, (DCWWTP) owned by the City of Roseville. This will require expanding the treatment capacity of the plant, persuading City of Roseville to accept the additional wastewater, and very likely persuading the California Central Valley Regional Water Quality Control Board amend the plants discharge permit to allow for discharges in excess of those currently permitted.

H

Will development be allowed to proceed before the DCWWTP treatment capacity is expanded? What is the phasing of development with expansion of treatment capacity?

However, there is no evidence that the City of Roseville has agreed to accept all of the Specific Plan's wastewater, no evidence that the Specific Plan or any other source will generate funding sufficient to make the connection and expand the wastewater treatment plant, and no evidence that the Regional Water Quality Control Board will issue an amended permit for increased plant capacity and discharge. Most of the Specific Plan area is outside the service area of the DCWWTP, and there is no evidence that the service area will be expanded to include the Specific Plan area. The assertion, in MM 4.11.6-2b that the project proponents shall financially participate and provide their fair share contribution is meaningless without financial analysis as to whether the amount of the project's financial contribution would be sufficient to pay the cost.

MM 4.11.6-1d, which states that the County would approve a Financing Plan adequate to pay for wastewater disposal before approving the Specific Plan, violates CEQA because it deprives the public of the opportunity to review and comment upon the adequacy of the Financing Plan, considered in the context of the entire RDEIR, during the 45-day CEQA public comment period.

Staff of the Regional Water Quality Control Board informally advised an author of this letter that the process for amending the DCWWTP's Permit to allow increased capacity and discharge into Dry Creek can be expected to take five years. Projects within the current service area of the DCWWTP have priority over projects, such as Placer Vineyard, which are outside the current service area. There is no assurance that the existing excess permitted capacity, and hoped-for expanded amended permitted capacity, of the DCWWTP will not first be allotted to other projects in West Placer or Roseville which are proposed or are in the approval process, leaving the Specific Plan with nowhere to send its wastewater.

H cont.

Will development in the Specific Plan be allowed to proceed prior to expansion of the capacity of the DCWWTP? If so, how will development be phased with the wastewater disposal capacity of DCWWTP?

The RDEIR states that development of all possible projects within the "ultimate service area", including the "Blueprint" Specific Plan would generate cumulative dry weather flows of 19.3 MGD, which exceed the DCWWTP's present constructed capacity of 18 MGD. However, the RDEIR does not address the DCWWTP's capacity to accommodate foreseeable wet weather flows, which are 27.8 MGD at today's level of development. The RDEIR fails to disclose projected wet weather flows that would be added by development of Placer Vineyard, nor projected wet weather flows that would be added by other reasonably foreseeable new development anticipated to be served by the DCWWTP.

MM 4.11.6-1C requires that new development provide written certification from the wastewater service provider that either existing services are available, or that needed improvements will be made prior to occupancy. This violates CEQA by depriving the public of the opportunity to review and comment upon the adequacy and financial feasibility of the proposed improvements. Moreover, such a requirement speculates, without basis, that the needed improvements promised by the hypothetical wastewater service provider in its written certification will actually be completed timely and adequate to service the new development. Nothing prevents occupancy of

new development even though the promised wastewater treatment improvements have not been implemented or are seriously inadequate.

Adequate wastewater facilities can be assured only if the facilities are completed and operational prior to approval of development projects within the Specific Plan area. There is no assurance that wastewater facilities will be constructed until they are constructed. Findings that wastewater impacts are mitigated to less than significant are speculative and not supported by substantial evidence if development is allowed to proceed before wastewater facilities adequate to support that development are in place and operational.

The Specific Plan analyzes the alternative of connecting the Placer Vineyard wastewater collection system to the Sacramento Regional County Sanitation District (SRCSD). There is no evidence that SRCSD has agreed or intends to agree to accept Placer Vineyard's wastewater, and no evidence that Placer Vineyard will generate funding sufficient to pay the cost of connecting to and utilizing SRCSD facilities. The RDEIR correctly states that SRCSD facilities lack capacity for Placer Vineyard's wastewater until completion of the SRCSD Northwest Interceptor trunk lines, anticipated to be in 2010.

SRCSD, in its letter to Placer County dated January 4, 2005, commenting on the previous RDEIR, stated that "existing and proposed SRCSD facilities are not sized to accommodate to accommodate flows from Placer Vineyards. A facility for storage of peak wet weather, located in Placer County, will be required." There is no provision for such a sewage storage facility in the Specific Plan or RDEIR.

H cont.

