

2 COMMENTS AND RESPONSES TO ENVIRONMENTAL ISSUES

This section of the Final EIR contains comment letters received during the public review period for the Draft EIR. The draft EIR (State Clearinghouse Number 2006112060) was received on May 6, 2009 by the State Clearinghouse, which provided a 45-day public review period ending June 19, 2009. This section also includes the oral comments received during the Rocklin City Council and Rocklin Planning Commission Special Joint Meeting held on June 18, 2009 to receive comments on the Draft EIR. In conformance with State CEQA Guidelines Section 15088(a), written responses to comments on environmental issues received from reviewers of the Draft EIR were prepared, including both written and oral comments.

2.1 LIST OF COMMENTS ON THE DRAFT EIR

Table 2-1 identifies a number for each comment letter received, the author of the comment letter, the comment letter date, the comment number and the comment topic.

Table 2-1 Written and Oral Comments Received on the Draft EIR				
Letter #	Commenter	Date	Comment Number	Comment Topic
State Agencies				
1	State of California, Governor’s Office of Planning and Research, Terry Roberts, Director, State Clearinghouse	6/22/09	1-1	Other
2	State of California, Department of Transportation, District 3, William A. Davis, Chief, Office of Transportation Planning - East	6/18/09	2-1	Traffic
			2-2	Traffic
			2-3	Traffic
			2-4	Traffic
3	State of California, Native American Heritage Commission, Katy Sanchez, Program Analyst	5/11/09	3-1	Cultural Resources
Regional and Local Agencies				
4	Placer County Air Pollution Control District, Angel Rinker, Associate Planner	6/25/09	4-1	Air Quality
			4-2	Air Quality
5	Placer County Community Development Resource Agency, Janelle Heinzler, ESD	6/23/09	5-1	Traffic
6	Placer County Health and Human Services Department, Grant Miller, REHS	6/15/09	6-1	Hazards
7	Placer County Flood Control and Water Conservation District, Andrew Darrow, P.E., Development Coordinator	6/23/09	7-1	Drainage
8	South Placer Municipal Utility District, Richard R. Stein, Engineering Manager	6/9/09	8-1	Public Utilities
			8-2	Public Utilities
			8-3	Public Utilities
			8-4	Public Utilities
			8-5	Public Utilities
			8-6	Public Utilities
			8-7	Public Utilities
			8-8	Public Utilities
9	United Auburn Indian Community of the Auburn Rancheria, Greg Baker, Tribal Administrator	6/10/09	9-1	Cultural Resources
			9-2	Cultural Resources

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter #	Commenter	Date	Comment Number	Comment Topic
Members of the Public				
10	Rusty and Lisa Pywtorak	6/26/09	10-1	Visual Resources
			10-2	Noise
			10-3	Hazards
			10-4	Water Quality
			10-5	Fiscal
11	Frank and Jayne Parker (also signed by Arlan and Janette Cokeley)	6/25/09	11-1	Other
			11-2	Hydrology
			11-3	Noise
			11-4	Miscellaneous
			11-5	Biological Resources
			11-6	Hydrology
			11-7	Other
12	Richard and Margaret Ramsey, and daughter Vicki Ramsey, from Law Office of Lo Duca & Avids, LLP	6/29/09	12-1	Traffic
			12-2	Noise
			12-3	Noise
			12-4	Noise
			12-5	Public Utilities
			12-6	Visual Resources
			12-7	Hydrology
			12-8	Hydrology
13	Town of Loomis, Attorney Donald B .Mooney	6/26/09	13-1	Hydrology
			13-2	Visual Resources
			13-3	Visual Resources
			13-4	Land Use
			13-5	Traffic
			13-6	Hydrology
			13-7	Cumulative Impact
			13-8	Traffic
			13-9	Traffic
			13-10	Traffic
			13-11	Traffic
			13-12	Traffic
			13-13	Traffic
			13-14	Climate Change
			13-15	Climate Change
			13-16	Climate Change
14	Sierra Club, Placer Group, Marilyn Jasper, Chair	6/29/09	14-1	Public Utilities
			14-2	Hydrology
			14-3	Hydrology
			14-4	Water Quality
			14-5	Water Quality
			14-6	Water Quality
			14-7	Hydrology
			14-8	Hydrology
			14-9	Growth Inducement
			14-10	Biological Resources
			14-11	Biological Resources
			14-12	Biological Resources
			14-13	Hydrology
			14-14	Miscellaneous

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter #	Commenter	Date	Comment Number	Comment Topic
Public Hearings				
15	Special Joint Meeting of the Rocklin City Council and Rocklin Planning Commission Public Hearing of Rocklin 60 Project	6/18/09	15-1	Noise
			15-2	Public Utilities
			15-3	Public Utilities
			15-4	Other
			15-5	Other
			15-6	Other
			15-7	Hydrology
			15-8	Hydrology
			15-9	Traffic
			15-10	Other
			15-11	Other
			15-12	Traffic
			15-13	Other
			15-14	Fiscal
15-15	Fiscal			
15-16	Visual Resources			

2.2 COMMENTS AND RESPONSES ON THE DRAFT EIR

The written comments received on the Draft EIR and the responses to those comments are provided in this section.



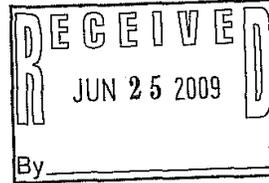
STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
 STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

June 22, 2009



David Mohlenbrok
 City of Rocklin
 3970 Rocklin Road
 Rocklin, CA 95677

Subject: Rocklin 60
 SCH#: 2006112060

Dear David Mohlenbrok:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 19, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
 Director, State Clearinghouse

Enclosures
 cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
 (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2006112060
Project Title Rocklin 60
Lead Agency Rocklin, City of

Type EIR Draft EIR
Description The project consists of a residential subdivision of 56.9 acres of land. The site is proposed to be subdivided into 179 single-family residential lots (ranging from a minimum size of 6,000 square feet to a maximum of 40,600 square feet, with an average lot size of 6,500 square feet) and three large lots for a stormwater and open space along the Secret Ravine riparian corridor.

Lead Agency Contact

Name David Mohlenbrok
Agency City of Rocklin
Phone 916-625-5162 **Fax**
email
Address 3970 Rocklin Road
City Rocklin **State** CA **Zip** 95677

Project Location

County Placer
City Rocklin
Region
Lat / Long 38° 47' 36.3" N / 121° 11' 12.5" W
Cross Streets Sierra College Boulevard, I-80
Parcel No. various
Township **Range** **Section** **Base**

Proximity to:

Highways I-80
Airports
Railways
Waterways Secret Ravine
Schools
Land Use Low Density Residential, Medium Density Residential, Retail Commercial, Recreation/Conservation

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 2; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services; California Highway Patrol; Caltrans, District 3; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 05/06/2009 **Start of Review** 05/06/2009 **End of Review** 06/19/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Letter
1
Response**

Governor's Office of Planning and Research, State Clearinghouse and Planning Unit,
Terry Roberts, Director, State Clearinghouse
June 22, 2009

- 1-1 The commenter identifies when the Draft EIR was received by the State Clearinghouse and the agencies that reviewed the document. No additional response is necessary.

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
703 B STREET
P. O. BOX 911
MARYSVILLE, CA 95901-0911
PHONE (530) 741-4233
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TTY (530) 741-4509



*Flex your power!
Be energy efficient!*

June 18, 2009

09PLA0009
SCH #2006112060
Rocklin 60 Residential
Draft Environmental Impact Report (DEIR)

Mr. David Mohlenbrok
Community Development Department
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677 Address

Dear Mr. Mohlenbrok:

Thank you for the opportunity to review and comment on the Rocklin 60 Residential Project. This project, located south of Interstate 80 (I-80) and east of Sierra College Boulevard in the City of Rocklin, plans for the development 57 acres of vacant land into 179 single family residential units. The department of Transportation and its internal division's comments are as follows:

Travel Forecasting

The existing peak-hour traffic volumes used in the Transportation Impact Study (TIS) attached to the Draft Environmental Impact Report (DEIR) describe ramp locations listed below lower than 2006 Caltrans counts reported in the Transportation System Network (TSN):

- I-80 WB on ramp from Rocklin Road (Intersection #3) AM peak hour reported as 753 in the TIS (Caltrans TSN 2006 peak hour volume =1324)
- I-80 WB on ramp from Rocklin Road (Intersection #3) PM peak hour reported as 1021 in the TIS (Caltrans TSN 2006 peak hour volume =1374)
- I-80 WB off ramp to Horseshoe Bar Rd (Intersection #15) AM peak hour reported as 183 in the TIS (Caltrans TSN 2006 peak hour volume =261)
- I-80 EB off ramp (loop off) to Horseshoe Bar Rd (Intersection #16) PM peak hour reported as 367 in the TIS (Caltrans TSN 2006 peak hour volume =570)

Please verify and revise the forecast volumes and Level of Service (LOS) reported in Traffic Impact Study. These volumes and mismatching figures might cause significant impacts and major flaws in the Final Environmental Impact Report's (FEIR) mitigation measures.

"Caltrans improves mobility across California"

David Mohlenbrok
June 18, 2009
Page 2

Please provide us with revisions to all documentation for further review.

Traffic Operations

- The project is expected to generate 138 a.m. peak hour trips and 182 p.m. peak hour trips. A traffic report was included in the DEIR for this project. The report indicated that the segments of Sierra College Boulevard, Rocklin Road, and Taylor Road are currently operating with daily traffic volumes that exceed capacity.
- This project will contribute additional trips to these roadways. In addition, the intersections of Rocklin Road/EB ramps, Rocklin Road/WB ramps, and Taylor Road and Horseshoe Bar Road are currently operating at LOS F. This project will further exacerbate the current unacceptable levels of service at these intersections.
- Please assure the project proponent contribute fair share funds toward the improvement projects identified in the City of Rocklin Capital Improvement Program (CIP). These projects include widening improvements for Sierra College Road, Rocklin Road and the reconstruction of the Rocklin Road/I-80 interchange.

As this project continues please provide our office with copies of further action and/or documents pertaining to this matter. If you have any questions regarding these comments please do not hesitate to contact Aaron Cabaccang, Aaron.Cabaccang@dot.ca.gov, (530)741-5174.

Sincerely,



William A. Davis, Chief
Office of Transportation Planning - East

c: Steven Vo, Travel Forecasting

Michael Smith, Caltrans Traffic Operations

"Caltrans improves mobility across California"

2-1 This comment discusses traffic volume discrepancies at several locations along I-80 ramps where the existing peak hour traffic volumes used in the project’s traffic analysis were lower than 2006 Caltrans counts reported in the Transportation System Network (TSN).

The existing peak-hour traffic volumes used in the traffic analysis were manually counted by an independent traffic count firm, All Traffic Data, Inc. (ATD), for the a.m. and p.m. peak hours at each intersection. Existing traffic counts at the 18 study intersections were collected in October 2006 (a.m. and p.m. peak hours) and September 2006 (Saturday peak hour). These counts were taken during a non-holiday period when schools were in session, and therefore include the traffic generated by Sierra College and all schools within the study area. The traffic count sheets were included in Appendix B to the DEIR.

A review of several traffic studies for other contemporaneous developments (Sierra College Center, Lowe's, Clover Valley, etc.) in the City of Rocklin shows that the existing (2006) counts conducted for the traffic analyses for these developments were less than the existing counts used in the Rocklin 60 traffic study at the Interstate 80 (I-80) ramps on Rocklin Road (and less than those noted by Caltrans in their Transportation System Network). The traffic counts, forecast volumes, and levels of service (LOS) reported in the traffic studies conducted by other independent consultants were consistent with those included in the Rocklin 60 traffic report, and as such, there is not a need for revisions to the peak hour traffic volumes used in the traffic analysis conducted for the Rocklin 60 project, with the exception of those noted below.

The volume on the I-80 eastbound (EB) off-ramp at Horseshoe Bar Road (Intersection # 16) during the p.m. peak hour was reported as 367 in the traffic study. Also, the existing volume graphic (in the DEIR) shows identical volumes for the a.m. peak hour and the p.m. peak hour. A review of the peak-hour volume counts collected by ATD shows that the p.m. peak-hour analysis was conducted using an incorrect volume (the a.m. peak-hour volume was used). The actual (based on traffic counts) p.m. peak-hour count for the I-80 EB off-ramp to Horseshoe Bar Road (Intersection #16) is 512, which is close to the Caltrans Transportation Systems Network 2006 peak-hour volume of 570. The analysis for the p.m. peak hour at the intersection of Horseshoe Bar Road/I-80 EB ramps was revised for all the existing scenarios (existing, existing plus project, existing plus approved projects, and existing plus approved projects plus project). As a result of these revisions, there are no new project impacts, as the project does not add any traffic to the intersection of Horseshoe Bar Road/I-80 EB ramps. The revised LOS for the p.m. peak-hour for all the scenarios is summarized in the table that follows:

Table A - Intersection 16: Horseshoe Bar Road/I-80 EB Ramp Corrected Delay and LOS

Intersection		Intersection 16: Horseshoe Bar Road/I-80 EB Ramp					
		AM Peak Hour		PM Peak Hour		Saturday	
		Delay	LOS	Delay	LOS	Delay	LOS
	Existing	16.4 sec	C	18.3 sec	C	12.1 sec	B
	Existing plus Project	16.4 sec	C	18.3 sec	C	12.1 sec	B
	Existing plus Approved	16.4 sec	C	18.5 sec	C	12.2 sec	B
	Existing plus Approved plus Project	16.4 sec	C	18.5 sec	C	12.2 sec	B

2-2 This comment discusses trip generation attributable to the project and level of service (LOS) impacts.

