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local air district's thresholds. Without further information in the RDEIR, the determination of "*less-than-significant after mitigation*" is in error since the emissions shown in Table 4.5-4 are based on underestimated, lower-than-standard trip rates for residential and commercial land uses reasonably expected for the proposed project. Moreover, the RDEIR's Air Quality section provides no quantification of the emissions benefits of its proposed mitigations, and therefore the determination of *less-than-significant* as gauged against pounds-per-day thresholds cannot be substantiated. Daily operational emissions are underestimated in the RDEIR, and no evidence to quantify mitigation effectiveness is provided to permit the "*less-than-significant after mitigation*" conclusion. Simply saying it is so doesn't make it so. Without specific methodology and findings, a determination of "*less-than-significant after mitigation*" is not possible and does not satisfy CEQA's intent for effective, comprehensive review of a proposed project's potential environmental impacts.

Because trip rates used for the RDEIR's air quality analysis appear to be underestimated, we substitute URBEMIS2002 default trip rates for the land uses anticipated at Clover Valley while maintaining all other inputs (project year, double counting, etc.) specified in the RDEIR's Appendix E. The default trip rate for residential land uses in the Sacramento area is 9.57. Specific land uses expected for the five acres of commercial at Clover Valley were, without explanation, not included in the RDEIR's Air Quality section, nor were they detailed in the Executive Summary or Project Description sections. Thus, reasonable assumptions were employed to estimate the proposed project's likely operational emissions. Specifically, we assumed the RDEIR-specified 54,450 square feet of commercial area would be divided into three commercial-retail land use types based on similar pocket-center developments in the area:

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- 15,000 sq ft high-turnover restaurant
- 4,540 sq ft fast food restaurant -no drive through; (e.g. Starbucks)
- 35,000 sq ft small-to-medium sized supermarket

Using these inputs, URBEMIS2002 yields the following:

Clover Valley Operational Emissions (Mobile and Operational) with Revised Commercial-Retail and Default Trip Rates

124.9 lbs/day ROG
100.03 lbs/day NOx
194.85 lbs/day PM10

Based on these values, the RDEIR underestimates the proposed project's daily ROG by 35%, NOx by 44%, and PM10 by 25%, and all three pollutants exceed PCAPCD daily CEQA emission thresholds of significance. These are substantial variances. Underestimating daily emissions impacts violates CEQA guidance, and low values are likely to result in inadequate mitigations. Based on explanatory language in the RDEIR at page 4.5-13 (bottom), and Mitigation 4.5MM-2(d)'s commitment to "Participate in the

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↑ Placer County Air Pollution Control District's off-site Mitigation Program...." it is likely that insufficient offsite reductions for mitigation will be purchased by the proposed project's developers if based on the underestimated emission impacts. Underestimated impacts will result in inadequate mitigation, and PCAPCD cannot knowingly permit the use of artificially low modeling inputs in determining offsets needed for the project such that it is determined to have less-than-significant air impacts.

24-36

Mitigation 4.5MM-2(d), RDEIR pg 4.5-14 is preceded with language at pg 4.5-13, stating "The City of Rocklin and Placer County APCD have identified additional measures intended to provide a 40-percent offset of new emissions as part of the regional effort to attain the federal ozone standards." Any agreement affecting such a significant portion of overall project emissions between the City and the PCAPCD must be included in the proposed project's administrative record for public review. It is very unlikely that the PCAPCD would enter into such an agreement since elements within Mitigation 4.5MM-2(d) have not been, and likely cannot be, quantified for their respective emission benefits. Further, most of the elements in the measure are written in such a way as to allow discretionary use by the developer, and, therefore, are unenforceable for real emission benefits. Realistically, the elements within 4.5MM-2(d) cannot be expected to provide more than a few percent of emissions reduction. Similar voluntary measures under EPA guidance, allowing claims by air agencies for local attainment benefits, have historically been limited, altogether, to no more than 3%, yet the RDEIR's mitigation 4.5MM-2(d) presumes a 40% value. Reductions of emissions by use of native, drought-resistant landscaping species, as an example, will produce little or no real and air agency-claimable emission benefit since power plant emission reductions (from less energy used to deliver municipal landscape-irrigation water) have not been quantified for their prospective value to either the proposed project's area or even the larger ozone nonattainment air basin. Moreover, real and quantifiable mitigation cannot be expected from measures such as "*Incorporate solar heaters in proposed residences as feasible*" since the term "*as feasible*" allows effectively unlimited discretion to project proponents on whether to implement this component of the mitigation. Similarly, emission benefits from this portion of the measure are not quantifiable. While some elements within the measure make practical sense and have historically been considered as qualifiable measures (and not quantifiable) by air agencies, it is highly improbable that, as written, they will produce more than a slight, if any, real ozone mitigation benefit. Realistically, because they are not enforceable, most will simply be ignored once project environmental documentation under CEQA is concluded and the project is approved.