The statement in the RDEIR p. 4.11-40, that the sewage storage facility will be located at the intersection of I-80 and I-5, in southern Natomas Basin in the City of Sacramento, is incorrect. A large covered sewage storage facility at that site would generate immense community opposition and require the consent of both SRCSD and the City of Sacramento, which are extremely unlikely to approve such a facility for the benefit of Placer County. Likewise, the statement at RDEIR p. 4.11-40 that a storage facility will be required only if the SRCSD Interceptor reaches capacity is a misrepresentation. Per its January 4, 2005 letter, supra, SRCSD has advised that it will require a storage facility in Placer County as a condition of accepting Placer Vineyard's wastewater. The statement at RDEIR p. 4.11-40 that SRCSD will allow Placer Vineyard to connect to SRCSD prior to construction of the effluent storage tank is not supported by any evidence, and is extremely unlikely to be permitted. Nowhere is the size of the storage tank or its environmental impacts disclosed.

The RDEIR fails to discuss the environmental impacts of additional flows to the DCWWTP or to the SRCSD treatment plant, or of expanding the DCWWTP or to the SRCSD facilities to accommodate Placer Vineyard's wastewater. These impacts must be discussed by the Placer Vineyard RDEIR because the expansion of the DCWWTP or to the SRCSD facilities would be necessitated by Placer Vineyard's development projects.

**C. There Is No Evidence That Payment of Fees by Developers to Will Result In Construction Of The Traffic Infrastructure Improvements Prescribed By The RDEIR's Proposed Mitigation Measures**

The RDEIR, p. 4.7-83, assumes without basis that one-half of the area covered by Sutter County's Measure M will be developed, which will generate funding to construct various improvements by Sutter County, including widening of Riego Road to six lanes and an interchange at Riego Rd/Hwy 99 financed by Sutter County or another entity other than Placer County or Placer Vineyard. This assumption is speculation which is unacceptable in an EIR. In fact, Measure M was only an advisory measure wherein Sutter County voters said that a certain type and area of new development would be acceptable if all costs of the new development, including infrastructure and public services, were financed entirely by the new development. No change of land use or development project has been approved by Sutter County. Sutter project proponents filed an application, and the Sutter County Board of Supervisors has directed the project proponents to develop a General Plan Amendment, Specific Plan, and other project documents, wherein all costs of the new development will be born entirely by the new development. Considerable time has passed without action. It is within the realm of possibility that development in South Sutter may not go forward due to high infrastructure costs, the recent revelation that the Natomas Basin lacks even 100-year flood protection, a softening housing market, and apparent lack of market for industrial development which Sutter County intends to be a major component of the development.

Sutter County has made it clear, in its letter to Placer County dated September 30, 2005, that Placer Vineyard developers should be required to provide funding for all required improvements, including construction of interchanges and upgrading SR 70/99 to interstate standards within the impact area. There is no evidence that Sutter County, which has minimal resources, will upgrade, or contribute to the upgrade, of highway and road infrastructure in south Sutter County; and no evidence to reasonably assume that there will be new development in south Sutter County which will contribute to the cost of upgrading highway infrastructure in that area.

I cont.

Likewise, there is no evidence that Sacramento County has the intention or financial ability to widen, or contribute to the widening of, arterials running southward from the Specific Plan area into Sacramento County to accommodate additional traffic generated by development in the Specific Plan area.

MM 4.7-2a, 4.7-2b, 4.7-3a, and 4.7.3b require Specific Plan developers to be "responsible" for their projects' "fair share" of local and regional traffic improvements necessary to mitigate for traffic generated by development of the Specific Plan. These MM assume that payment of such "fair share" will mitigate impacts to less than significant. CEQA Guideline 15130(a)(3) states that an EIR may find that a project's contribution to cumulative impacts is less than significant if the project is required to implement or fund its "fair share" of mitigation measures designed to alleviate the cumulative impact. However, "The Lead Agency shall identify facts and analysis supporting its conclusion that the contribution [by the project to cumulative impacts] will be rendered less than cumulatively considerable." CEQA Guideline 15130(a)(3). The RDEIR does not identify the facts and analysis supporting its conclusions that contribution of "fair share" will render impacts less than significant.

MM 4.7-4a through 4.7-22 call for developers to contribute "fair share" towards the construction of various traffic infrastructure improvements that will not mitigate impacts to less than significant, but would nonetheless at least partially alleviate traffic impacts generated by development in the Specific Plan area..

There is no evidence about the amount of money represented by "fair share," no evidence as to how "fair share" will be calculated, no evidence that the amount of "fair share" funding will be adequate to construct the infrastructure which comprise the Mitigation Measures, and no evidence that other regional jurisdictions will contribute amounts towards their unspecified "fair shares" which are sufficient to construct the infrastructure which comprise the Mitigation Measures. Indeed, it appears that off-site traffic infrastructure for which developers will contribute "fair share" will not be constructed unless Placer County, the City of Roseville, Sacramento County, Sutter County, and Cal Trans enter into various agreements whereby each jurisdiction contributes enough "fair share" to pay the costs of construction. The RDEIR contains no information on the cost of proposed improvements or the amount or calculation of "fair share".