Daily LOS is a measurement tool for planning-level analysis that is generally used to determine the overall cross-sections of roadways within a circulation network. While it can provide a preliminary indication during the planning process of whether the existing or forecast volumes would be accommodated within the existing or future roadway width, it does not provide an accurate representation of the actual operation of the roadway, especially during the peak hours of the day. This is because traffic along a roadway segment will be highest during the peak commute hours. As a result, if traffic operations are satisfactory during the peak hours, when traffic volumes are highest, the segment will also operate at satisfactory LOS during the remaining off-peak hours of the day.

For the roadway segment analysis, the peak-hour directional volume-to-capacity (v/c) ratio is the critical LOS threshold, and if the peak-hour capacity is exceeded, the segment is considered to be operating at an unsatisfactory LOS. A peak-hour LOS analysis of the roadway segments of Sierra College Boulevard, Rocklin Road, and Taylor Road that are currently shown to be operating with daily traffic volumes that exceed capacity per the daily LOS evaluation shows that all the segments are operating at LOS B or better during the peak hours. The directional peak-hour volume for each roadway segment was used to conduct and refine the LOS analysis.

2-3 This comment discusses trips generated by the project that would affect specific roadways and intersections.

The commenter is correct in noting that the project will contribute additional trips to the project area roadways and that the project will exacerbate the current unacceptable levels of service at intersections that are currently operating at unacceptable levels of service, including the intersections of Rocklin Road/EB ramps, Rocklin Road/WB ramps, and Taylor Road and Horseshoe Bar Road as identified by the commenter. However, as presented in the Draft EIR, the traffic analysis for the project determined that the additional traffic generated by the proposed project would not exceed the City's significance thresholds for identifying a significant traffic impact, including at the three intersections noted above. For impacts to traffic level of service, the City has determined that a project would have a significant impact if it would cause roads to deteriorate so that the level of service would be "D" or worse for all streets and intersections further than ½ mile from an access point to I-80, or if the project would cause roads to deteriorate to level of service "E" or worse for streets and intersections within ½ mile from direct access to I-80.

Based on the City's significance threshold, if an intersection or roadway segment is already operating at an unsatisfactory LOS, an increase of 5 percent (addition of 0.05) to the v/c ratio would be considered a measurable worsening of the roadway or intersection operations, and therefore would constitute a significant project impact.

If an unsignalized intersection is already operating at unsatisfactory LOS D (LOS E within 0.5 mile of the freeway access), then the addition of more than 5 percent of the total traffic at the intersection would be considered a significant project impact. The City has determined, based on the expert opinions of its traffic consultants and traffic engineering staff, that a 5-percent threshold is appropriate in determining that a measurable adverse change has occurred to an intersection. This threshold applies even where project traffic will be added to existing or projected conditions that are already unacceptable or are projected to be unacceptable under cumulative conditions even without the project.

The commenter has not provided alternative suggestions for a significance threshold to use where transportation facilities would operate at unacceptable levels of service without the subject project. The City has exercised its discretion to create level of service policy to address incremental degradations, as have other jurisdictions. Since this impact is related to perception of transportation level of service, it is appropriate for different lead agencies to have different policies on level of service that is reflective of local variations in taste and perception. Even within a jurisdiction oftentimes the level of service standard is variable. For the City of Rocklin, as noted earlier, intersections near highways have a lower (more permissive) level of service standard than do intersections further away from highways.

The City does not subscribe to the notion that, where existing conditions or projected cumulative condition are already bad or will be bad even without the project, any additional traffic from the project represents a significant impact or a cumulatively considerable contribution to a significant cumulative impact. The City's rejection of this notion reflects the nature of traffic impacts, compared with other categories of environmental impact, which often involve public health or ecological concerns. Worsened traffic congestion might cause irritation or inconvenience to people, but not any adverse effects on public health or ecosystems. Thus, while the addition of relatively small amounts of air pollution in a polluted air basin might worsen the adverse health effects of air pollution, no similar health effects result from additional congestion. Similarly, while the loss of relatively small amounts of the habitat of an endangered or threatened species might cause ecological consequences of note, worsened congestion has no such consequences to biological resources. In fact, "mitigation" for traffic impacts often has its own adverse consequences on biological resources (i.e., road widenings often wipe out habitat areas). In short, the City believes that a "one car" threshold of significance for impacts on already-congested transportation facilities is neither practical nor desirable, from a public policy standpoint, nor is such an approach mandated by CEQA or CEQA case law. Minor changes in transportation level of service that may increase slightly human inconvenience is not, in the City's view, a "significant effect on the environment."

2-4

This comment discusses fair-share contributions to transportation improvements.

Comment noted. Although no traffic mitigation measures were identified in the Draft EIR, the project will be required to contribute fees on a fair-share basis to transportation improvements, as required by the City. As noted on page 4.2-11 of the Draft EIR, the City's Traffic Impact Fee and Capital Improvement Program (CIP) defines the roadway and intersection improvements needed to maintain the Level of Service (LOS) policy adopted in the City's General Plan. The City regularly monitors traffic on City streets in order to identify in the City's CIP those improvements that are needed to maintain an acceptable LOS, as well as traffic fees and other financing mechanisms to construct such improvements. The City updated its CIP and traffic impact fees in 2005, and extended the horizon year from 2020 to 2025. On May 22, 2007, the Rocklin City Council adopted Resolution No. 2007-126, increasing the Citywide traffic impact fee based on increased construction costs for all developments within the City. In conjunction with this fee increase, the City also updated its CIP to include improvements to Rocklin Road and Sierra College Boulevard in the vicinity of the proposed project.

The traffic impact fee program is one of the various methods that the City of Rocklin uses for financing improvements identified in the CIP. The CIP, which is overseen by the City's Engineering Division, is updated periodically to assure that growth in the City and surrounding jurisdictions does not degrade LOS on City roadways. The roadway improvements that are identified in the CIP in response to anticipated development and population growth are consistent with the City's Circulation Element. The traffic impact fee program collects funds from new development in the City to finance the portion of roadway improvements that are needed to

convey traffic generated by new development. Fees are calculated on a Citywide basis, differentiated by type of development and the corresponding trip generating characteristics of different types of development. The intent of the fee is to provide an equitable means of ensuring that future development contributes on a fair-share basis to roadway improvements, so that the City's General Plan Circulation policies and quality of life can be maintained.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax



May 11, 2009

David Mohlenbrok
 City of Rocklin
 3970 Rocklin Road
 Rocklin, CA 95677



RE: SCH#2006112060 Rocklin 60; Placer County.

Dear Mr. Mohlenbrok:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
 Program Analyst
 (916) 653-4040

CC: State Clearinghouse

Native American Contact
Placer County
May 11, 2009

Rose Enos
15310 Bancroft Road Maidu
Auburn , CA 95603 Washoe
(530) 878-2378

United Auburn Indian Community of the Auburn Rancheria
Jessica Tavares, Chairperson
10720 Indian Hill Road Maidu
Auburn , CA 95603 Miwok
530-883-2390
530-883-2380 - Fax

Todd Valley Miwok-Maidu Cultural Foundation
Christopher Suehead, Cultural Representative
PO Box 1490 Miwok
Foresthill , CA 95631 Maidu
tvmmcf@foothill.net

United Auburn Indian Community of the Auburn
Tribal Preservation Committee
10720 Indian Hill Road Maidu
Auburn , CA 95603 Miwok
530-883-2390
530-883-2380 - Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2006112060 Rocklin 60; Placer County.

3-1

The NAHC recommended that the appropriate Information Center be contacted for a records search to determine whether or not the property has been surveyed and whether or not recorded archaeological sites are located inside the project area. The NAHC recommended that if the project area had not been previously surveyed, then a professional archaeologist prepare a confidential survey report to be submitted to the Information Center. The NAHC recommended that it be contacted to perform a sacred lands file check and for a list of Native American community members who may have comments about the project. The NAHC recommended that the lead agency include, as part of its mitigation plan, provisions for unanticipated discovery and monitoring of sensitive areas by an archaeologist and tribal monitor.

In summary, the assessment of cultural resource impacts included in the Draft EIR was conducted consistent with the requirements identified by the commenter.

ECORP, a consultant that prepared the analysis of cultural resource issues for this EIR, conducted records searches of pertinent cultural resource information with the North Central Information Center of the California Historical Resources Information System at California State University, Sacramento on January 23, 2003 and February 16, 2005. The findings from these searches are summarized in Table 4.13-1 of the Draft EIR and are reported in the survey report prepared for the project by ECORP in 2006.

The impact analysis in the Draft EIR was based on technical resource investigations conducted by ECORP Consulting, Inc. in 2005 and 2006. These investigations were reviewed for technical adequacy and were found to be satisfactory for meeting the requirements of CEQA.

The Native American Heritage Commission (NAHC) was contacted concerning potential areas of Native American concern regarding the Rocklin 60 project area. The NAHC conducted a search of the Sacred Lands File and provided a list of appropriate regional Native American tribal contacts and individuals with a potential interest in the project. Contact letters were mailed to the NAHC-suggested contacts to provide them with an opportunity to comment on the proposed project and contribute information on cultural resources or areas of concern potentially located within and in the vicinity of the project area. The City followed up with another letter inviting comments in July of 2006. No responses were received on either outreach effort.

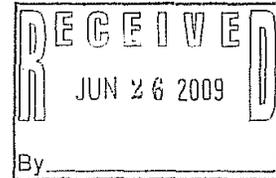
The Draft EIR provides measures for the management of unanticipated discovery of cultural resources, including the role of Native Americans (see Mitigation Measures 4.13-2 and 4.13-3 on page 4.13-12 of the Draft EIR). For more information regarding the cultural resource evaluation conducted for the proposed project, the commenter is referred to Section 4.13, Cultural Resources, of the Draft EIR.



June 25, 2009

Dara L. Dungworth
Community Development Department,
Planning Division
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677
dara.dungworth@rocklin.ca.us

Sherri Abbas, Planning Services Manager
Community Development Department
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677
sherria@ci.rocklin.ca.us



Subject: Rocklin 60 Project, Draft EIR

Dear Ms. Dungworth:

The Placer County Air Pollution District (District) has reviewed the DEIR for above referenced project and has the following comments:

The DEIR contains Air Quality mitigation measures which were prepared in 2007 and are currently out of date. The DEIR should be updated to reflect our current mitigation measures.

(Replaces 4.3-1(1)): 1a. The applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. This plan must address the minimum Administrative Requirements found in section 300 and 400 of APCD Rule 228, Fugitive Dust. The applicant shall not break ground prior to receiving APCD approval of the Construction Emission / Dust Control Plan.

1b. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall be updated, beginning 30 days after any initial work on site has begun, and shall be submitted on a monthly basis throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the property owner, project manager, and on-site foreman.

1c. The applicant shall provide a plan to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

(Replaces 4.3-1(2 and 3)): Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they shall be controlled as to not to exceed Placer County APCD Rule 228 Fugitive Dust limitations.

(Replaces 4.3-1(4)): Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified to cease operations and the equipment must be repaired within 72 hours. Additional information regarding Rule 202 can be found at: <http://www.placer.ca.gov/Departments/Air/Rules.aspx>

(Replaces 4.3-1 (5 and 6)):

Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water to control dust, as required by Rule 228, Fugitive Dust, to prevent dust impacts offsite. Operational water truck(s), shall be onsite, at all times, to control fugitive dust.

(Replaces 4.3- (8)):

Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. Dry mechanical sweeping is prohibited.

(Replaces 4.3-1 (9)):

Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed. . All removed vegetative material shall be either chipped on site or taken to an appropriate disposal site. (APCD)

(Replaces 4.3- (10)):

Include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all on-road and off-road diesel powered equipment.

(Replaces 4.3- (11)):

Include the following standard note on the Improvement/Grading Plan: The contractor shall use CARB diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment.

(Replaces 4.3- (12)):

Include the following standard note on the Improvement/Grading Plan: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall be updated, beginning 30 days after any initial work on site has begun, and shall be submitted on a monthly basis throughout the duration of the project, except that an

inventory shall not be required for any 30-day period in which no construction activity occurs. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the property owner, project manager, and on-site foreman.

In addition to the above changes, the District recommends incorporation of the following mitigation measures:

MM 4.3-1(13)

Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.

MM 4.3-1(14)

Include the following standard note on the Improvement/Grading Plan: All on-site stationary equipment shall be classified as "low emission" equipment.