24-37

↓ The RDEIR's Air Quality section provides very limited discussion of estimated architectural coatings that will occur from the construction of the proposed project, beginning at Section 4.5I-1, p. 4.5-8. The three bulleted types of construction pollutants found at the bottom one-third of page 4.5-8 should be expanded to include ROG emissions from architectural coatings. These coatings emissions (ROG) are environmentally significant and are relevant to the Sacramento federal ozone nonattainment area's (SFONA) State Implementation Plan (SIP) measure targeting reductions of ROG from indirect sources (such as the proposed development within Clover Valley) by one ton/day, based on the still-applicable 1994 SIP inventory. ROG is

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- ↑ formative of ozone with NOx in the presence of sunlight, and the RDEIR's Table 4.5-2, pg 4.5-5 shows repeated annual failures of the state ambient air ozone standard, and historical failures of the less stringent federal standard from sampling just upwind and to the west of the proposed project (Roseville). The RDEIR fails to model URBEMIS2002 architectural coatings or discuss coatings emissions that will result during construction, and directly during high-ozone summer months. Because ultra-low-emitting and zero-emitting architectural coatings are readily available in the marketplace with levels well below those limits considered in the RDEIR to be "low-VOC" (based on local air district rule or regulation), these coatings must be carefully considered for the proposed project, and discussed fully in the RDEIR. Further, our URBEMIS2002 modeling for the proposed project at Clover Valley using inputs discussed above shows that architectural coatings would produce around 2100 lb/day ROG over a 1.1 month period if all buildings were constructed in one year. This figure is substantial, and is relevant to the region's 1994 State Implementation Plan specified objective of reducing at least one ton/day of ozone forming emissions from new indirect sources, such as the proposed project. While we assume most buildings for the proposed project will in fact be constructed in one, or, at most, two years (and not over several years as the RDEIR states), ROG emissions from architectural coatings are incrementally significant and must be evaluated fully in the RDEIR and mitigated, as appropriate, using zero or ultra-low coatings. Lists of available ultra-low or zero-VOC architectural coatings are available from local paint dealers and the South Coast Air Quality Management District (www.aqmd.org). CEQA guidance requires that all reasonable and feasible mitigations must be employed for a project--irrespective of a responsible agency's rules and regulations that, to satisfy costly, lengthy, and time-consuming administrative rule revision requirements, often cannot keep up with technical, lower-emitting product improvements available in the marketplace and appropriate for CEQA mitigation.
- 24-38
- ↓ It is highly unlikely that the proposed project's buildout will occur with no more than 112 homes constructed each year for five years.⁴⁴ This important assumption by the RDEIR's consultants is not explained in the RDEIR, and has the unacceptable effect of spreading construction emissions over a longer period while concomitantly decreasing relative daily emissions. The significance of the proposed project's emission impacts is gauged against the PCAPCD's CEQA daily thresholds. Artificially extending construction-related emissions over a longer period causes daily increments to appear to be lower and, therefore, less significant than they will actually be once construction commences. If its modeling of phased construction of 112 homes per year (for five years) is to remain in the proposed project's final EIR, the proposed project's Mitigation, Monitoring and Reporting Plan (MMRP) must require that no more than this number of residential units per year may be constructed. If the City or developer refuses this limitation, or will not provide another effective means (as, perhaps, with a deed restriction), conservative modeling to satisfy CEQA's interest in worst-case assumptions must be undertaken to model construction emissions that will occur in one building season.