The RDEIR does not mention any existing agreement between Placer County, CalTrans, or Sutter or Sacramento Counties for construction of traffic infrastructure to mitigate for cumulative traffic impacts of Placer Vineyards and other projects in Placer, Sutter, and Sacramento Counties. In fact, there are no such inter-jurisdictional agreements. There is no information about the cost of proposed traffic infrastructure improvements. How can "fair share" contribution to cost of traffic improvements be calculated without first knowing the cost of the traffic improvements? If "fair share" fees paid by Placer Vineyard, plus contribution from other projects and jurisdictions prove inadequate, then how will the traffic improvements be financed?

I cont.

The Court of Appeal ruled, in *Anderson First Coalition v City of Anderson* (2005), 130 Cal. App. 4th 1173, 1193-1194, that to be sufficient under CEQA, a "fair share" mitigation fee measure must (1) specify the actual dollar amount based on current or projected construction costs; (2) specify the improvement projects for which the fair share fee will be used; (3) if the fair share contribution is a percentage of costs which are not yet known, then specify the percentage of costs, (4) make the fees part of a reasonable enforceable plan or program which is sufficiently tied to actual mitigation of traffic impacts at issue.

The RDEIR does not disclose the amount of "fair share" to be contributed by Placer Vineyard and other projects and jurisdictions, nor does it disclose the mechanism or formula for determining "fair share" or whether any other jurisdiction has agreed to contribute to the funding of infrastructure necessary to implement the mitigation measures which rely upon construction of roadway improvements. There is no reason to assume that Sutter and Sacramento Counties would want to contribute anything towards roadway improvements made necessary by development in Placer County.

**D. The RDEIR Fails To Demonstrate That Impacts of Stormwater Drainage Generated by Specific Plan Development Will be Mitigated**

Mitigation Measures 4.3.2-1a, 4.3.2-2a, and 4.3.2-3b, state that the project applicant shall be "financially responsible" for all stormwater drainage facility maintenance requirements. How is the applicant to be "financially responsible." The project applicant is the Placer Vineyards Property Owners Group. Maintenance is an ongoing activity that does not cease when the developers sell the homes to buyers. Have the Property Owners Group and project developers actually agreed to be financially responsible for drainage facility maintenance in perpetuity? Usually, the responsibility of the property owners and developers ceases upon sale to homebuyers. If the maintenance responsibility of the property owners and developers ceases

J

upon sale of the homes, then who will be responsible for funding and undertaking the maintenance of the drainage facilities thereafter?

Due to lack of a Financing Plan, there is no information available for the public to evaluate whether the one-time payment of drainage and flood control fees to the relevant flood control agency (MM 4.3.2-1e, 4.3.2-1i) will be adequate to construct additional improvements necessary to offset the impacts of additional drainage arising from development within the Specific Plan area.

J cont.

Impacts to Water Supply (DEIR p. 4.11-57 to 4.11.98; Water Supply Assessment (Appendix M))

The DEIR and the Water Supply Assessment do not provide adequate analysis of the project's potential impacts to water supply availability in Placer County. It fails to adequately explore whether sufficient long term water supply exists, and fails to provide feasible mitigations.

- An unsupported assumption is made regarding renewal of the existing PG&E Drum Spaulding contract, which is subject to FERC relicensing.
- The DEIR fails to analyze the impacts of potential additional diversions from the American River, nor does it provide mitigations for such impacts.

K

SB 610 and SB 221 require that jurisdictions document that new development projects have a long term supply of water that is in addition to supplies necessary to serve existing and planned growth. The Placer Vineyards Specific Plan Water Supply Assessment and Draft Environmental Impact Report must more fully examine the potential that PCWA may not be able to renew its current contract with PG&E at the current volume, and may have to access more of its supply from the American River than is currently planned.

The PG&E Drum Spaulding Contract with PCWA:

A large portion of PCWA's long term water supply is obtained through PG&E's Drum Spaulding Hydropower facilities. The contract for 100,400 AF expires in 2013 and is subject to FERC relicensing. The DEIR needs to examine the potential circumstance that PCWA may not be able to renew this contract with the same volume of water.

There are indications that enhanced instream flows in the Bear River and Yuba River may be conditions of FERC relicensing. The DEIR should examine existing documentation that the current amount of water subject to interbasin transfer may be harming fish, recreation, or other values. The US Supreme Court has recently ruled that states may protect the health of their rivers, even though FERC regulates hydroelectric power relicensing. Federal resource agencies are also allowed to invoke the Endangered Species Act and the Clean Water Act to require additional instream flows.