MM 4.3-1(15)

Include the following standard note on the Improvement/Grading Plan: The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

MM 4.3-1(16)

Prior to the approval of Grading/Improvement Plans an enforcement plan shall be established, and submitted to the APCD for review, in order to weekly evaluate project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

MM 4.3-1(17)

Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour and dust is impacting adjacent properties.

If you have any questions, feel free to contact me at the number below.

Sincerely,



Angel Rinker
Associate Planner

(530) 745-2333

Cc: Maywan Krach, Placer County Environmental Coordination Services via email mkrach@placer.ca.gov
Sherri Abbas, Planning Services Manager, City of Rocklin

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4-1 The Placer County Air Pollution Control District (the Air District) identifies suggestions to revise short-term, construction-related mitigation measures. Per these suggestions, the City has made text changes to Mitigation Measure 4.3-1: Short-Term Construction-Generated Criteria Air Pollutant and Precursor Emissions. Please refer to the EIR Errata section of this Final EIR.

4-2 In addition to revisions, two new items were added to this mitigation measure in response to the Air District's comments: (1) limit speeds on unpaved roads to 15 mph and (2) suspend grading when winds exceed 25 mph (see tracked changes version in Chapter 3, Corrections and Revisions of the Draft EIR). These two items are likely to be necessary to meet the requirements of Air District Rules 202 and 228. For the added mitigation, please refer to the EIR Errata section of this Final EIR.

Mitigation Measure 4.3-1 (original number 14). PCAPCD recommends that "all on-site stationary equipment shall be classified as 'low-emission' equipment." The City believes that the text changes made to Measure 4.3-1(11), which would require low-sulfur fuel in on-site stationary equipment, would serve the same or similar purpose. This proposed measure would not result in substantial additional emission reductions, and Impact 4.3-1 would already be reduced to a less-than-significant level with implementation of Mitigation Measure 4.3-1, as revised.

Mitigation Measure 4.3-1 (original number 15). PCAPCD recommends that the "contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators." Impact 4.3-1 would be reduced to a less-than-significant level with implementation of Mitigation Measure 4.3-1 as revised, and this recommended additional measure is not necessary to reduce the impact to a level below significance.

Mitigation Measure 4.3-1 (original number 16). PCAPCD recommends adding a measure that is very similar to the revised Mitigation Measure 4.3-1(2) regarding Visible Emissions Evaluation. The City believes that the purpose of this measure would be fulfilled by Measure 4.3-1(2).



MEMORANDUM

TO: Maywan Krach, Community Development Technician
FROM: Janelle Heinzler, ESD
SUBJECT: Rocklin 60 Project, DEIR
DATE: June 23, 2009

The Engineering and Surveying Department (ESD) has reviewed the above-mentioned project for concerns relating to Placer County. After reviewing the project submittal, the ESD has the following comment regarding the subject project:

TRANSPORTATION/CIRCULATION

Under the 2025 Plus Project (with Dominguez Road) Conditions, the overall delay increases at the Sierra College Boulevard/English Colony Way intersection. Since the County does not utilize the "less than 5% of total intersection delay" threshold of significance, the project should pay its fair share of the intersection improvement cost as shown in the Newcastle/Horseshoe Bar/Penryn benefit district within the Countywide Capital Improvement Program (CIP).

Cc: Amber Conboy, DPW - Transportation Division

5-1

The comment states that the delay at the intersection of Sierra College Boulevard and English Colony Way would increase under the cumulative plus project scenario. The comment notes that the project should pay its fair share toward intersection improvement costs for this County-maintained intersection since the County does not use the “less than 5% total intersection delay” threshold to determine the significance of traffic impacts.

The commenter has asked that the project pay a fair share amount for street and roadway improvements pursuant to Placer County’s Road Network Capital Improvement Program (“CIP”). The CIP requirements, including fair share fee requirements, are contained in article 15.28 of the Placer County Code. Section 15.28.010 provides that the CIP only applies to new developments within the unincorporated area of Placer County. (County Zoning Code, § 15.28.010(A).) Exhibit A to Article 15.28 confirms that the CIP only applies to unincorporated parts of the County.

The Rocklin 60 project site is located within the City of Rocklin, and therefore is not subject to the County’s CIP or any corresponding fair share requirements related to this program. Furthermore, as the lead agency, the City retains the discretion to determine significance, based on substantial evidence. As shown by the City’s analysis in the Draft EIR, substantial evidence demonstrates that the Project’s impact is not significant in relation to applicable thresholds, and no mitigation is necessary.

For impacts to traffic level of service, the City has determined that a project would have a significant impact if it would cause roads to deteriorate so that the level of service would be “D” or worse for all streets and intersections further than ½ mile from an access point to I-80, or if the project would cause streets and intersections to deteriorate to level of service “E” or worse for intersections within ½ mile from direct access to I-80.

In the case where the applicable level of service is already considered unacceptable according to local policy, the City considers an increase of 5 percent (addition of 0.05) to the volume to capacity (v/c) ratio to constitute a significant project impact. An increase of 0.05 in the v/c ratio is considered a measurable worsening of the intersection or roadway operations and therefore would constitute a significant project impact. If an unsignalized intersection is already operating at unsatisfactory LOS D (LOS E within 0.5 mile of freeway access), then the addition of more than 5 percent of the total traffic at the intersection would be considered a significant project impact. Please see, also, Response 2-3.

The intersection in question, Sierra College Boulevard and English Colony Way, currently operates at LOS B, and is therefore considered acceptable by both City and County traffic standards, so the 5% v/c threshold was not used to determine impacts on this particular intersection. Under Existing plus Project, Existing Plus Approved Projects (does not include the proposed project), and Existing Plus Approved Projects Plus Project conditions, LOS B would be maintained at this intersection. Maximum delay increases that would result from the project alone would be 1/10 of a second. Such increases are imperceptible to motorists and would only occur during the PM Peak Hour under Existing Plus Project conditions (Table 4.2-4, page 4.2-23 of the Draft EIR), and during both the AM and PM Peak Hours under Existing Plus Approved Projects Plus Project conditions (Table 4.2-10, page 4.2-37 of the Draft EIR).

As illustrated in Section 6 of the EIR, the Sierra College Boulevard/English Colony Way intersection would operate at LOS F during weekday morning and afternoon peak-hour travel demand periods in the cumulative no project with Dominguez Road scenario. The project is estimated to add a total of four vehicles to this intersection during the morning peak hour (0.18% increase) and 5 vehicles during the afternoon peak hour (0.19% increase) compared to the cumulative no project with Dominguez Road scenario.

As noted, where the applicable level of service would be exceeded without the project, the City considers an increase of 5 percent (addition of 0.05) or more to the volume to capacity (v/c) ratio to constitute a significant project impact. The City considers an increase of 0.05 or more in the v/c ratio (signalized) or total traffic (unsignalized) to be a measurable worsening of the intersection or roadway operations. Where there is a significant cumulative impact, the City considers project contribution at or above this amount to be a cumulatively considerable impact. The City has determined, based on the expert opinions of the City's traffic consultants and the City's traffic engineering staff, that this 5-percent threshold is appropriate in determining that a measurable adverse change to intersection level of service has occurred. The commenter has not provided alternative suggestions for a significance threshold to use where transportation facilities would operate at unacceptable levels of service without the subject project. In the past, however, Placer County has used a standard ranging from any increase, to a 0.01 change in v/c, to a 0.05 change in v/c (Placer Vineyards DEIR, 2006) for determining significance of adding traffic to an already-congested roadway or intersection.

The City has exercised its discretion to create level of service policy to address incremental degradations, as have other jurisdictions. Since this impact is related to perception of transportation level of service, it is appropriate for different lead agencies to have different policies on level of service that are reflective of local variations in taste and perception. Even within a jurisdiction, oftentimes the level of service standard is variable. For the City of Rocklin, as noted earlier, intersections near highways have a lower (more permissive) level of service standard than do intersections further away from highways.



**Placer County
Health and Human Services Department**

Richard J. Burton, M.D., M.P.H.
Health Officer and Director

Jill Pahl, R.E.H.S.
Director, Environmental Health

To: Maywan Krach, Environmental Coordination Services

**From: Grant Miller, REHS
Environmental Health Services**

Date: June 15, 2009

Re: Rocklin 60 Project, Draft EIR

Environmental Health Services has reviewed the Rocklin 60 project and suggests that the authors provide an aerial photograph from 1938 which should show whether the project site has been an historical orchard. Areas of Placer County that have had historical orchards typically have significant contamination of the soil from lead and mercury.

If there is evidence of historical orchards, then a Phase 2 Limited Soil Sampling should be conducted in the orchard area. This testing would need to be completed during environmental review. Additionally, a mitigation measure would be required for the testing protocol.

Perspective, Hope, and Opportunity

6-1 This comment discusses residual compounds associated with historic agricultural operations on-site.

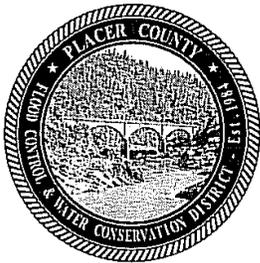
The City has acknowledged in the DEIR (see page 4.8-2) that, according to the Placer County Agricultural Commissioner, portions of the project site and the surrounding area were historically used as orchards and that persistent compounds, such as organochlorine pesticides like DDT, Toxaphene, and Dieldrin, may have been used during such agricultural operations. In addition to review of historic aerial photography, as suggested by the commenter, the Phase I ESA prepared to support the EIR used other means of identifying past uses of the property, such as interviews, review of Sanborn maps, review of USGS maps, and other methods.

The evaluation of Impact 4.8-1 on page 4.8-12 concludes that construction activities associated with the proposed project could expose construction workers and the public to hazards associated with these residual chemicals, making this a potentially significant impact. Mitigation Measure 4.8-1 is intended to protect construction workers and the public from these hazards by providing guidance for procedures, in the event that contamination is discovered during construction activities.

In addition, the City has added the following paragraph to Mitigation Measure Mitigation Measure 4.8-1:

- e. To ensure that any concentrations of agricultural chemical residue located on the project site are identified and to ensure affected soils will be properly remediated, prior to the initiation of any ground disturbance activities, the applicant shall provide the Placer County Health and Human Services Department (HHSD) with historic photographs or other evidence of the prior uses at the project site. If the photographs or evidence indicate the project site has been used for agricultural activity in the past, the applicant shall engage a licensed remediation professional to conduct limited Phase 2 Soil Sampling pertaining to the on-site soils. If pollutants of concern are not detected, further mitigation is not necessary. If the sampling finds concentrations of any agricultural chemical residue that, according to HHSD and/or the Department of Toxic Substances Control, could represent an unacceptable risk to workers on the project site, prior to issuance of a grading permit (acknowledging that some level of earth disturbance is necessary for the Phase 2 Soil Sampling, and for potential remediation efforts), the applicant shall demonstrate to the City of Rocklin that they have remediated the affected soils to the satisfaction of HHSD and DTSC in accordance with the site cleanup process specified in the Carpenter-Presley-Tanner Hazardous Substance Account Act, Health & Safety Code section 25300 et seq., including sections 25356.1 and 25356.1.5 of the Act.

Please refer to the EIR Errata section of this Final EIR.



PLACER COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Ken Grehm, Executive Director
Brian Keating, District Engineer
Andrew Darrow, Development Coordinator

June 23, 2009

Sherri Abbas, Development Services Manager
Community Development Department
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677

RE: Rocklin 60 Residential Project / Draft EIR

Sherri:

We have reviewed the Draft Environmental Impact Report (DEIR) dated May 2009 for the subject project and have the following comments.

The applicant is adequately proposing mitigation measures for the estimated increases in 10- and 100-year peak flow runoff discharging from the proposed development. The DEIR states that the subject project will mitigate these increases in stormwater runoff through the construction of an onsite detention basin. This detention basin will be shared with the Rocklin Crossings project.

The District requests the opportunity to review both the project's drainage report and grading plans when they become available.

Please call me at (530) 745-7541 if you have any questions regarding these comments.

A handwritten signature in black ink, appearing to read "Andrew Darrow".

Andrew Darrow, P.E.
Development Coordinator

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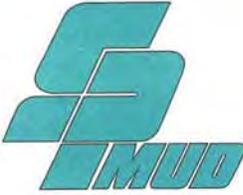
3091 County Center Drive, Suite 220 / Auburn, CA 95603 / Tel: (530) 745-7541 / Fax: (530) 745-3531

**Letter
7
Response**

Placer County Flood Control and Water Conservation District
Andrew Darrow, P.E., Development Coordinator
June 23, 2009

7-1

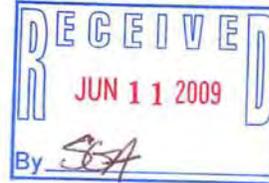
The commenter states that they have reviewed the Draft EIR and the commenter requests the opportunity to review the drainage report and grading plans for the proposed project. The project's preliminary drainage report can be found in Appendix E of the Draft EIR, as well as at the City's Community Development Department office. The City will ensure the Placer County Flood Control and Water Conservation District has the opportunity to review drainage reports and grading plans at the appropriate time.