⁴⁴ Recirculated Draft DEIR, Volume I, pg 4.5-9

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Information in the RDEIR's Table 4.5-3⁴⁵ of construction emissions modeling for mass grading emissions, and at Appendix E⁴⁶, shows that project modeling utilized eight (8) Crawler Tractors, eight (8) Graders, and eight (8) Off-Highway Trucks, grading approximately 80 acres/day. No rationale is provided for selection of these units or for 80 acres/day. Mass grading over most or all the entire Clover Valley area each day is very likely to occur, based on routine industry practices, market demand, and project financing costs that routinely push for project construction in the shortest possible time (3-12 months, depending upon project size). The proposed project's environmental documents must reflect the rationale for selecting the lower number of equipment units for use in the URBEMIS model; without reasonable justification, modeling with use of an updated equipment inventory list is required.

Based on information provided in the RDEIR, over one million yards of soil will be excavated at Clover Valley, cut-and-fill operations of 60 feet will occur, and grubbing to between two (2) and four (4) inches of depth will occur over "a majority of the site"⁴⁷. Additionally, details necessary for modeling construction emissions for the proposed project's sewer collector lines to, through, and possibly beyond the project area are not found in the RDEIR's air quality element, nor is there discussion of discrete emission impacts that will result from sewer and drainage installations or improvements. These tasks will require greater numbers of off road diesel equipment (with relatively high emissions rates), and with greater and more varied horsepower ratings than those characterized in the RDEIR. Individual tasks must be estimated for their emissions impacts, using accurate estimates of acres/day grading and types and numbers of equipment.

24-39

The "cumulative air quality impacts" section at RDEIR p. 4.5-16 provides no discussion of the relationship of the proposed project's long-term operational emissions to the PCAPCD's CEQA threshold for cumulative emissions (10 lbs/day). This PCAPCD threshold has been in use by the air district prior to the preparation of the latest Clover Valley EIR, and it reflects local and regional air agency efforts to offset development-related emission impacts resulting from growth in population and vehicle use in the region. Roughly, 80% of the region's nonattainment for ozone is attributable to mobile source emissions. The proposed project's commitment to securing PCAPCD offsite mitigation offsets (4.5MM-2(d) at RDEIR pg 4.5-14) is predicated on reducing the proposed project's operational impacts to a level below the 10 lb/day cumulative criteria pollutant significance threshold (ROG, NOx), although the RDEIR fails to mention this fact. Offsets from the PCAPCD are generated by low-emission projects that will be undertaken to provide benefits co-located with the proposed project, but it is also notable that these benefits will generally expire at the end of their project lives (typically twelve years or less), while the proposed project's operational emissions will last for thirty to fifty years at least.

⁴⁵ Recirculated Draft DEIR, Volume I, pg 4.5-9

⁴⁶ Recirculated Draft DEIR, Volume II, Appendix E, pg 4

⁴⁷ Recirculated Draft DEIR, Volume II, Appendix K, Kleinfelder Report, pg 9

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The RDEIR fails to assess health risks associated with increased mobile construction and operational emissions in the Clover Valley project area, in combination with diesel emissions caused by routine, daily railroad operation on the nearby Union Pacific right-of-way. Diesel locomotives burn fuel with extremely high sulfur content, since they are federally regulated, and because California's fuel sulfur standards (requiring sulfur at one-tenth the federal standard) are pre-empted. Sulfur increases particulate emissions, and locomotives contribute relatively high amounts of particulate and toxic air contaminants and are a major source of particulate and toxic emissions in Placer County. Historical land uses at Clover Valley have limited the number of human exposures to locomotive-related emissions. Increasing trends for diesel on road vehicle use, together with proximate and increasing daily diesel locomotive traffic, reflect significant risk for exposures to the proposed project's residents. Written concerns expressed to the City of Rocklin by Union Pacific (November 17, 2004; October 10, 2005) reflect notice of the railroad's concern for potential negative impacts to residents of an approved project at Clover Valley; the letter dated October 10, 2005 states, among other things, that "...the project will be subject to noise and *other environmental considerations*" from railroad operation (italics added). Locomotive emissions containing toxic air contaminants are increasingly at issue with air agencies and citizens surrounding rail operations within Placer County, and particularly the Roseville train yard located only a few miles and relatively upwind of Clover valley.

In 1998, the California Air Resources Board formally declared diesel exhaust particulate as a Toxic Air Contaminant.⁴⁸ The Department of Health and Human Service's National Toxicology Program recently issued its "Report on Carcinogens" (9th edition) in which it classified diesel exhaust particulates as "reasonably anticipated to be a human carcinogen." In March 2000, the South Coast Air Quality Management District finalized a comprehensive urban study of toxic air pollutants and pollution sources in the Los Angeles area, measuring over 30 different toxic pollutants. Titled the "Multiple Air Toxics Exposure Study - II" (MATES - II), the analysis found that emissions of diesel particulates are responsible for 70% of human health risks associated with carcinogenic air pollution.