L

The US Fish and Wildlife Service is known to be concerned about the amount of water currently diverted from the Bear River. Flows in the Bear River are largely controlled by PG&E through the Drum Spaulding system. The Bear River's annual runoff (1966-1999) has averaged 272,800 acre feet, equivalent to an average annual flow of 377 cubic feet per second (cfs). But the

median flow in the Bear has been reduced to only 21cfs. The USFWS Central Valley Improvement Act Tributary Production Enhancement Report of May 1998, identifies "Instream flows, high water temperatures, unscreened diversions, poor water quality, partial or complete migration barriers and illegal harvests are factors limiting salmon and steelhead migration, spawning, incubation and rearing success in the Bear River" (p. 4-57)

As a part of relicensing of PG&E's Drum Spaulding Hydropower facilities, the State of California may request that FERC require reduced diversions and higher instream flows on the Yuba River. In 1999 legislation was passed that added a 39-mile stretch of the South Yuba River to California's Wild and Scenic River System. The Yuba supports some of California's last remaining wild runs of chinook salmon and steelhead, both of which are listed under the state and federal Endangered Species Act. CalFed, a working group of state agencies, federal agencies, and interest groups working to improve ecosystem health in the Sacramento-San Joaquin delta and San Francisco Bay, has identified the Yuba as one of the Central Valley's most important rivers for ecosystem restoration on the basis of important fisheries and potential for improvement. The state may require additional instream flows to protect those values. Federal wildlife agencies may have concerns as well.

L cont.

The DEIR must examine any impacts that may result should FERC decide to reduce the PCWA water supply contract with PG&E. The DEIR must examine how such a circumstance would place in jeopardy PCWA's ability to supply future growth in Western Placer County. Without PG&E contract water PCWA has rights to just 155,000 AF (120,000 AFA Middle Fork Project; 35,000 Central Valley Project). The agency states that it already has committed 168,563 AF to approved development and contracts with Roseville and San Juan Water District.

The DEIR must examine the impacts of a reasonable potential reduction in water supply from PG&E hydro facilities, such as a 50% reduction in its contracted water (100,400 AF to 50,200 AF). Such a circumstance would limit PCWA's reliable long term water supply to 195,200 AF, leaving just 26,637 AF to supply Placer Vineyards and future growth. The DEIR should examine the cumulative impacts of a reduced water supply at a time when a number of new development projects are being considered in Placer County, as listed on page 4.11-84 of the DEIR.

#### The Sacramento River Diversion

The DEIR and Water Supply Assessment (WSA) indicates that PCWA plans to access long term water supplies for the project from the Sacramento River. The DEIR and the WSA must examine the very real possibility that PCWA will not be able to access a portion of its water supply from the Sacramento River, but instead divert additional amounts from the American River.

M

Under the Water Forum Agreement PCWA agreed to contribute to higher flows in the American River by limiting its 120,000 AF Middle Fork Project diversions to 35,500 AF. It reserved the right to access its full MFP entitlement and its CVP contract water (35,000 AF) from a new diversion from the Sacramento River. The switch by PCWA from the American River to the Sacramento River was intended in part to facilitate the adoption of a new American River Flow Management Standard (FMS).

The new FMS was recently agreed to by the Water Forum, the Bureau of Reclamation (USBR), US Fish and Wildlife Service, NOAA Fisheries and the California Department of Fish and Game. The FMS was required because previous standards under State Water Resources Control Board Decision 893, adopted in 1958, were inadequate to protect fisheries in the Lower American River. Flow fluctuations and temperature problems resulted in substantial salmon kills in recent years, with the loss of 37% of the run in 2003, 30% in 2002, and 67% in 2001. In 1984, the Alameda County Superior Court (*Environmental Defense Fund v East Bay Municipal Utility District*) appointed the SWRCB as a referee in a lawsuit over American River water rights. The SWRCB adopted the Report of Referee in 1988, concluding that the existing flow requirements did not provide adequate protection for the fisheries of the Lower American River.

M cont.

In the adoption of the new FMS, a critical assumption in the modeling was that PCWA would access its remaining 84,500 AF MFP and 35,000 AF CVP entitlements from the Sacramento River, not the American River. However, the Sacramento River diversion has encountered problems and approval is not assured. The USFWS has not yet been satisfied that PCWA can mitigate its growth inducing impacts which may imperil endangered species in West Placer. The problem stems from the fact that Placer County has not yet adopted a Habitat Conservation Plan, under which mitigation was to be provided. Additional concerns about the Sacramento River Diversion have been raised by the federal wildlife agencies in relation to the decline of fish populations in the Delta.

Thus the EIR must examine the environmental impacts related to water supply should the Sacramento River not be approved or be delayed, and greater diversions must be made from the American River. How would increased diversions impact anadromous fish and recreation on the Lower American River? How would PCWA diversions of up to 119,500 AF from the American River impact USBR implementation of the FMS? How would less than optimal flows impact anadromous fish and recreation in the Lower American River?

#### Air Quality Impacts 4.8 (pp. 4.8-1 to 4.8-47)

**The project plan and the Draft EIR lack adequate consideration of policies, mitigation measures and alternatives that could reduce or avoid “significant and unavoidable” air quality impacts.**

The specific plan lies within the Sacramento Valley Air Basin, and specifically within the Sacramento Non-Attainment area for ozone pollution. The project would also have direct and indirect air quality impacts outside the project area, with negative impacts on the air basin. The EIR identifies significant direct and cumulative impacts that are not mitigated to less than significant. There are many mitigation measures in the DEIR, but these are not quantified, may be incapable of implementation, and lack enforcement mechanisms to guarantee the promised emission reductions expected in the DEIR.