SOUTH PLACER MUNICIPAL UTILITY DISTRICT

June 9, 2009

City of Rocklin
Community Development Department
3970 Rocklin Road
Rocklin, CA 95677



Attention: Sherri Abbas

Subject: NOTICE OF PUBLIC REVIEW AND AVAILABILITY OF A
DRAFT ENVIRONMENTS IMPACT REPORT FOR THE
ROCKLIN 60 PROJECT (SCH# 2006112060)

Dear Ms. Abbas:

In response to the above document/project, the District offers the following:

The above property is within the service area of the South Placer Municipal Utility District, and is eligible for sewer service. All sewer service which the District may hereafter provide to said lands or any portion thereof will be subject to all ordinances, resolutions, rules and regulations, taxes, charges, fees, and assessments of the SPMUD which may now or hereafter be in effect.

The design and construction of all on-site and off-site facilities which may be required as a result of this project, including the acquisition and granting of any necessary sewer easements, will be the responsibility of the developer/owner. All work shall conform to the Standard Specifications of SPMUD. Improvement plans shall be submitted to SPMUD for review and approval. The District, in conformance with its ordinances and Master Plan, will require an extension to an 18-inch trunk sewer be constructed as shown on the attached plan. This may result in substantial sewer construction being involved. Access to parts of the sewer system not located in public traveled ways will be required. An alternate alignment through lots 25, 26 and 27 as shown on the attachment may reduce the need for access through and across these lots.

It should be noted that further substantial sewer construction may be required to serve the project in the following event: This project was anticipated to connect to and be served by those certain sewer facilities (trunk sewers and lift station) planned to be built by the developer of and under the project commonly known as Croftwood. All sewer construction activity associated with the Croftwood project ceased in July 2007, and the sewer facilities have not been completed. In the event Croftwood does not reactivate, and/or another developer does not construct to completion those facilities, it will become the responsibility of the Rocklin 60 Residential Subdivision project to construct and/or complete said facilities in order to be sewerred.

5807 SPRINGVIEW DRIVE • ROCKLIN, CALIFORNIA 95677 • PHONE (916) 786-8555 • FAX (916) 786-8553

City of Rocklin
June 9, 2009
Page -2-

Some corrections/updates to the document's wastewater areas are as follows:
On page 4. 6-5, (paragraph two) reference is made to the District's 1986 Master Plan. SPMUD has developed a 2009 Master Plan, which supersedes the 1986 plan. However, the 2009 plan has continued to plan for growth in the city, with infrastructure sizing still based on Rocklin's plan projections.

On page 4.6-16: reference should be to the District's 2009 Master Plan; the estimate for flows is 190 gallons per day per Equivalent Dwelling Unit (EDU) and not per acre – thus the flow generation for the 179 residential units is estimated to be 34,000 gallons per day; portions of the internal wastewater conveyance system will be required to be sized and built as indicated on the attached plan; as indicated further above the sewers previously under construction (Croftwood) were halted in July 2007 and are not complete and currently are unavailable to serve the project.

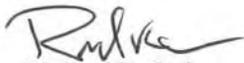
This letter does not constitute a reservation of capacity in the District's sewage treatment facilities, nor does it constitute the assumption of a utility obligation to said lands or any portion thereof by the District.

The District may be rendered unable to provide sewer service to said lands due to prohibitions or restrictions which may be imposed upon it by federal or state regulatory agencies having jurisdiction or due to conditions caused by an Act of God. Prohibitions and/or restrictions may be imposed at the Regional Wastewater Treatment Plant on the plant's capacity in accordance with existing agreements; this may also impact the District's ability to accept new applications for sewer service for the project. No restrictions currently exist.

Sewer connection permits will not be issued by the District until such time as all required sewer facilities have been constructed, and the sewers accepted by SPMUD. In addition to normal payment of the District's sewer participation fees for connections to the sewer, this project may be subject to payment of reimbursement fees to SPMUD under the terms of a refund agreement.

Should there any questions or concerns, please don't hesitate to call.

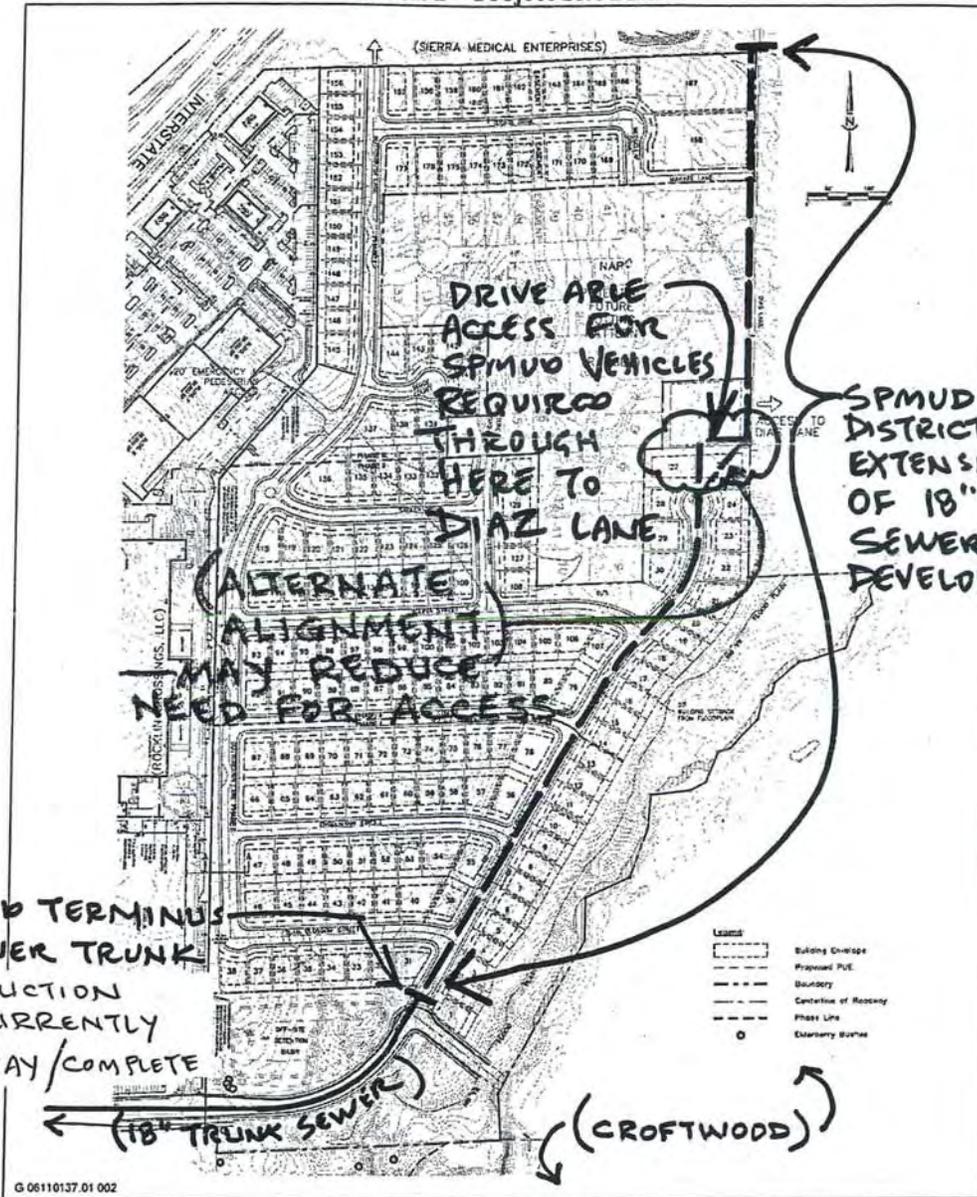
Sincerely,


Richard R. Stein
Engineering Manager

RRS:jag

Encl.

Exhibit 2 – Project Site Plan



PLANNED TERMINUS
OF SEWER TRUNK
- CONSTRUCTION
NOT CURRENTLY
UNDERWAY/COMPLETE

- Legend
- Building Envelope
 - Proposed PUE
 - Boundary
 - Centerline of Roadway
 - Phase Line
 - Easement Marker

6-9-09
SOUTH PLACER
MUNICIPAL UTILITY DISTRICT
5807 SPRINGVIEW DRIVE
ROCKLIN, CA 95677
Raf

8-1 The comment states that the project site is within the jurisdiction of the South Placer Municipal Utility District (SPMUD) and that the project is subject to the District's requirements. The comment is noted.

8-2 The comment states that the project owner/developer is responsible for the design and construction of on- and off-site sewer facilities and that the facilities must conform to SPMUD standards. The comment is noted.

8-3 This comment discusses the need for construction of a sewer line and the need for access.

In response to these comments, the Applicant's engineer conferred with Richard Stein of SPMUD and developed the approach summarized in the material that follows.

A 20-foot wide sewer easement will be granted to SPMUD along the common lot line of lots 25 and 27 from the end of the public cul-de-sac right of way to the north boundary of the two lots. From that point, a 20-foot wide sewer easement will be granted along the south boundary of lot 26, thence north along the east boundary of lot 26. The sewer easement between lots 25 and 27 will be paved to a minimum width of 15 feet with concrete or asphalt concrete and may also serve as driveway access to lots 25 and 27. A permanent fence will be constructed at the north boundary of lots 25 and 27 (including this easement) to preclude access from lot 25, lot 27 or the cul-de-sac to Dias Lane. The 20-foot sewer easement along the south boundary of lot 26 will be paved to a minimum width of 15 feet with asphalt concrete to Dias Lane.

The project will be conditioned to obtain all necessary easements and comply with all SPMUD requirements including the construction of facilities deemed necessary by SPMUD. SPMUD recently notified the City in a letter dated August 25, 2010 that the terminus for the 18-inch trunk sewer has been adjusted to be the northern boundary of Lot 26 and that all other District comments contained in the June 9, 2009 correspondence remain effect. For the northeastern portion of the subdivision, City will condition the project to provide easements on Lots 178 and 179 to facilitate a future SPMUD sewer line extension through the project site.

8-4 The comment notes that the project was anticipated to connect to, and be served by those certain sewer facilities (trunk sewers and lift station) planned to be built by the developer of, and under the project commonly known as Croftwood. The commenter further notes that sewer construction activity associated with the Croftwood project ceased in July 2007, and the sewer facilities have not been completed.

The City acknowledges that if the Rocklin 60 project initiates before the Croftwood project is finished, the Rocklin 60 project would be responsible for extending the trunk sewer line, as noted by the commenter. The City has added the following sentence in Section 4.6 of the EIR under the heading "Wastewater Collection and Treatment" on page 4.6-5:

The timing of the Rocklin 60 project vis-à-vis the Croftwood project may require that the Rocklin 60 project instead construct this facility. Please refer to the EIR Errata section of this Final EIR.

The City has certified an EIR for the Croftwood project. Should the sewer trunk line work instead happen in coordination with the Rocklin 60 project, relevant mitigation measures from this other certified EIR will be implemented.

- 8-5 Comment 8-5 states that the SPMUD 1986 Master Plan, which is referenced on page 4.6-5 of the Draft EIR, was updated in 2009. Based on this information, the following sentence has been added under the heading “Wastewater Collection and Treatment” on page 4.6-5:

The SPMUD has since developed the 2009 Sewer Master Plan, which supersedes the 1986 plan. This plan continues to accommodate growth identified for the City of Rocklin. Infrastructure sizing in the updated plan is based on projections from the City’s General Plan. Please refer to the EIR Errata section of this Final EIR.

- 8-6 Comment 8-6 also mentions that reference should be made to the 2009 SPMUD Sewer Master Plan. The commenter points out that the correct estimate for flow is 190 gallons per day per Equivalent Dwelling Unit (EDU) and not 190 gallons per day per acre.

Page 4.6-16 of the Draft EIR has been revised to reflect this comment. Please refer to the EIR Errata section of this Final EIR. These revisions do not result in a change in the finding of the significance for this impact.

- 8-7 Please refer to Response to Comment 8-4.

- 8-8 The comment states that the comment letter does not guarantee capacity at the wastewater treatment plant and gives potential reasons that service may not be able to be provided. However, no such restrictions currently exist. The comment also mentions that sewer connection permits will not be issued for the project until sewer infrastructure has been constructed and appropriate sewer fees have been paid. The comment is noted, and no further response is necessary.

MIWOK
MAIDU

United Auburn Indian Community
of the Auburn Rancheria

JESSICA TAVARES
CHAIRPERSON

JOHN SUEHEAD
VICE CHAIR

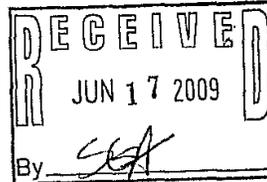
DAVID KEYSER
SECRETARY

DOLLY SUEHEAD
TREASURER

GENE WHITEHOUSE
COUNCIL MEMBER

June 10, 2009

City of Rocklin
Sherri Abbas, AICP
Development & Building Services Manager
3970 Rocklin Road
Rocklin, CA 95677-2720



Subject: Draft Environmental Impact Report for the Rocklin 60 Project (SCH# 2006112060)

Dear Ms. Abbas,

Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) is comprised of Miwok and Maidu people whose traditional homelands include portions of Placer and Nevada counties, as well as some surrounding areas. The Tribe is concerned about development within ancestral territory that has potential to impact sites and landscapes that may be of cultural or religious significance. We appreciate the opportunity to comment on the proposed project.