24-41

At p. 4.5-13, in considering woodstove particulate emissions, the RDEIR states "On winter evenings the steep walls of the narrow valley, in combination with stable atmospheric conditions and frequent light winds, can restrict transport and dilution of pollutants". If woodstove emissions from Clover Valley's residences will challenge dispersal conditions limited by the valley's steep geography, it is very likely that locomotive emissions will overwhelm them under appropriate meteorological conditions. Particulate and toxic air contaminants from woodstoves, off road diesel construction vehicles, on road vehicles, and locomotives in or near the steep-sided Clover Valley pose considerable risk to current and future residents, including seniors-only residents now uphill and within several hundred feet of the proposed project. The RDEIR fails to adequately discuss potential diesel and toxics-related emissions or their impacts, and it

⁴⁸ California Air Resources Board (CARB), Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

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similarly fails to discuss the advisability of a health risk assessment with dispersion modeling under the circumstances noted above. These deficiencies must be corrected in the project's environmental analysis, and if a health risk assessment with dispersion modeling is not undertaken reasons for this must be provided in the proposed project's environmental analysis.

24-42

Mitigation 4.5MM-1(b) at page 4.5-11 states that construction contractors will comply with emission control strategies developed by the PCAPCD, and that "PCAPCD personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emissions Evaluations of all heavy duty equipment on the inventory list." CARB has historically not provided staff to conduct equipment inspections to ensure CEQA mitigation compliance for a private development. If the lead agency or PCAPCD has made special arrangements for CARB-assisted inspections, it must reflect proof of this in its public documentation. Further, it is highly unlikely that routine inspections and compliance with visible emissions requirements for construction equipment will be provided by PCAPCD, since this function is well outside their normal responsibilities and limited budget. In order to effectively comply with this requirement, the City should require use of an independent CARB-certified environmental coordinator for visible emissions evaluations to: (1) perform visible emissions evaluations; and (2) take, record, and transmit routine readings and inspections each week to PCAPCD and the City (as lead agency, with responsibilities for ensuring mitigation effectiveness under CEQA). Failure to comply with the diesel equipment's exhaust opacity limitations requested by the PCAPCD for the proposed project, for failures of engine idling restrictions, or other mitigation requirements should require suspension of the offending equipment's operation until repairs are completed and subsequent opacity testing confirms compliance. The use of a qualified coordinator will provide protection to the City as lead agency, the proposed project's developer(s), the environment, and the public who must deal with project-related emissions.

24-43

At RDEIR section 4.5I-2, p. 4.5-12 wood burning emissions are characterized as a potentially significant impact, while at p. 4.5-14 mitigation measure 4.5MM-2(e) states that "only US EPA-certified woodstoves shall be installed." No wood burning appliances should be allowed at Clover Valley, since even EPA-approved devices emit roughly one thousand times the particulate, along with a host of toxic and criteria pollutants (benzene, dioxin, etc.), in comparison to zero-emitting electric or ultra-low emitting dedicated gas-burning units that present essentially the same external appearance and operational functionality. Gas and electric units give the traditional appearance of a wood fire, are priced comparably to woodstoves or wood burning inserts, are typically more efficient, and with fuel prices comparable or below retail hardwood firewood costs. Because the RDEIR has characterized wood burning emissions as a potentially significant impact, prohibiting wood burning appliances and fireplaces at Clover Valley in favor of dedicated gas or electric units is reasonable and feasible mitigation, or an environmentally superior alternative to wood burning appliances.

24-44

Mitigation measure 4.5MM-2(e), RDEIR pg 4.5-14 states that all proposed project fireplaces must be plumbed for natural gas, as if this will ensure reductions in related

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emissions. In fact, this will actually serve to increase wood burning since the use of natural gas to initiate wood combustion reduces a practical obstacle for most residents with fireplaces or wood burning devices. Traditional fireplaces, especially those plumbed with natural gas, lead inevitably to wood burning emissions and related particulate impacts, and they are terribly inefficient for heating purposes. If the proposed project must retain a "fireplace" option for its residential units, restrictions must allow only dedicated gas or electric insert units that can not burn wood or cellulosic materials. Language in measure 4.5MM2(e) also implies that wood burning emissions will be limited by the City's requiring that each residence must have "a primary heating source other than a fireplace." This is disingenuous, since construction-related energy efficiency standards applicable to all new residences, under the jurisdiction of the California Energy Commission, have not allowed woodstoves for primary heat for many years. With this language, it appears that the RDEIR tries for undeserved air quality mitigation credit from required compliance with an energy-based building standard.