N

The DEIR recognizes that implementation of the project will conflict with the 1994 Regional Ozone Attainment Plan. It does not however recognize that the region must meet other ozone standards and the DEIR does not address how the project will affect attainment of those standards. It is likely that the Placer Vineyards Project would contribute substantially to existing and projected air quality violations. It would conflict with and obstruct implementation of air pollution plans to be adopted in the near future for meeting those standards. Yet the DEIR is

silent on critically important air quality planning efforts underway. In particular the federal attainment plan for the 8 hour ozone standard must be adopted by local air districts and the California Air Resources Board next year. While this project EIR cannot anticipate what control measures will be required in the plan, it clearly can evaluate methods for ensuring that the project does not interfere with ozone attainment.

N cont.

Clearly it would be preferable to delay final project approval until the regional 8 hour ozone attainment plan is adopted in 2007 so that any conflicts could be avoided. That would be our recommendation. Placer Vineyards has significant other infrastructure planning problems that must also be resolved before the EIR can be finalized and the project go forward for approval.

Off-site Infrastructure Mitigation Requirement. On page 4.8-34, the DEIR describes mitigation for off-site infrastructure impacts on air quality. This section should require that any off site infrastructure projects fully mitigate air quality impacts according to the policies of the air district in which the infrastructure project is located.

O

Off-site Mitigation Program Does Not Meet CEQA Requirements. On page 4.8-39. The off-site mitigation program described in 4.8-3g includes the claim that “the reductions are real, quantifiable and implement provisions of the 1994 State Implementation Plan,” and “ ‘offsets’ the project’s increase in regional emissions.” However there are a number of problems with this statement.

- First, clearly, the fee does not implement measures to meet the 8 hour ozone standard 2007 State Implementation Plan which is yet to be adopted.

- Secondly, it does not implement measures sufficient to fully offset the project’s impact on meeting the state ozone standard and state particulate standard.

- Thirdly, the fee collected may or may not achieve the emission reductions needed to “offset” project’s increase in regional emissions. This depends on the availability of surplus, real, permanent and quantifiable NOx and ROG emission reductions at a cost equivalent to or less than the fee charged. The adoption of a 2007 SIP could dramatically alter the availability of emission sources that can be purchased with mitigation fees. Each year more state and local rules are adopted that require presently unregulated emission sources to be regulated. Regulatory action removes sources as potential emission reduction sources using fee-based mitigation programs.

P

- Finally, there is also no guarantee that the elected board of the Placer County Air Pollution Control District Board will in future years adopt a fee for land use developments that is adequate to cover the cost of the CEQA relied-upon emission reductions. The DEIR lacks an enforcement mechanism should the Mitigation Measure 4.8-3g fail to perform as promised. A back-up guarantee is needed to ensure that the emission reductions are achieved before the development proceeds.

Failure to Consider Feasible Mitigation Measures. The Draft EIR violates CEQA by summarily declaring further mitigation infeasible without any discussion or investigation of what measures or alternatives might actually be available to reduce or avoid the specific plan’s significant and unavoidable air quality impacts.

Q

For example one potentially feasible mitigation measure might be a mandatory requirement of phasing future development to performance goals in meeting air quality standards, unless an individual project can be demonstrated to have no adverse air quality impacts, or the project’s

direct and indirect air emissions are fully mitigated. The potential of incorporating such a measure into the specific plan is not identified or discussed in the Draft EIR.

Another potentially feasible mitigation measure might be a specific plan policy requiring compliance with future, adopted air quality plans that are designed to attain state and federal air quality standards. There should be no impression that the County's adoption of this specific plan before pending air quality plans are formulated or revised creates some form of "precedent," or "grandfathered" land uses, that can violate those future attainment plans.

Q cont.

Other mitigation measures that might have been, but were not, considered in the Draft EIR include establishing a clear and mandatory policy that development will not be approved that would interfere with attainment of any air quality standard, or the establishment of mandatory policies requiring the avoidance of air pollution impacts on sensitive receptors located near sources of diesel particulate, as recommended by the California Air Resources Board in its publication "Air Quality and Land Use Impacts."

State Ozone and Particulate Standards. In addition it appears that the Draft EIR, fails to adequately disclose or analyze the project's potential to directly result in significant, adverse impacts on the attainment of the State ozone and State particulate standards. Significance criteria and methodology must be used to specifically address the air quality impact issues with respect to the state standard.

On page 4.8-20, the DEIR describes the policies of the Placer County Air Pollution Control District and refers to the Air Quality Attainment Plan (AQAP) strategies for meeting that state ozone standard. These strategies are vague policy statements. These strategies do not meet the test for CEQA mitigation measures. They do not adequately deal with the project's impact on the region's legal requirement to meet the state ozone and state particulate matter standards. One example is that the PCAPCD relies on the local jurisdictions to provide adequate transit service to provide meaningful alternatives to driving alone. However the local jurisdictions have been unwilling to tax themselves in order to build and maintain a robust transit system. Transit is not viable alternative to most of those who live in Placer County.