The UAIC would like to receive copies of archaeological reports that have been, or will be, completed for the project site. We recommend that the proposed project incorporate known prehistoric cultural sites, including isolated bedrock mortars, into open space or other protected areas. Should excavations for site testing or data recovery become necessary, we would like to be informed in order to provide on-site tribal monitors. In the event of an inadvertent discovery of prehistoric cultural resources or human burials, the UAIC would like to be contacted immediately to provide input on the appropriate course of action. We also request copies of future environmental documents for the proposed project so that we have an opportunity to comment on potential impacts and proposed mitigation measures related to cultural resources.

If you have any questions, please contact Shelley McGinnis, Analytical Environmental Services, at (916) 447-3479.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Baker".

Greg Baker
Tribal Administrator

CC: Shelley McGinnis, AES

- 9-1 The commenter identifies that they have reviewed the Draft EIR. No additional response is necessary.
- 9-2 The commenter requests to receive copies of all archaeological reports that have been and will be prepared for the project site and recommends that known prehistoric cultural sites be protected.
- Per the SB 18 Native American consultation process, the City provided the UAIC a copy of the Cultural Resources Assessment, Rocklin 60, Placer County, California, Project 2005-090 prepared by ECORP Consulting, Inc., May, 2006. The letter was dated July 26, 2008, and the report accompanied the letter.
- Implementation of Mitigation Measure 4.13-1 in the Draft EIR provides the option to avoid the one known cultural resource on-site or to perform data recovery to document the resource. Please refer to page 4.13-11 of the Draft EIR for a discussion of this impact and mitigation.
- In addition, the commenter requests that, in the event of an inadvertent discovery of prehistoric cultural resources or human burials, the United Auburn Indian Community (UAIC) be contacted to provide input on the appropriate course of action.
- Mitigation Measures 4.13-2 and 4.13-3 both provide procedures for the discovery of previously unknown cultural resources and human burials. Mitigation Measure 4.13-2 has been amended to include a requirement to contact the UAIC, in addition to the qualified professional archaeologist, in the event of an inadvertent discovery of cultural resources. Please refer to the EIR Errata section of this Final EIR.
- If, however, human remains are discovered, the provisions in Mitigation Measure 4.13-3 remain as stated: the County Coroner will be notified, and if the remains are determined to be of Native American descent, the NAHC will determine the identity of the Most Likely Descendent.

Case Details

[Print](#)[Close](#)

Case Number: 20912

Status: New

Tags:

Request Type: Complaint

Customer: Anonymous
external customer
Location of Request: 4255 Dias LN Loomis
CA 95650

Preferred Contact Method: None

Facility: N/A

Submitted By: Anonymous
customer

Primary Owner: Abbas, Sherri

Topic: Planning
Commission>Planning
Commission
(Community
Development/Planning)

Date/Time Created: 06/26/2009 17:52

Date/Time Closed:

Original Request

I have been unable to locate where to send comments regarding the Rocklin 60 project EIR, so I will send my comments this way- please forward them to the appropriate location.

For the past eleven years our family has lived at 4255 Dias Lane, directly across from the proposed Rocklin 60 project. Naturally, the future impacts of this project on our neighborhood and the general area concern us greatly. Reading the EIR, I found that some important issues were inadequately addressed or completely misrepresented.

Since we live directly across from the proposed subdivision, light pollution will certainly affect us. However, the EIR only mentions the impact of lighting on the City of Rocklin. No reference is made to Loomis residents who will be most affected. Although we are residents of a rural Loomis neighborhood, our view of the stars will be obliterated by the cumulative light pollution caused by Rocklin 60 and Rocklin Crossings.

The impact of noise pollution caused by this development is underestimated. Although the freeway does cause noise, this is mostly noticeable during commute times. When the oaks and other trees are ripped out for construction, our natural buffer from the noise and pollution of I-80 will be gone. Fields and trees will be replaced by streets and houses. Noise will come from cars and delivery trucks, lawn mowers and leaf blowers, stereos and barking dogs. This will certainly be a significant difference from the mostly country sounds we currently enjoy: frogs, crickets and birds.

We also have concerns about the water run-off detention basin. Will this be regularly monitored for mosquitoes? Also, we are concerned about local wildlife being exposed to the toxic run-off which will be collected by this basin. Geese, ducks, turtles, frogs and insects will be exposed to polluted water in this detention basin.

Finally, the impact on housing in this area was misrepresented by the EIR. The figures given for home prices, population increases and vacancies were from the real estate boom years. The current housing, economic and unemployment crisis renders these figures completely irrelevant. Today foreclosures, short sales and developer bankruptcies are widespread. Just up the road from the Rocklin 60 location Croftwood subdivision has been foreclosed. There is a huge inventory of unsold and foreclosed homes in this area. It has been estimated that the backlog of unsold and foreclosed homes could last for years. Adding another 179 homes to the market can only be very detrimental. It is very clear that there is absolutely no need for more homes to be

<https://clients.comcate.com/reps/caseDetail.php>

06/29/2009

built.

The proposed Rocklin 60 development is being planned for the wrong time and in the wrong place. Years from now, when housing is actually needed, homes should be built on large lots of one half to an acre leaving in place existing trees and wetlands, in order to fit in with the existing rural neighborhood. This would result in a much higher quality neighborhood that would be more of an asset to both Rocklin and Loomis.

Thank you for considering these comments.

Rusty and Lisa Pywtorak
4255 Dias Lane
Loomis, CA 95650
(916)652-8925

Customer Communications *

No records of communication activities found

* Customer Communications are visible on the customer's case status page.

Internal Activity

Internal Notes

No records for internal activities found

Tasks

<u>Complete</u>	<u>Due</u>	<u>Subject</u>	<u>Assigned By</u>	<u>Assigned To</u>	<u>Status</u>
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Case Contacts

<u>Role</u>	<u>Name</u>	<u>Email</u>	<u>Phone</u>
Primary Owner	Abbas, Sherri	Sherri.Abbas@rocklin.ca.us	
Secondary Owner	Richardson, Terry	Terry.Richardson@rocklin.ca.us	

Attachments

No attachments found

Activity History

No activity history recorded

10-1 The commenter expresses concern regarding cumulative “light pollution” on residents of Loomis, stating that the Draft EIR only mentions the impact that lighting will have on residents of Rocklin. To clarify, the second sentence in impact statement 4.7-4 on page 4.7-7 of the Draft EIR has been revised as shown in **bold underline**:

In addition, the degree of darkness in the City of Rocklin, **the surrounding areas**, and on the project site would diminish as a result of development, potentially diminishing views of stars and other features of the night sky. Please refer to the EIR Errata section of this Final EIR.

The evaluation of this impact remains the same for residents in Loomis and other surrounding communities.

Please refer to Section 4.7 of the DEIR, which describes impacts and provides mitigation related to lighting and reflective surfaces.

10-2 The commenter states that noise pollution that would be generated by the proposed project is underestimated and that there will be a significant difference in levels of noise when trees are removed from the project site. The noise analysis found in Section 4.4 of the Draft EIR is based on a technical noise study, which can be found in Appendix D of the Draft EIR, and complies with all applicable noise regulations required in the project area. The EIR analysis considers the change in conditions from the project site as it existed upon release of the Notice of Preparation compared to construction and occupation of homes as anticipated by the project. While trees are to be removed (as described in other sections of the EIR), as the commenter notes, homes and other improvements will be constructed. The project also includes construction of a noise attenuation barrier. The commenter notes that there will be a significant change in current noise conditions as compared to post-project noise conditions. These impacts are comprehensively addressed and mitigated, as appropriate, in the DEIR. No specific comments on the contents of the DEIR are raised, so additional response cannot be provided.

The commenter’s concerns regarding noise levels are hereby forwarded to the decision makers for their consideration.

10-3 The commenter is referred to the evaluation of Impact 4.8-3 on page 4.8-15 of Section 4.8, “Public Health and Hazards,” which describes the potential impacts associated with mosquitoes and the proposed detention basin.

10-4 The commenter is referred to the evaluations for Impact 4.10-3, which assesses potential short-term impacts on water quality associated with project construction activities, and Impact 4.10-4, which assesses potential permanent impacts on water quality associated with ongoing use and occupancy of the proposed project. Mitigation Measures 4.10-3 and 4.10-4 provide measures to protect water quality both on- and off-site during construction and permanently. These mitigation measures are required as a condition of the project.

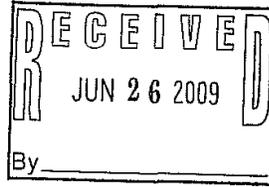
10-5 The commenter notes that housing statistics reported in the DEIR are out of date.

Presumably, the commenter is referring to Section 4.5 of the DEIR, Population and Housing. Market conditions have changed, but this is not in and of itself an adverse physical environmental

issue relevant to the EIR. Revisions have been made on the first page of Section 4.5 in response to the comment. Please refer to the EIR Errata section of this Final EIR.

The commenter also states that addition of another 179 dwelling units, considering the current inventory of housing in the City, would be detrimental. The project is for the entitlement to build homes, but the timing for building the homes would be up to the project developer. Presumably, the developer intends to make a profit from development of the project, and would need to do so when market conditions are expected to be appropriate. Regardless, this is not an environmental impact; rather, this is a social effect and not a CEQA consideration. The commenter believes that a large lot residential project would be preferable. This comment is noted. Please refer to Section 5 of the DEIR, which describes a range of alternatives designed to reduce environmental impacts, including designs that avoid on-site environmental resources.

The City of Rocklin
3980 Rocklin Road
Rocklin, CA 95677



Frank and Jayne Parker
4435 Dias Lane
Loomis, CA 95650
June 25, 2009

Dear Rocklin City Council;

In regard to the Draft EIR for Rocklin 60ies, we have a few comments. We live on the border of the Rocklin 60ies project, and will be severely impacted by this development.

This development will degrade the quality of the environment, and those attending issues regarding biological resources, air quality, noise impact, runoff water, traffic, to name a few. These issues addressed need to be mitigated to protect all life, human, fauna and flora within it's sphere.

We will need to have our property considered so that it will be protected from this development. As our property is lower in part to the development, water runoff is an issue. Noise levels are going to be very high during the construction. How will this be mitigated? We will have many families living near us that were not there before.

We recommend that the project be reduced in number of houses by half. Make the lots larger. The homes in the middle of the project have too many homes to an acre. This would reduce the negative impacts of this project by half, and increase benefits for everything and everyone living in the project and around it.

Tree removal has significant impact on the whole. The trees designated for removal, 843 trees, including 11 heritage trees, the loss of which will diminish the entire area. Not just that of your project but that of a much larger area. Leave more trees

We recommend that there be no homes backing onto the flood plain of Secret Ravine Creek. This area is a perfect environment because it has few homes near it's banks. The impact of the new population of the development will kill the creek.

Thank you for carefully considering the preservation of values that will be long lasting for generations in the construction of this development. Make it a development for which everyone will be glad; those living in it, those living around it, and those within the communities adjacent.

Sincerely,

Frank E Parker
Jayne B Parker

*We agree with
the above concerns
Arlan & Janette Coteley
4223 Dias Ln.
Loomis, CA 95650*

Janette D. Coteley
Arlan Coteley

- 11-1 This is a general statement that mentions the potential for the proposed project to degrade the environment and that any of these issues will require mitigation.
- The DEIR comprehensively addresses impacts of the proposed project, including the topics listed by the commenter. No comments are provided on the contents of the EIR, so additional response cannot be provided.
- 11-2 The commenter requests that their property be considered in the analysis of water runoff.
- The commenter is referred to Section 4.10, "Hydrology and Water Quality," which evaluates potential impacts associated with water runoff both within the project site and to off-site properties, including the commenter's property. The project is designed to mitigate stormwater runoff impacts. For additional information, the commenter may also refer to the drainage report prepared for the proposed project, which can be found in Appendix E of the Draft EIR.
- 11-3 The commenter poses a question regarding construction noise levels and how they will be mitigated.
- The commenter is referred to the evaluation of Impact 4.4-1, beginning on page 4.4-11 of the Draft EIR, for the analysis of construction noise and the mitigation measures that would be required to minimize construction noise impacts on existing residences.
- The commenter also states that many more families will be living near the commenter's property. Presumably, the commenter is still addressing noise. If so, please refer to Section 4.4 of the DEIR, which describes noise levels of different land use environments (such as that referenced by the comment), applicable standards and regulations related to noise, and comprehensive noise impact assessment of the project, including noise attributable to residential activities.
- 11-4 The commenter recommends that the density of the project be reduced, and provides unsupported conclusions about the effect that doing so will have on "negative impacts" of the project.
- The commenter's suggestion is included here for decision maker consideration. Please refer to Section 5 of the DEIR, which describes a range of alternatives designed to reduce environmental impacts, including project designs that include fewer dwelling units than the proposed project.
- 11-5 The comment addresses the proposed tree removal associated with the proposed project and expresses concern over the loss of trees in the area. The commenter suggests that the project should "leave more trees."
- The commenter is referred to the evaluations of Impacts 4.12-2 and 4.12-3, starting on page 4.12-24 of the Draft EIR, which assess the short- and long-term impacts associated with the removal of trees on-site and identify appropriate mitigation measures for tree removal. The suggestion to retain more trees is hereby forwarded to the decision makers for their consideration.
- 11-6 The comment recommends that no homes back up to Secret Ravine due to the potential for development to adversely affect the creek.