24-45

III. CONCLUSION

We thank the City for the opportunity to submit these comments on the proposed Clover Valley project. Clover Valley is a unique bucolic setting within an ever-expanding urban area and we ask that the City give full consideration to the comments received and the concerns raised by the interested public to ensure that whatever its future, Clover Valley retains its unique characteristics.

Sincerely,

Keith G. Wagner, for
J. William Yeates
Attorney at Law

**LETTER 24: CLOVER VALLEY FOUNDATION – YEATES, J. WILLIAM, ATTORNEY,
MARCH 15, 2006**

Response to Comment 24-1

The comment does not address the adequacy of the RDEIR.

Response to Comment 24-2

The comment does not address the adequacy of the RDEIR.

Response to Comment 24-3

The comment does not address the adequacy of the RDEIR.

Response to Comment 24-4

The comment does not address the adequacy of the RDEIR.

Response to Comment 24-5

The RDEIR used existing on-site conditions, not potential future conditions, as the baseline for the environmental impact assessment. Please refer to the Environmental Setting discussion near the beginning of each technical subchapter in Chapter 4 of the RDEIR: Environmental Setting, Impacts, and Mitigation.

Response to Comment 24-6

As explained in the RDEIR, pages 5-1 to 5-2, the sewer line extension included as part of this project is sized to also provide sewer service to development of up to 501 residential units to the north of the project site, and an additional 23 residential units to the south of the project site. The project thus eliminates an obstacle to development of these units, and, to that degree, could be considered “growth-inducing.” However, in approving the project, the City is not approving the additional units, nor is the City committing itself to approving those units in the future. The City cannot and will not approve any such additional units without first analyzing the environmental impacts of such an approval in compliance with CEQA. The comment is incorrect insofar as it suggests that CEQA requires that this EIR analyze the environmental impacts of such future development, which may or may not ever occur. It is sufficient under CEQA that this EIR acknowledge that the project is removing an obstacle to such future growth.

Furthermore, it is important to recognize the distinction between inducing new growth and merely accommodating growth which is already planned for. The City’s General Plan already designates the areas in question outside the project for the 501 additional units to the north and the 23 units to the south. The City’s long-term plans thus already call for the eventual development of these sites, and the City has already certified an EIR for its General

Plan analyzing, at a programmatic level, the environmental impacts of such future development. A project's growth inducing impacts can be a problem where a project is inducing growth to occur which is not already planned for. The present project does not raise this problem. In fact, the City is requiring the present project to size the sewer pipes to accommodate this additional growth in order to be consistent with the South Placer Municipal Utility District's long-term infrastructure Master Plan. The project's growth "inducing" (or, rather, "accommodating") impacts thus do not constitute a significant adverse environmental impact.

Response to Comment 24-7

The RDEIR addresses the cumulative impacts of the proposed project throughout Chapter 4: Environmental Setting, Impacts, and Mitigation, and in Chapter 5.2: Cumulative Impacts. The technical reports that form the basis of impact discussions in the RDEIR (included as Volume 2: Technical Appendices) typically use modeling that reflects cumulative scenarios at specified years or conditions (e.g. Year 2025 conditions, or General Plan buildout). These scenarios are based on local planning documents; for instance, as noted on page 4.4-18 of the RDEIR, "Traffic volumes and roadway network assumptions with and without the proposed project in 2025 are based on the City of Rocklin Travel Demand Model as used for the Capital Improvement Program (CIP) and General Plan Update." Therefore, the technical reports take into account the effects of neighboring developments in the region, including the Bickford Ranch development. Therefore, the RDEIR provides an adequate evaluation of cumulative impacts resulting from project implementation.

Response to Comment 24-8 and 24-9

The change in LOS for the westbound approach to the intersection of Sierra College Boulevard and Del Mar Avenue from "C" to "D" is not considered a significant impact because the standard of significance for intersection operations is based on the overall level of service. For unsignalized intersections, a level of service is computed based upon the overall weighted average delay of all traffic utilizing the intersection.