R

#### Biological Impacts

The organization *Friends of Swainson's Hawk* will also be submitting separate comment on biological impacts. We support and incorporate by reference in addition to those below.

#### Inadequacy of the Biological Surveys:

The DEIR states on page 4.4-1 that, "*The Specific Plan area was surveyed by Foothill Associates biologists between December 1999 and February 2000*". Other than wetland delineation work, there is no indication in the document that other surveys for special status species were conducted. It is impossible to adequately assess the potential for occurrence of many species of birds, plants or invertebrates without thorough spring surveys. For example, conclusions are drawn in Table 4.4-3 about the absence of heron rookeries and the Low to Unlikely chance of occurrence of a number of vernal pool-related plants. Drawing such conclusions without spring surveys is impossible. Therefore, the potential impacts on Special Status species cannot be

S

adequately analyzed in this document and the effectiveness of proposed mitigations cannot be predicted. At a minimum, breeding/flowering season surveys to appropriate protocols should be conducted on site for vernal pool plants and animals and for potential breeding birds like Burrowing Owl, Swainson's Hawk, Grasshopper Sparrow, Black Rail etc. and the DEIR re-circulated with those data included.

S cont.

Inappropriate lands proposed for mitigation:

Of the four properties proposed as mitigation for biological, agricultural and open space impacts on page 4.4-97, only one (Antonio Mountain Ranch-660 acres) contains any significant amount of the type of grassland habitat which is primarily impacted by this project. The vast majority of the Special Status species of plants and animals impacted by the project are dependent on grassland/vernal pool grassland habitats. The impacts can ONLY be mitigated by preserving the same kinds of habitats.

T

Even the one appropriate parcel is likely to be of highly compromised value over time. The size is small (660 acres) and it is surrounded by land being proposed for inclusion in the City of Lincoln expansion and further commercial development along the Highway 65 corridor. Changes in adjacent land use to urban and commercial uses would have direct impacts on many of the grassland species, especially the raptors which require large amounts of open country for foraging. Of even more concern are the indirect impacts on the management of the site. If critical grassland management tools like burning and grazing become infeasible due to incompatible adjacent land uses, the biological value of the habitat is likely to become negligible over time.

Mitigation ratio is inappropriate:

The 1:1 standard for habitat mitigation proposed here is wholly inadequate in the context of west Placer County. To illustrate this, I will focus on the grasslands, since that constitutes the major habitat type impacted. Between 1992 and 2002 Placer County lost over 11,000 acres of grassland habitat to urban development (California Department of Conservation 2002), more than any other county in the state. Further, projections of buildout of the cities and the county based on the 1994 Placer County General Plan would convert destroy approximately 50% of what grassland remains (Placer County 2004). To make matters worse, since that projection, numerous projects have been approved (e.g., West Roseville) and proposed that would increase that destruction well beyond the 50% level. Beyond all that, expansion of the City of Lincoln would add further to the loss of these habitats.

U

In this context, Placer County cannot begin to meet the habitat preservation goals in the General Plan if projects are allowed to proceed with grassland mitigation of only 1:1.

In addition, a 1:1 mitigation ratio is incompatible with the Vernal Pool Recovery Plan which states that 85% of vernal pools in this recovery unit must be conserved. Moreover, a 1:1 mitigation ration is flatly inconsistent with the recent settlement in the Westpark/Fiddymont Ranch project, which required 2:1 mitigation for the grasslands destroyed by the development. We believe that ample precedent has been set to require 2:1 mitigation for the destruction of vernal pool grasslands.

Mitigation Measure 4.4-1a is vague and uncertain:

V

Although this measure is specific about the requirement for 1:1 preservation, it is impossible for one to have any confidence that the acres preserved are going to mitigate for the impacts of the project. Throughout this measure, we are asked to simply 'trust' the judgment of Placer County to determine what sort of land constitutes appropriate mitigation. For example, the measure allows the County to determine if 'out of kind' or 'out of county' mitigation is acceptable. We are asked to rely solely on the opinion of the County to determine if lands preserved actually provide any mitigation value. With regard to the type of land preserved, this measure says, "Preserve lands shall be suitable for mitigation of project impacts and shall be evaluated for this purpose by Placer County". This is wholly inappropriate. We know precisely the nature of the lands being impacted, so this measure should state specifically the characteristics that would make preserve lands 'suitable'.