The Draft EIR includes evaluations of two alternatives, the “Avoid Constraints by Removing Proposed Lots” Alternative, beginning on page 5-10, and the “Avoid Constraints through Clustering” Alternative, beginning on page 5-15. These alternatives include proposed development areas, which would prevent the development of homes along Secret Ravine. The commenter’s preference is included here for decision maker consideration.

Please refer to Section 4.12 of the DEIR, which evaluates impacts of the project related to biological resources, including those that may be present in the Secret Ravine Creek corridor. Please also refer to Section 4.10 of the DEIR, which evaluates impacts of the project related to water quality, including issues related to the Secret Ravine Creek corridor

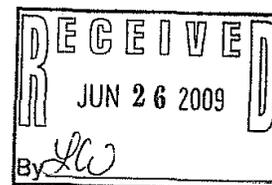
11-7

The comment expresses gratitude for the consideration of their comments. No response is required.

LAW OFFICES OF
LO DUCA & AVDIS, LLP

MARCUS J. LO DUCA
NICHOLAS S. AVDIS

June 26, 2009



Ms. Sherri Abbas
Development Services Manager
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677

Re: Draft Environmental Impact Report
For the Rocklin 60 Project (SCH #2006112060)

Dear Ms. Abbas:

This office represents Margaret and Richard Ramsey and their daughter Vicki Ramsey (collectively, the "Ramseys"), who are long-time property owners of Rocklin property, APNs 045-043-009, 045-043-030, 045-043-032 and 045-043-052 (the "Ramsey Property"), surrounded on three sides by the Rocklin 60 project (the "Project"). Margaret and Richard Ramsey have lived on the property as Rocklin residents for 42 years, and Vicki Ramsey, long a resident of the Ramsey Property, continues to own a home on the site. As long-time residents of their property, located at 5580 Makabe Lane, Mr. and Mrs. Ramsey fully appreciate that the land around them will develop, and they have generally been supportive of the City's planned growth. However, in reviewing the Draft Environmental Impact Report ("DEIR") for the Project, the Ramseys have several concerns which need to be addressed. In seeking to have their issues mitigated, the Ramseys are merely asking the Project to serve as a good neighbor to long-time Rocklin residents. Should their concerns be acceptably addressed, the Ramseys would not hesitate to support the Project.

The Ramseys' comments on the DEIR are focused on potential impacts from the Project to their property which have been either inadequately addressed or not addressed at all, in the following areas:

Construction Noise and Damage from Blasting
Retention of Irrigation Water Canal Service

3721 DOUGLAS BOULEVARD, SUITE 300 • ROSEVILLE, CA 95661
TEL (916) 774-1636 • FAX (916) 774-1646
www.loducalaw.com

Privacy from Homes Overlooking the Ramseys' Home and Yard
Drainage

The Ramseys' specific comments are as follows:

Chapter 4.2--Traffic and Circulation

Page 4.2-1 through 4.2-5. Under Section 4.2.1, there is no discussion of Makabe Lane, which borders 11 proposed lots (lots 168-178) in the Project and which intersects the proposed Buttonbush Lane and Wedgeleaf Drive. While the Ramseys acknowledge that the Project does not propose any access from Makabe Lane, the DEIR should at least discuss that those 11 lots should not have access into the existing 20 foot road easement, with a no access strip to Makabe Lane at the rear of those lots (to the side lots of lots 168 and 178) delineated on the tentative map. Moreover, in the interest of overall potential future circulation in the area and avoiding land locking parcels, should adjacent properties develop in the future, Wedgeleaf Drive should connect to Makabe Lane. In addition, the house owned by Mr. and Mrs. Ramsey at 5700 Dias Lane accesses Dias Lane via a 15 foot wide private road between proposed lots 25, 26 and 27 in the Project. The Ramseys want to make sure that this house (as well as the house owned by Vicki Ramsey at 4382 Dias Lane, which also has access rights to this private road) retains the ability to access Dias Lane via this private road once the Project is constructed. In the event the Ramsey Property is ever developed, access in the southern portion of the Ramsey Property should be provided to Nolina Street and Mesquite Way in the Project where the stub streets are indicated in the Project's tentative subdivision map.

Chapter 4.4--Noise

Page 4.4-13. Mitigation Measure 4.4-1(4) regarding blasting activities that may occur on the Project site does nothing to address potential impacts to the Ramseys. When the Croftwood subdivision was developed and blasting was done for that project, Mr. and Mrs. Ramsey experienced cracks in the sheetrock in their home. The Ramseys are concerned about further damage to their home and to their in-ground pool, and to the other two homes and out-buildings, including a detached garage/shop, on the Ramsey Property, from blasting done by a project immediately adjacent to their property, not across Secret Ravine like the Croftwood subdivision. Such immediate proximity of blasting to the Ramsey Property calls for a prohibition on blasting on the Rocklin 60 site. If such a prohibition is not feasible, at the very least the Project applicant should follow the example of the adjacent developer. The developer of the Rocklin Crossings project acted as a good neighbor would, agreeing to do a pre-project and post-project inspection of the Ramseys' home, and the Project applicant, if the desire is to be a good neighbor, should be required to do the same, and be required to compensate for any damage to the three homes, pools, and out-buildings on the Ramsey Property from

blasting on the Project site. In addition, measures should be put into place as conditions to the tentative subdivision map that any future homeowner wishing to do blasting on the Project site for improvements such as in-ground swimming pools must satisfy the same such requirement imposed on the Project applicant.

Blast blankets referenced in Mitigation Measure 4.4-1(4) are inadequate to mitigate any damage to adjacent homes from blasting, and no where else in the DEIR is any mention made of what is to be required of the Project applicant to address damage to neighbors' homes from blasting.

In addition, in terms of mitigating construction noise, in Mitigation Measure 4.4-1, the Project should be required to construct Project fencing bordering the Ramsey Property at the earliest possible stage.

Page 4.4-24. Likewise, Mitigation Measure 4.4-5, addressing exposure of sensitive uses to excessive vibration levels, only addresses vibrations from construction equipment such as bulldozers, and says nothing about the impact of vibrations from blasting. With weathered granite bedrock below 2.5 feet of soil (DEIR, page 4.9-5), impacts from blasting need to be addressed with protection for adjacent homes, and compensation for any damages to those homes from blasting.

Chapter 4.6--Utilities and Public Services

Page 4.6-5. The text describes in three paragraphs the PCWA irrigation water service to the Ramsey Property, easements, distribution boxes, and continuation of gravity flow to the Ramsey Property. The DEIR however, while describing this potential Project impact, sets forth no requirements in the form of a mitigation measure mandating the Project (1) relocate the irrigation lines into new easements to maintain gravity flow and to maintain such gravity flow with no decrease in water pressure to the Ramsey Property, (2) allow the Ramseys to access the relocated line if repair is needed, (3) pay all costs of the line and distribution box relocation, (4) create no interruptions in water service to the Ramsey Property, and, if there is an interruption of water service to the Ramsey Property, (5) pay for water to be provided to the Ramsey Property in the event of any interruption of irrigation service, not relying, as the DEIR mentions, on the expectation that service will not be interrupted "for any extensive period of time." Any interruption of irrigation service to the Ramsey Property and the extensive landscaping on their property is unacceptable, and not indicative of how a good neighbor coming into the neighborhood treats a long-established neighbor.

Chapter 4.7--Aesthetics

Page 4.7-1. In a June 25, 2009 meeting with the Rocklin 60 project team, the Ramseys learned that the proposed grading for the Project has eliminated the concerns that the

Ms. Sherri Abbas
June 26, 2009
Page 4

Ramseys had with the retaining wall heights analyzed in the DEIR. The revised proposed retaining wall heights indicated at the June 25 meeting are acceptable to the Ramseys. However, Mr. and Mrs. Ramsey still have a concern with the proximity of several of the Project's proposed homes to their home and backyard, with those homes looking down on their home and backyard from above. In particular, lots 141 and 142 will look directly into the pool and backyard of Mr. and Mrs. Ramsey from any second story. Mr. and Mrs. Ramsey would request that homes on these lots be limited to single story to help mitigate the peering down from homes on these two lots into their home and yard.

Chapter 4.10--Hydrology and Water Quality

Page 4.10-12. It is not clear from the DEIR in the discussion of pre-project and post-project flows what overland release flows from the Project onto the Ramsey Property will be, both pre-project and post-project, and precisely what water quality measures will be required for such flows from the Project onto the Ramsey Property.

In addition, the Ramseys have discussed with the Rocklin 60 project the need to address drainage at the southern end of the Ramsey Property, which is critical to avoiding back-up of drainage flows onto the Ramsey Property affecting their septic systems.

Conclusion

The Ramseys truly wish to reach an agreement with the Project so as to be able to support the Project before City decision-makers, but the few impacts discussed herein must be addressed and acceptably mitigated for these long-time Rocklin residents.

We thank you for the opportunity to comment.

Very truly yours,

LO DUCA & AVDIS, LLP



Marcus J. Lo'Duca

MLD/dmw
Cc Richard and Margaret Ramsey
Vicki Ramsey

12-1

The comment expresses concerns primarily related to the prohibition of future access from Makabe Lane and for near- and long-term circulation and access in the project area.

These concerns are not necessarily environmental issues that need to be addressed in the EIR, but rather are more appropriately addressed as a part of the approval process for the tentative map and the overall project. The 11 proposed lots (lots 168-178) that border Makabe Lane are not designed nor planned to have access to Makabe Lane or the associated 20 and 30 foot easements, but rather they are designed to have access onto Tecate Drive. The land that contains the 20 and 30 foot easements is currently owned, and would be retained in ownership, by the project applicant. Based on current discussions with the project applicant, should the adjacent property owners to the south who utilize the easements wish to purchase the land in the future, they will be given that opportunity. As suggested in the comment, the Rocklin 60 subdivision has been designed to have Wedgeleaf Drive connect to Makabe Lane in the future, if the Ramsey property were to be developed.

With regard to maintaining access to Dias Lane for the Ramsey residences, the tentative map reflects two existing roadway easements (20' and 30' wide) that provide such access. The project proposes to abandon portions of these roadway easements to the west of the Ramsey's residences, but will maintain the rest of the easements such that access for the Ramsey residences to Dias Lane is maintained.

The Rocklin 60 subdivision was designed under the assumption that the Ramsey property would be developed in the future and, as such, includes roadways that have been "stubbed out" to the Ramsey property, allowing for a future connection to Nolina Street and Mesquite Way, as noted in the comment.

12-2

The Draft EIR included an evaluation of the exposure of adjacent residences to excessive vibration levels under Impact 4.4-5 on page 4.4-24. The evaluation concluded that the project's construction activities would not be expected to expose off-site sensitive receptors to vibration levels that would be considered excessive, and that the long-term operation of the project would not include any vibration sources; as such, the impact was determined to be less than significant and no mitigation measures were identified.

There has been no determination that blasting activities will be necessary for the project. However, if blasting activities are to occur in conjunction with the project's improvements, mitigation measure 4.4-1 (4) requires the contractor to obtain a blasting permit from the City of Rocklin. As part of the blasting permit application, blasting safety measures to be implemented shall be identified at the time that the application is made. As noted in the mitigation measure, safety measures to be implemented may include such things as blasting blankets. The City of Rocklin Chief of Police has the issuing authority for a blasting permit under Municipal Code section 8.28.020 and Section 12007 of the Health and Safety Code. In addition, per Municipal Code section 8.28.040, it is at the discretion of the police chief to impose conditions on a blasting permit which he or she finds reasonable to promote safety to property and persons. The blasting permit process also requires the contractor applicant to provide proof of insurance coverage in a specified amount from \$100,000.00 to \$2,000,000.00, in accordance with the Uniform Fire Code, Section 77.104 and Municipal Code section 8.28. Thus, the commenter's concerns with the

potential damage from project blasting will be addressed by implementation of mitigation measure 4.4-1(4) and the contractor's adherence to the blasting permit procedures.

12-3 The comment requests that the project applicant construct a fence along the project's border with the commenter's property to reduce noise impacts.

Mitigation Measure 4.4-1 includes several efforts that are intended to minimize the impact of construction-generated temporary increases in ambient noise levels, but does not include the provision of a fence along the commenter's property. A noise barrier to address long-term noise levels is required to be constructed along the border of the project site and the commenter's property by Mitigation Measure 4.4-3, but the mitigation measure does not require or intend that the barrier would serve to address construction noise levels. In practicality, because the noise barrier between the project site and the commenter's property could not be installed until such time that a majority of the project site's grading has been completed, the majority of the noise-generating construction activities would have to occur prior to the barrier being able to be erected.