Growth in traffic includes development within the City of Rocklin as well as development outside the City. Development at Bickford Ranch was included in the 2025 Current General Plan and 2025 Current General Plan Plus Project scenarios.

Operations at the intersection of Sierra College Boulevard and Del Mar Avenue are listed in Tables 4.4-4, 4.4-6, and 4.4-7. Because the impact is less-than-significant, no improvements are proposed at this location, including turn lanes and signalization.

Response to Comment 24-10

See Response to Comment 19-26

Response to Comment 24-11

The commenter asserts that the “Recirculated Draft EIR fails to adequately address the cumulative impacts of the proposed project ...” However, both subject intersections have been included in the DEIR cumulative analysis, as shown in Tables 4.4-6 and 4.4-7. The standards of significance for impacts have been applied to both locations, disclosing the extent of cumulative impacts.

The commenter’s calculations of traffic increases at these two intersections are based on Existing Plus Project conditions, where the overall intersection LOS at both intersections is LOS “A” both without and with the Proposed Project. Under 2025 conditions, the percentage increase at these intersections is significantly less.

Response to Comment 24-12

See Response to Comment 8-9 regarding the figures displaying potential sewer lines. The selection of alternatives is the responsibility of the SPMUD.

Response to Comment 24-13

This comment does not address the adequacy of the RDEIR.

Response to Comment 24-14

Construction of the sewer line will have minimal to no impacts to Springfield Middle School, which is located on Fifth Street and which is not adjacent to any of the proposed sewer improvements. (There are no other schools anywhere near the proposed sewer improvements.) Work in any roadways will require a traffic control plan that specifies the maximum amount of trench that can be opened in roadways, the hours of construction, the requirement to provide for two-way vehicular access during construction, and any other City-imposed requirements. The traffic control plan is required as part of the construction authorized by the City.

Response to Comment 24-15

The construction impacts of the sewer line, such as truck traffic, nominal traffic delays, some noise, will be typical of what one normally expects from such construction, and are identified in the relevant chapters of the RDEIR (noise, traffic, air quality, etc . . .) For example, the discussion of Impact 4.4I-4 addresses the “Disruption to traffic and circulation as a result of the construction of the off-site sewer line.” Likewise, Impact 4.6I-5 addresses the “Temporary project construction noise impacts due to on-site construction and off-site sewer line extension construction.”

Response to Comment 24-16

Please see Responses to Comments 24-12 through 24-15.

Response to Comment 24-17

Impact 4.6I-5 addresses noise impacts associated with construction. Construction activities generate short-term periods of elevated noise levels. As a result, a finding of potentially significant noise impact was made relative to construction activities, and appropriate noise mitigation measures were included in the RDEIR to reduce this impact to a less-than-significant level.

Response to Comment 24-18

See Sections 2, 3 and 4 of Master Response 8 – Biological Resources.

Response to Comment 24-19

See Sections 2, 3 and 4 of Master Response 8 – Biological Resources.

Response to Comment 24-20

Recital D of the Development Agreement (DA) describes the approved entitlements of record at the time the DA was considered. Those statements of fact are not binding terms of the DA which obligate the developer to construct specific areas of parks. The comment mischaracterizes the recital as a binding term of the agreement. Though the commenter is correct that the total parkland provided for the proposed project is less than that identified in the 1997 DA, the total open-space area is significantly increased. See Table 3-1 in the Project Description of the EIR for more details. In addition to the increase in total open space, the applicant would be required to provide appropriate parkland dedication and/or fees as noted in Chapter 4.12, Public Services and Facilities. The DA specifically contemplates changes to the then approved entitlements referenced in Recital D as set forth in subpart 4.1 of Section 4 of the DA on Subsequent Approvals.

Response to Comment 24-21

Recital D of the Development Agreement (DA) describes the approved entitlements of record at the time the DA was considered. Those statements of fact are not binding terms of the DA which obligate the developer to construct specific areas of parks. The comment mischaracterizes the recital as a binding term of the agreement. The DA specifically contemplates changes to the then approved entitlements referenced in Recital D as set forth in subpart 4.1 of Section 4 of the DA on Subsequent Approvals. The EIR analyzes impacts associated with the full 5-acres of the proposed commercial development for the proposed project site. See Impact 4.2I-1 for a discussion of impacts related to consistency with the General Plan land use designations for the proposed project area.