We are pleased that this measure addresses the need for large preserves through its requirement for a 'Core Reserve' and considers the impact of potential land uses on adjacent lands. However, all the good intentions of this requirement are rendered moot by disclaimers and qualifiers regarding subsequent Special Plan projects. For example: "*Subsequent Projects...shall mitigate through the establishment of preserve areas that, to the extent feasible and appropriate, are located adjacent to the core preserve or are associated with other existing preserve sites currently under easement or fee title for purposes of wildlife conservation and are surrounded by lands designated as Agriculture within the Placer County General Plan or are in areas deemed acceptable by the County Board of Supervisors.*" (emphasis mine) In other words, the Board of Supervisors gets to decide if adjacent uses are appropriate to insure mitigation value? This is even further weakened by the statement, "*the County shall take into consideration both the overall objectives of the proposed PCCP and the realities of the agricultural real estate market in south Placer County*" (emphasis mine). So, the Board and the Real Estate market, rather than known biological values, will finally determine whether preserve lands are appropriate. In this context, it is impossible for the public to rely on this measure to determine the long term feasibility of the mitigation for loss of habitat in West Placer.

V cont.

In addition, we would raise concerns with the possibility of using creation of wetlands as a mitigation tool. Recently the U.S. Fish and Wildlife Service's urged Placer County to reject creation of vernal pools as mitigation. This is from a recent email to Placer County from the USFWS.

*"For the past couple of years (and probably before) we have been reviewing and accepting the creation of vernal pool features/wetlands within existing vernal pool landscapes as a means to address the no net loss of wetlands policy. Specifically I am talking about the practice of creating vernal pools in existing vernal pool landscapes where none occurred previously (as opposed to restoring or re-creating vernal pools where it can be determined they did occur previously). Each time we are asked to accept this practice we have difficulty determining that this mechanical ground disturbing activity does not significantly affect the function and value of existing vernal pools landscapes (uplands as well as wetlands) and also result in adverse impacts to listed species like plants, salamanders and shrimp. Each time I see another one of these creation proposals, the densities go up and the project seems more like the creation of a Frankenstein type creature than "enhancing" or complimenting the processes of a natural and dynamic ecosystem.*

*The only compelling reason I can see for these types of creation proposals are that this is the most cost effective approach for the regulated community. That is, credit can be given for preserving existing vernal pools (which are difficult and costly to develop on in the first place) and creation can be accomplished without purchasing additional ground.*

*I can see no real biological benefits of this approach that do not outweigh the impacts, nor do I see any credible scientific evidence that this is an appropriate approach for vernal pool conservation. In fact the more and more we analyze and discuss this issue in the scientific and academic community, the more and more evidence is presented that we are likely causing great harm to an existing functioning landscape. Impacts to upland components/habitat for listed plants, pollinators, salamanders and kit fox, hydrology, water chemistry, microclimate, etc are just a few of the impacts that have been brought to my attention.*

V cont.

*I know there will continue to be great debate about the pros and cons of this practice, and we should continue have this discussion in the academic/scientific community. It is just getting very difficult to have this debate in the regulatory process.*

*Thus, my thoughts for the day. We are reviewing several of these types of actions in the office now and we will continue to work with the proponents to minimize the impacts to listed species and if necessary to suggest the appropriate compensation to avoid significant impacts and likely have to prepare additional biological opinions on the proposals.*

*However, in the future, my strong recommendation is to look for restoration/creation sites that are not within existing vernal pool landscapes. There are numerous areas where vernal pools have been lost or impacted due to agricultural or other practices that are prime candidates for creation/restoration. If we are asked to evaluate the creation of new vernal pools in existing landscapes that have impacts to listed species it will be very difficult to justify these proposals on biological grounds without out considerable analysis of effects to uplands, wetlands, hydrology, etc. Please, consider looking away from existing vernal pools for your creation component."*

From a forwarded email from Ken Sanchez, Assistant Field Supervisor for the US Fish and Wildlife Service, Sacramento to Placer County Assistant Planning Director Loren Clark (4/27/2006).

#### Problems with Table 4.4-3:

1. This table is missing three Special Status bird species that occur on site:
  - a. Cooper's Hawk: present in winter with the possibility of breeding in the riparian areas
  - b. Sharp-shinned Hawk: present in winter
  - c. Yellow Warbler: migrates through riparian area in spring and fall, has potential to breed (historically bred in Central Valley riparian areas and has re-colonized some areas in recent years)
2. There is no consideration of a state-Listed Species that might occur on site:
  - a. The site has small marshy areas of the type that have been shown in recent years to support breeding populations of the California-Threatened Black Rail in Placer, Yuba, Nevada, Butte and San Joaquin counties (Aigner et al 1995, Tecklin 2000, B. Williams, W. Holt, J. Sterling, E.A. Beedy, and J. Tecklin, pers. comm.).
3. The assessment of occurrence of some species should be changed:

W

- a. Burrowing Owl: this species recently nested in significant numbers on the nearby West Roseville Specific Plan area and similar habitat exists on this site. Should be considered 'High'
- b. Grasshopper Sparrow: this species breeds in similar habitat in West Placer (Rogers et al. 2004). Should be at least considered 'Medium'
- c. Long-billed Curlew: in addition to wintering in our area in small numbers, large numbers can often be found during spring and fall migration.