12-4 Please refer to Response to Comment 12-2.

12-5 The comment raises a concern regarding irrigation water service to the Ramsey property, specifically as it relates to relocation, access, relocation costs, minimizing interruptions in service and provision of water in the event of an interruption.

Such concerns are not necessarily environmental impacts to be addressed through the CEQA process; however, the City recognizes the concerns of the Ramseys, and will apply conditions of approval to the project to address the concerns raised in this comment. Specifically, the applicable conditions of approval are as follows:

- ▶ The developer shall relocate the East Side Canal pipe that traverses the project site to avoid being located under permanent structures. The developer shall prepare plans and enter into a Facilities Agreement with the Placer County Water Agency (PCWA) to relocate the East Side Canal pipe. The existing canal pipe must remain in service until the replacement pipe is in service, or unless otherwise agreed with those receiving the benefit from the canal and PCWA.
- ▶ Water service shall be provided to the subdivision from Placer County Water Agency (PCWA) in compliance with all applicable PCWA standards and requirements. PCWA shall verify ability to serve the subdivision by signing off on the subdivision improvement plans. All necessary easements shall be shown and offered (or Irrevocable Offer of Dedication provided) on or with the final map. All necessary improvements shall be included on the subdivision improvement plans.

12-6 The comment refers to a change in the proposed grading and retaining wall for the project, to the satisfaction of the property owners. However, the comment goes on to express the concern of the property owners regarding future occupants of homes on Lots 141 and 142 being able to look directly onto their property and requests that the homes to be constructed on these sites be limited to single-story homes. The concern expressed in the comment is not considered to be an environmental concern of the type that would be addressed through the CEQA process. The concern is not CEQA-related in the sense that no standard of significance identified in the Draft EIR is being exceeded to a point where a significant impact would be recognized.

Since the original submittal of the project plans, the applicant has met with City staff and the Ramsey family to address grading, retaining wall heights, and aesthetic concerns affecting the Ramsey property. As a part of this process, the lot pad elevations to the south of the Ramsey

property have been evaluated and reduced such that the pad elevations for lots 141 and 142 are now 7.5 feet lower than what was shown in the original version of the grading plan.

Based on the current project site plan, if a two-story home was constructed on Lot 141, a person's eye-level "viewing plane" out a window of the second story would be at an elevation of approximately 353.2 feet (assuming the second story begins at an elevation of approximately 348.2 feet and adding 5 feet to reflect eye-level height). The pool deck of concern is at an elevation of 343.2 feet, so a person's eye-level "viewing plane" is approximately 10 feet higher than the pool deck.

By way of comparison, for a typical single-family subdivision with adjacent lots at the same elevation, a person's eye-level "viewing plane" through a second story window would be approximately 15 feet higher than the ground elevation (assuming the second story begins at an elevation of approximately 10 feet higher than the ground, and adding 5 feet to reflect eye-level height). Similarly, a typical single-family subdivision would have a horizontal distance of approximately 20 feet from the back of the residence to the rear of the lot/fence location, and if a pool were desired, it would generally be placed within the 20 foot backyard area. In the case of the Rocklin 60 project, the distance from the rear of Lot 141/fence to the pool deck is approximately 75 feet.

In summary, although the pool deck will be visible from a second-story home on Lot 141 (and Lot 142), the horizontal and vertical distances from Lot 141 to the pool deck are greater than what are found in typical single-family subdivisions, thus providing some level of visual buffer. More importantly, placing single-family homes adjacent to single-family homes is not typically considered to be an incompatibility issue.

Although this is not an environmental impact, this concern has been forwarded to the decision makers for their consideration.

12-7

This comment addresses drainage.

The DEIR acknowledged that, as a result of the project, there would be an increase in impervious surfaces, which would then result in an increase in localized stormwater runoff from the project site. A preliminary drainage report for the project was prepared, in accordance with the Placer County Flood Control and Water Conservation District's Stormwater Management Manual methodology, to evaluate the stormwater generation effects of the proposed project and the adjacent Rocklin Crossings project. The preliminary drainage report identified the need for the installation of a detention basin that would be used by both projects. The preliminary drainage report identified the detention basin volume and outlet configuration that would be needed to attenuate the post-project peak flows to pre-project levels. During review of the final subdivision design as a part of the City's development review process, the City will require a final drainage study to ensure that post-development stormwater flows will be maintained at or below pre-development levels.

The project's drainage system has been designed to handle stormwater runoff flows from a 10-year storm event with some reserve capacity designed into the system. The additional capacity beyond the 10-year storm event that is being designed will allow for the drainage system to ultimately accommodate a 25-year storm event entirely within the drainage system. In the vicinity of the Ramsey property, the project's drainage system includes a drainage inlet at the end of Sedge Court. This drainage inlet will accommodate up to a 25-year storm event as the rest of the drainage system will, but in the event of a greater than 25-year storm event, the stormwater flows will then enter the street system of the project. Because Sedge Court has been designed to slope

down towards the Ramsey property, the greater than 25-year storm event flows will collect in Sedge Court for a brief time and then the flow via an overland release area onto the Ramsey property (the overland flows will be designed with a dissipater to reduce flow velocities). The exact volumes of pre- and post-project overland flows onto the Ramsey property have not quantified at this point, but will be quantified upon preparation of final drainage plan, and that information will then be reviewed by the City to ensure a functioning drainage system.

12-8 This comment addresses drainage and septic.

With respect to drainage at the southern end of the Ramsey property and concerns regarding a septic system, the project includes the provision of side-opening drainage inlets at the northern end of Mesquite Way and towards the east end of Nolina Street such that overland drainage flows on the Ramsey property can be accommodated into the project's drainage system. The final drainage plan will address accommodation of the overland drainage flows and prevent ponding from occurring to the extent that it would affect the Ramsey's septic system.

From a water quality perspective, it is not anticipated that water quality measures will need to be implemented for overland flows onto the Ramsey property. Water quality degradation from the discharge of urban runoff enters the storm drain system carrying contaminants found in urban environments. Stormwater may encounter oil, grease, or fuel that has collected on roadways and driveways and convey these contaminants to the storm drain system. Water used for irrigation purposes may encounter pesticides, herbicides and fertilizer. Water that has encountered these chemicals but that has not been absorbed by plants and soil can enter the storm drain system. Urban contaminants typically accumulate during the dry season and may be washed off when adequate rainfall returns to produce a "first flush" of runoff. During any storm event, contaminants that exist on the project's roadways will be washed with the stormwater and will enter the drainage inlets within the streets and go through a sand/oil separator before being discharged into the project's detention basin, and ultimately from the detention basin into Secret Ravine Creek.

Stormwater flows greater than a 25-year storm event will exceed the capacity of the drainage system and, as discussed above at the Sedge Court location, these flows will then be released overland onto the Ramsey property. If a storm event greater than 25-years occurs, the initial flows from the storm event, including any contaminants from the project's runoff will have been filtered as described above before reaching a point when the 25-year storm event capacity of the drainage system is exceeded. At that time, because of the intensity of any storm event greater than 25-years, the overland flow runoff that will enter the Ramsey property will primarily be rainwater at that point and will not present a water quality concern. Please also refer to Response to Comment 13-1 for further discussion regarding the project's water quality impacts and how they will be addressed.

June 26, 2009

**VIA FACSIMILE AND
ELECTRONIC MAIL**

Planning Commission
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677-2720

Sherri Abbas
Development & Building Services Manager
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95688-2720

**Re: Town of Loomis's Comments on the Draft Environmental Impact Report for
the Rocklin 60 Project**

Dear Planning Commissioners and Ms. Abbas:

The Town of Loomis submits the following comments on the Draft Environmental Impact Report ("DEIR") for the Rocklin 60 Project (SCH # 2006112060). Loomis objects to the Project and the DEIR as it fails to comply with the requirements of the California Environmental Quality Act, Public Resources Code, section 21000 *et seq.* The Town of Loomis and many of its residents are concerned about the potentially significant environmental impacts that the Rocklin 60 Project will have on Loomis and its residents.

A. Storm Water Drainage

Section 4.10 indicates that the "project includes a stormwater runoff collection and detention system pursuant to the guidelines set forth in the Stormwater Management Manual that would be sufficient to attenuate the post-project peak flows to pre-project levels". (DEIR at pg. 4.10-14.) Loomis is concerned that pollutants will be introduced into Secret Ravine during peak rain events. The pollutants will not only be coming from Rocklin 60, but also from Rocklin Crossing, which we understand will be designed to share the detention facility with Rocklin 60. If this is the case, then the aquatic life in Secret Ravine could be significantly and adversely impacted. Secret Ravine is a joint resource shared by Rocklin and Loomis; thus Loomis would share the burden of ecological damage to the stream caused by development in Rocklin. The environmental report does not sufficiently examine the efficacy of using a bio-swale as opposed to simple mechanical means of constructing pipes and ponds. As an added measure of protection for Secret Ravine, Loomis suggests that a road separate lots one through twenty-one (#1 to #21) from Secret Ravine rather than designing the lots to back up to Secret Ravine. This would better protect the stream and riparian area, allow for a more scenic view for bikers and walkers, and provide access for stream maintenance. (this is just is a mapping project)

B. Street Lighting & Visual Impacts

Impact 4.7-4 indicates that the project may include construction of reflective surfaces and additional lighting that could cause light and glare and that the degree of darkness on and around the project site would be diminished. (DEIR at pg. 4.7-7.) This impact was determined to be significant; however Mitigation Measure 4.7-4 states that “[a]ll exterior street light fixtures shall be aimed downward and shall be shielded to prevent light spillage onto adjoining property.” (*Id.*) Because Rocklin 60 transitions from the typical lot and block subdivision to the rural area of Loomis, where there are no street lights, it is suggested that no street lights be used in the Rocklin 60 subdivision or that street lights only be placed at intersections to thereby greatly diminish the effects on the night sky and visual intrusion in the nearby rural residential neighborhood.

Visual character will be changed from various vantage points as explained on pages 4.7-2 through 4.7-7. Impact 4.7-3 states that project will convert views of the project site from an oak woodland/grassland to an urban development, which would be a significant and unavoidable impact. (DEIR at 4.7-5.) Despite the significant nature of this impact, the DEIR finds that “no mitigation is available”. (DEIR at pg. 4.7-6.) Loomis requests that Rocklin require extensive plantings of trees because that is a viable mitigation measure. Considering the project is removing 843 trees it would be reasonable to require at least that number be replaced, if not more. (Impact 4.12-2, DEIR at pg. 4.12-24.) Loomis asks that this be treated similarly to a previous project on the Loomis/Rocklin border – Croftwood – the City required a landscaping buffer along the entire edge of this property.

C. Dias Lane

The Rocklin 60 subdivision has lots abutting Dias Lane. Lot sizes along Dias Lane should reflect the transition that occurs between the typical lot-and-block subdivision on the Rocklin side and the 2.3 acre minimum lot size on the Loomis side. This was considered at a Border Committee meeting of Rocklin and Loomis in February 2009 and Rocklin noted it is amenable to larger lots and building setbacks to create a buffer along Dias Lane in specific reference to the Rocklin 60 project. Lots 26, 167 & 168 are larger lots; however lots 22 to 25 are standard size lots. Loomis asks that either those lots be redesigned, or that area of the project be altered such that all lots abutting the Loomis border be the same size as lots 26, 167 and 168. Furthermore, Loomis requests that the sides of those lots abutting Dias Lane be heavily planted to provide a landscaped buffer or revised to create a vegetated buffer similar to the increased landscaping that Rocklin required between the Rocklin Crossing and Rocklin 60 projects.

Upon initial review of the project site plan, it looks as though several access points onto Dias Lane are proposed and that Dias Lane is to be used for emergency access; however there do not appear to be any plans to improve the roadway. Loomis requests that the impacts to Dias Lane be reviewed and the following questions answered:

- 1) On the Northeast corner of the project, there are two lots (167 & 168) that are adjacent to Dias Lane.
 - a. Will these lots access Dias Lane or the proposed street system to the west?

- b. If they plan to access Dias Lane, do they have access rights?
 - c. Are these lots accessing onto Loomis right-of-way?
 - d. Are the dashed lines to the east of the lots for additional rights-of-way which are needed, or utility and/or set back requirements?
- 2) To the south of lot 168 there is a proposed street.
 - a. Is this street an emergency access or a future connection to Dias Lane?
 - 3) Lot 26 is proposed to access Dias Lane; are there access rights or a proposed right-of-way dedication?
 - 4) Lots 22, 23, 24 & 25 are adjacent to Dias Lane.
 - a. Are these lots on the right-of-way?
 - b. Does Dias Lane extend to lot 22?

In summary, Loomis does not agree with any proposed street connections to Dias Lane as the roadway is not capable of handling increased traffic volumes. Loomis would like verification of existing access rights to Dias Lane and asks that the project be conditioned with "no access" strips except for the three larger lots. With Dias Lane in disrepair, added traffic from the project will cause further problems to the roadway and may lead to an unsafe surface for travelers to and from existing properties. Additionally, emergency access will be hindered by a badly damaged roadway which could impact the ability of emergency personnel to provide potentially life-saving services.