Response to Comment 24-22

See Sections 2, 3 and 4 of Master Response 8 – Biological Resources.

Response to Comment 24-23 and 24-24

See Sections 2, 3 and 4 of Master Response 8 – Biological Resources.

Response to Comment 24-25

The commenter correctly notes that the RDEIR finds a less-than-significant impact pertaining to loss of oak woodland habitat. The City of Rocklin has concluded that the standards of significance listed on page 4.8-24 of the RDEIR, as pertaining to oak woodland habitat, would not be exceeded by the proposed project's removal of 26.3 percent of the oak trees on-site. This is because, as stated on page 4.8-37 of the RDEIR, "Most of the oak trees proposed for removal are isolated from, or at the edges of the stands of oak trees that would be preserved." These stands comprise nearly 75 percent of the oak woodland on-site.

The RDEIR nonetheless finds a significant and unavoidable impact to oaks on the project site (Impact 4.8I-1, pp. 4.8-25 to 4.8-27) and a significant cumulative impact to biological resources in the project area (Impact 4.8I-16, p. 4.8-56) as a result of project implementation.

Response to Comment 24-26

The commenter is correct in stating that the existing visual character of the site would be substantially modified by construction of the proposed project, hence the finding of significant and unavoidable aesthetic impacts in the RDEIR (Impact Statements 4.3I-1 and 4.3I-8.) In spite of the predicted significant and unavoidable impacts, the applicant would still be required to implement Mitigation Measures 4.3MM-1, -7, -8(a), and -8(b) to reduce these impacts to the degree feasible. See Master Response 3 - Aesthetics

Response to Comment 24-27

The proposed six-foot sound walls along Park Drive and Sierra College Boulevard were included as part of the initial design of the project. The aesthetic impacts of the development project, which includes the sound walls in question, are evaluated in Chapter 4.6 of the RDEIR. Impacts to views from the west of the project site (including Park Drive) are less than significant (see Impact 4.3I-5), whereas visual impacts to views from Sierra College Boulevard are found to be significant and unavoidable (Impact 4.3I-2). See Master Response 3 – Aesthetics

Response to Comment 24-28

See Master Response 6 – Noise

Response to Comment 24-29

See Master Response 3 – Aesthetics

Response to Comment 24-30

The URBEMIS runs utilized default values for the Lower Sacramento Valley for all variables except trip rates. While URBEMIS does provide default trip generation rates, the guidance document recommends using project-specific trip rates when available. The rates used in the analysis are those specified by the project transportation engineer.

Response to Comment 24-31

See Master Response 4 – Traffic

Response to Comment 24-32

See Master Response 4 – Traffic

Response to Comment 24-33

See Master Response 4 – Traffic

Response to Comment 24-34

Construction emissions shown in Table 4.2.3 in the DEIR are not affected by assumptions regarding trip generation. See Response 24-30 through 24-33 regarding URBEMIS trip rate assumptions. The DEIR estimates of emissions are based on assumptions consistent with the traffic section of the DEIR. With respect to mitigation of air quality impacts, see Response 2-9 and revisions to Mitigation Measure 4.5 MM-2(d) which requires that on-site mitigation as well as purchase of offsets sufficient to reduce the project's impacts to a less-than-significant level.

Response to Comment 24-35

See Response 24-30 and Master Response 5 – Air Quality. URBEMIS default trip rates are to be used only when project-specific information is not available.

Response to Comment 24-36

Substantial revisions to Mitigation Measures 4.5-2c and 4.5-2d have been made in response to comments from the Placer County APCD. Elimination of wood burning within the project and requirement for offsets of project residual impacts to reduce impacts to 10 pounds per day for ROG and PM₁₀ would reduce project impacts to less-than-significant level.

Response to Comment 24-37

The PCAPCD does not have formal guidelines or recommendations for the use of URBEMIS program. The adjacent Sacramento Metropolitan Air Quality Management District does, however, have detailed recommendations for using URBEMIS to estimate construction period emissions, and this guidance was used in the DEIR analysis. The SMAQMD recommends that URBEMIS runs not include architectural coatings. The SMAQMD and other air districts make this recommendation because:

- The URB|EMIS methodology for architectural coating emission is highly inaccurate;
- Architectural coatings use is an existing source included in the emission inventories of each county, so project emissions do not necessarily represent new emissions within the area; and
- Emissions from this source are regulated by local air district regulations.