W cont.

Assessment of effectiveness of Mitigation Measures is over-stated and unsupportable:

Again and again throughout the document, the effectiveness of proposed mitigation measures is exaggerated and is in conflict with published science. Below are just a few examples:

1. Burrowing Owl:

- a. Section 4.4-5 concludes that the following steps will reduce impacts to "*less than significant*": restricting activities around nesting sites, 'encouraging' non-breeding owls to 'move to other areas' and re-locating owls to other on-site locations of 6.5 acres per pair or off-site locations with 10-20 acres per pair. In addition, the assumption is made that Mitigation Measure 4.4-1 will provide mitigation for foraging habitat lost. In the face of facts on the ground and published literature, this conclusion is completely unsupportable:
  - i. Even restricted construction activities around active burrows is likely to impact breeding success as demonstrated by Milsap and Bear (1988).
  - ii. Given the loss of grassland habitat in West Placer County noted above and the intense land conversion occurring in the vicinity of this project, the assumption that owls could simply 'move elsewhere' is ridiculous. This assumes that suitable Burrowing Owl habitat exists nearby AND that the habitat is unoccupied.
  - iii. Given the difficult and largely unsuccessful history of relocation of Burrowing Owls (Haug et al 1993 and references therein, Holroyd et al. 2001, Martell et al. 2001), basing mitigation on this approach is speculative at best. Moreover, California Dept. of Fish and Game currently have a policy opposing active relocation of burrowing owl.
  - iv. The assumption that relocation on-site within 50 meters of 'impact zones' will be successful ignores the well-established literature on impacts of nearby human activities (Millsap and Bear 2000, Haug et al. 1993).
  - v. The assumption that 6.5 to 20 acres per pair will be sufficient is in direct conflict with the conclusions of the recent work of Gervais et al. (2003), based on research in the Central Valley of California showing that home ranges of up to 1000 acres were required.
  - vi. The DEIR assumes again and again that land acquired for mitigation under Mitigation Measure 4.4-1 will suffice for a wide range of species. This ignores the fact that habitat requirements are very different for different grassland-associated species. Habitat requirements for Burrowing Owls are significantly different from those for Swainson's Hawks, Loggerhead Shrike or other grassland-dependent species (Haug et al. 1993, Holroyd et al. 2001, Noss et al. 2002).

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2. Swainson's Hawk:

Y

a. The DEIR concludes that mitigation measures “*will substantially lessen loss of Swainson’s hawk foraging habitat*” and will reduce impacts on nest sites to “*less than significant*”. Further, it states that, “*It would not be feasible to restore or create new foraging habitat to completely offset the development*”. Each of these statements is demonstrably incorrect:

i. The DEIR relies on the lands acquired under Mitigation Measure 4.4-1 to offset losses of on-site habitat. As stated earlier, this measure is vague and uncertain. There are no assurances that suitable Swainson’s Hawk habitat will be preserved and, in fact, ‘out of kind’ preservation is permitted under this measure. Indeed, as noted above, most of the lands proposed for mitigation by the Applicants are NOT suitable for Swainson’s Hawks or any other grassland species. Habitat needs for this species are well-understood (Schmutz 1987, Bradbury 2002, Woodbridge 1991, England et al 1997) and precise requirements could have been included in this measure, but were not.

ii. The conclusion that nesting impact would be less than significant is based entirely on the planting of trees. Assuming that trees that will take many decades to become suitable nesting sites mitigates for the loss of current nest sites is ludicrous. If the current rate of decline of this species in our area continues, there may be no birds left to use these trees by the time they are large enough to support nesting Swainson’s Hawks.

iii. The statement that it would not be feasible to restore or create foraging habitat completely ignores the fact that certain common local agricultural practices in the Central Valley (e.g. growing alfalfa) are known to enhance the foraging value of habitat by as much as six times (Schmutz 1987, Bradbury 2002, Woodbridge 1991, Noss et al. 2002).

### 3. Tricolored Blackbird:

a. Comments in the DEIR about this species reveal a lack of knowledge about its habits and needs. On page 4.4-16 it states, “*Tricolored blackbirds prefer marsh habitats and are less likely to nest in blackberry brambles in the Central Valley. Because these habitats are present in the Specific Plan area, the species could nest here, although these habitats are now part of the open space design for the Specific Plan area.*”

i. Tricolored Blackbirds readily use blackberry brambles throughout the Central Valley and in fact, according to the Birds of North America species account (Beedy and Hamilton 1999), “*reproductive success is high in Himalayan blackberry habitats*”.

ii. It is unreasonable to assume that the ‘open space’ areas will continue to be suitable habitat for Tricolored Blackbirds once the open space is developed and the project built out. This species needs foraging area adjacent of close by their nesting sites. Between the loss of nearby foraging habitat and direct and indirect impacts of adjacent development, it is unlikely that this species would continue to breed successfully.

Y cont.

Z

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