Response to Comment 24-38

As stated in the RDEIR construction parameters were taken from Sacramento Metropolitan AQMD guidance. The assumption that the project would be built out over a period of 5 years was made because of URBEMIS's inability to handle phased development. This assumption, however, only affects the estimate of "building construction" emissions and has no effect on the maximum construction emission, which is associated with site grading.

The calculation of grading emissions was based on an area of active grading 80 acres in size. This is the area actively under site construction with operating equipment at any one time. The active grading of 80 acres at one time is a very conservative estimate, and was selected to purposely generate conservative estimates of emissions. Because the estimates were conservative, they likely overstated the air quality impacts of the site grading.

Response to Comment 24-39

See Response to Comment 24-36. While the effectiveness of offsets can diminish over time, impacts of the project also diminish over time. Due to gradual improvements in emission controls on vehicles, project impacts would be at a maximum at the time of project completion and would diminish gradually after that point. Project impact evaluation and computation of necessary offsets is based on the maximum, worst-case emissions.

Response to Comment 24-40

In 1998 the California Air Resources Board identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). CARB has completed a risk management process that identified potential cancer risks for a range of activities using

diesel-fueled engines. High volume freeways, stationary diesel engines and facilities attracting heavy and constant diesel vehicle traffic (distribution centers, truckstop) were identified as having the highest associated risk. No such facilities are located near the project site. Studies of health risks associated with diesel emissions from the Roseville Rail Yard found that emission from that source have a significant health risk effect on the City of Roseville.

The California Air Resources Board recently published an air quality/land use handbook.¹ The CARB handbook recommends that planning agencies strongly consider proximity to these sources when finding new locations for "sensitive" land uses such as homes, medical facilities, daycare centers, schools and playgrounds. Air pollution sources of concern include freeways, rail yards, ports, refineries, distribution centers, chrome plating facilities, dry cleaners and large gasoline service stations. The handbook includes a recommendation to avoid siting new, sensitive land uses within 1,000 feet of a major service and maintenance rail yard (such as the Roseville Rail Yard). The project is over 5 miles from the Roseville Rail Yard. Being located at the northeast corner of Rocklin, the project site has a lower exposure to emissions from the Roseville Rail Yards than any location within Rocklin.

The handbook has no recommendations regarding siting sensitive land uses near a rail corridor. Because of the limited number of trains, lack of stationary idling of locomotives and the dispersion of pollutants by moving trains, the potential exposure near a rail corridor is only a small fraction of that near a major rail yard.

The exposure of Clover Valley to rail emissions is quite limited. The train corridor runs along the eastern edge of the southern two-thirds of the project site before moving further east. The corridor is actually in the Antelope Creek watershed at that location, separated from Clover Valley by a ridge of land. The train corridor does not enter in to the Clover Valley watershed until it is several miles north of the project site.

Health risks from Toxic Air Contaminants are function of concentration. Long-term concentrations are in turn determined by distance from the source and location with respect to prevailing winds. During the daytime up-valley winds predominate which carry pollutants to the north and east, largely away from the project site. During nighttime hours, when downhill drainage flows predominate, transport of pollutants would be toward the south and east, and the presence of the ridge on the east side of Clover Valley would tend to keep railroad pollutants outside Clover Valley.

Residences on the east side of the project would be closest to the rail corridor, and would have the largest exposure to railroad emissions. Residences would all have a substantial setback from the rail corridor, provided either by intervening properties outside the project boundaries or open space corridors provided within the project boundaries. Also, these residences would be substantially elevated above the rail line. Because of the

¹ California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective, April 2005.

above reasons, exposure of project residents to diesel exhaust from would be minimal, and the impact of rail line emissions on the project deemed less-than-significant.

Response to Comment 24-41

See Response 24-40. Railroad emissions occur downwind and downhill from the project. The majority of the project is separated from the rail line east of the site by elevated terrain. See Response 39-7 regarding dispersion modeling and assessment of health risks.

Response to Comment 24-42

See Response to Comment 2-5. Mitigation Measure 4.5MM1(b) has been modified to clarify that monitoring of equipment emissions is the applicant's responsibility provide mitigation monitoring by appropriately-qualified persons.

Response to Comment 24-43

See Response to Comment 2-10.

Response to Comment 24-44

See Response to Comment 2-10.

Response to Comment 24-45

The comment does not address the adequacy of the RDEIR.