D. Flooding

Impact 4.10-2 indicates that the project looked at the 100 year flood event. (DEIR at pg. 4.10-14.) Given the nature of past flooding in the area and especially the project location along Secret Ravine, Loomis asks that the environmental document consider the effects of a 200-year flood event because a stoppage downstream will result in flooding upstream where Loomis is located. Given that land which was previously fields will be covered with impervious surfaces from the Rocklin Crossing, Rocklin 60, Rocklin Center at Secret Ravine and Rocklin Croftwood projects, it would be wise to a look at something other than the standard 100 year flood event because of the cumulative run off from all of these developments.

E. Cumulative Impacts

Loomis would reiterate that the Rocklin 60 project is another example of a substantial development in the Rocklin/Loomis area being considered in isolation. The following is a list of other projects in the process of being either approved or constructed near the Rocklin/Loomis border:

- 1) Rocklin Crossing – 543,500 sq ft commercial
- 2) Rocklin Lowes – 170,000 sq ft commercial
- 3) Clover Valley – 558 homes + 5 acre commercial site
- 4) Rocklin Commons – 415,000 sq ft commercial
- 5) Del Mar Business Park – 67 acres light industrial
- 6) Whitney Ranch Phase II – 1,427 homes
- 7) Croftwood – 156 homes
- 8) Rocklin 60 – 179 homes

9) Secret Ravine Center - 23,600 sq ft commercial

Given all the other projects that will be located either directly on the Loomis / Rocklin border or very near, it would be prudent for Loomis and Rocklin to develop global mitigations for what will surely be extreme cumulative effects. Considering any of these developments in isolation will not protect people of Rocklin or Loomis from potentially drastic impacts.

F. Traffic Impacts

Generally:

Section 4.2, Traffic and Circulation, indicates that the traffic counts used for the traffic impact analysis were collected in September and October, 2006. (DEIR at pg 4.2-5.) This data is nearly three years out of date and is likely not reflective of the currently existing traffic volumes in the vicinity of the Project, especially in light of the numerous recent development projects in the area. Furthermore, the DEIR's impact analysis relies upon a standard of significance of less than 5 percent traffic increase to determine if the Project will have potentially significant impacts to traffic. (DEIR at pg 4.2-16.) This threshold of significance, particularly to roads and intersections with an already unacceptable level of service is without basis, is not supported by substantial evidence and violates CEQA's requirements.

A lead agency must find that a project may have a significant effect on the environment and must prepare an EIR if the project's potential environmental impacts, although individually limited, are cumulatively considerable. (Pub. Resources Code, § 21083(b); CEQA Guidelines, § 15065(c); see *San Bernardino Valley Audubon Society v. Metropolitan Water District* (1999) 71 Cal.App.4th 382, 398.) The Fifth District Court of Appeal has found that the more severe the existing environmental problems are, the *lower the threshold for finding that a project's cumulative impacts are significant*. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 781, emphasis added.) The DEIR fails to analyze this issue, and simply dismisses the potentially significant cumulative impacts to these roadway segments and intersections by stating that the percentage of impact is less than 5 percent. Additionally, it applies this same standard regardless of whether the LOS is D, E, or F. This contradicts the ruling in *Kings County* which stated that the more severe the existing environmental problems, the lower the threshold for finding a project's cumulative impacts are significant.

Sierra College Boulevard:

In addition to the general concerns addressed above, the Town of Loomis is particularly troubled by the traffic impact analysis regarding Sierra College Boulevard. Sierra College Blvd is a major north-south roadway that traverses Loomis, Rocklin and Roseville, among other places, and would serve as the "primary transportation link to the proposed Rocklin 60 project". (DEIR at pg 4.2-12.) The City of Rocklin has approved project after project that relies on Sierra College Blvd, thereby forcing the Town of Loomis to subsidize essentially unrestricted growth in Rocklin. As a result of Rocklin's unfettered expansion, Loomis must bear the burdens of road improvement projects, roadway maintenance, increased traffic congestion and degraded air quality. The traffic impact analysis shows that under existing traffic conditions the intersection between Sierra College Blvd and the I-80 eastbound ramp is operating at an unsatisfactory service level. Additionally, two roadway segments studied along Sierra College Blvd are

operating at an unsatisfactory service level; one between Brace and Granite Roads, the other between Dominguez and Rocklin Roads.

The DEIR discusses two projects that would ostensibly alleviate traffic congestion along Sierra College Blvd; however neither constitutes a mitigation measure on the part of the project. The first is an existing reconstruction project for the Sierra College Blvd/I-80 exchange. (DEIR at pg 4.2-10.) These improvements would create a second access point from Sierra College Blvd to the project's main roadway, Black Willow Street. (*Id.*) None of these improvements to Sierra College Blvd are funded by the project; however access to the project will be affected by the improvements. (*Id.*)

The second set of improvements that will impact the project is a series of upgrades to Sierra College Blvd which would be funded by the South Placer Regional Transportation Authority ("SPRTA"). (DEIR 4.2-12.) SPRTA is a Joint Powers Authority that includes the cities of Rocklin, Roseville, and Lincoln; the County of Placer; and the Placer County Transportation and Planning Agency. (*Id.*) The purpose of SPRTA is to implement a regional transportation and air quality mitigation fee to fund certain regional transit projects. (*Id.*) Improvements to sections of Sierra College Blvd are only one of five major projects that SPRTA was created to fund. (*Id.*) According to the DEIR, the order of priority for SPRTA's five projects and the completion dates for each have yet to be established and "is ultimately dependant on the collection of the fees necessary to fund them". (*Id.*)

Despite the fact that the improvements to Sierra College Blvd have no secured funding, no priority and no estimated completion date, the City of Rocklin appears to have assumed that the Rocklin 60 impacts on traffic will be reduced by SPRTA-funded projects. Given that SPRTA's fee collection comes from "new development in the participating jurisdictions", none of which is guaranteed, the necessary funding for improvements along Sierra College Blvd is *not* ensured, contrary to what the DEIR suggests. (DEIR at pg 4.2-12 to 4.2-13.) Furthermore, the Town of Loomis is not a "participating jurisdiction" in SPRTA and thus none of the sections of Sierra College Blvd slated for improvement using SPRTA funds are located within the Town of Loomis. Yet residents of the project will almost certainly use Sierra College Blvd through Loomis to access areas north of the project. The result is that, once again, Loomis is forced to bear the burden of either increased traffic congestion or infrastructure improvements without having any control over the development responsible for such impacts.

Roads to Schools:

Finally, the traffic impact analysis does not consider the increase in traffic on Loomis roads leading to Loomis Schools. The DEIR indicates that the project would generate new students in the Loomis Union School District and Placer Union High School District. (DEIR at pg. 4.6-19.) Elementary school students in the project area would attend Franklin Elementary School, and high school students would attend Del Oro High School. (DEIR at pg. 4.6-20.) Franklin Elementary is located at 7050 Franklin School Road, which is south-east of the project site and is not accessible via any of the major or arterial roadways. Del Oro High School is located at 3301 Taylor Road; north-east of the project site. The traffic impact analysis does not take into account increased traffic at peak times resulting from trips to and from the schools. Furthermore, traffic on the routes that project residents would use to travel to and from Franklin

Elementary was not considered at all in the traffic analysis. The impacts on Loomis roads need to be addressed and the project needs to either pay for or construct appropriate mitigation measures for any significant impacts.

G. Global Warming

The Global Climate Change section of the Draft Environmental Impact Report (“DEIR”) for the Rocklin 60 Project provides an extensive discussion on global warming and GHG emissions. While Rocklin’s DEIR shows a move in right direction in addressing GHG emissions associated with the significant development in Rocklin, the analysis and conclusions fail to meet the requirements of CEQA. The failure to conduct adequate environmental review constitutes a prejudicial abuse of discretion and a violation of CEQA and the CEQA Guidelines.

The DEIR concludes that the Project’s climate change impacts would be considered less than significant after implementation of GHG emissions reduction strategies and compliance with existing City policies and ordinances. (DEIR at p. 6-61.) First, the “GHG emissions reduction strategies” are not mitigation measures required for the project. Second, substantial evidence does not support the conclusion that the cumulative impacts are less than significant as the DEIR does not set a threshold of significance for GHG emissions.

CEQA requires that “[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” (Pub. Resources Code, § 21002.1(a); see *Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1990) 52 Cal.3d 553, 564-65.) All phases of a project must be considered when evaluating the project’s impacts on the environment. (CEQA Guidelines, § 15126.) CEQA requires that an agency must find a project may have a significant effect on the environment if (1) a proposed project has the potential to degrade the quality of the environment, curtail the range of the environment, or to achieve short-term, to the disadvantage of long-term, environmental goals; (2) the possible effects of a project are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future effects; (3) the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” (Pub. Resources Code, § 21083(b); CEQA Guidelines, § 15065.) Under CEQA, global warming is an “effect on the environment” and a project’s contribution to global warming can be significant or cumulatively considerable.¹

If a project increases GHG emissions over long periods of time, it will make it more difficult for the State to address global warming and to achieve the mandated reductions required by Assembly Bill 32 and Executive Order S-3-05. Because a project that generates greenhouse gas emissions contributes to global warming, this impact must be fully disclosed and analyzed under CEQA. In order to properly analyze a project’s climate change impacts, an environmental document must: 1) provide a regulatory and scientific background on global warming; 2) assess

¹ See Pub. Resource Code, § 21083.05(a); see also Sen. Rules Comm., Off. Of Sen Floor Analyses, Analysis of Sen. Bill No. 97 (2007-2008 Reg. Sess.) Aug. 22, 2007.

the project's contribution to climate change through an emissions inventory; 3) assess the effect of climate change on the project and its impacts; and 4) make a significance determination. The DEIR provides the regulatory and scientific background on global warming, but fails to adequately assess the project's contribution to climate change.

CEQA requires that a public agency refrain from approving projects with significant projects with significant environmental effects if feasible alternatives or mitigation measures exist that can substantially lessen or avoid those effects. (Pub. Resources Code § 21081; see also *Mountain Lion Foundation v. Fish and Game Commission*, *supra*, 16 Cal.4th at p. 134.) In *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720, the court stated:

[o]ne of the most important environmental lessons evident from past experiences is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant, assuming threatening dimensions only when considered in light of the other sources with which they interact. Perhaps the best example is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem. CEQA has responded to this problem of incremental environmental degradation by requiring analysis of cumulative impacts.

The DEIR refers to a 2006 Climate Action Team (CAT) report which "proposes a path to achieve the Governor's targets" for GHG emissions reductions and indicates that the suggested strategies will reduce California's emissions to the Governor's proposed levels. While these suggestions and strategies may contribute to GHG emission reductions across the state, they do not take the place of mitigation measures required for the project.

The DEIR also mentions the Governor's Office of Planning and Research's June 19, 2008, Technical Advisory entitled *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*, but then ignores the recommendations on analyzing GHG emissions and global warming impacts. In the Technical Advisory, OPR provides a recommended approach:

Each public agency that is a lead agency for complying with CEQA needs to develop its own approach to performing a climate change analysis for projects that generate GHG emissions. A consistent approach should be applied for the analysis of all such projects, and the analysis must be based on best available information. For these projects, compliance with CEQA entails three basic steps: identify and quantify the GHG emissions; assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or mitigation measures that will reduce the impact below significance. (Technical Advisory at p. 5 (emphasis added).)

As indicated in the Technical Advisory, CEQA requires the lead agency must also determine the threshold of significance for the project. (See *Id.* at p. 6.) The DEIR fails to set a threshold of significance for GHG emissions from the project. Without a threshold of significance there is no meaningful way for the DEIR to conclude that the Project's GHG

emissions are less than significant. Moreover, OPR's Technical Advisory cautions lead agencies that GHG emissions should not be dismissed without substantial evidence to support the decision.

Lead agencies should not dismiss a proposed project's direct and/or indirect climate change impacts without careful consideration, *supported by substantial evidence*. Documentation of available information and analysis should be provided for any project that may significantly contribute new GHG emissions, either individually or cumulatively, directly or indirectly (e.g. transportation impacts). (*Id.*)

In the present situation, the DEIR dismisses the project's GHG emissions and the Project's cumulative impacts to GHG emissions without any substantial evidence. The DEIR, fails to establish the baseline or threshold of significance for GHG emissions. Despite this lack of information and substantial evidence, the DEIR concludes that the Project's impacts on GHG emissions are less than significant. This DEIR conclusion is unsupported by substantial evidence and, as such, Section 6.4 of the DEIR is not consistent with the requirements of CEQA.

Sincerely,

Donald B. Mooney
Attorney for Town of Loomis

13-1

The commenter notes concern on behalf of the Town of Loomis regarding water quality impacts to the Secret Ravine Creek.

The southeastern portion of the proposed project is located adjacent to Secret Ravine Creek. Secret Ravine Creek is a perennially flowing stream that drains a 19.7-square-mile basin within the Sierra Nevada foothills of western Placer County. Secret Ravine Creek flows 10.5 miles from its headwaters in the Newcastle area (elevation 1,285 feet) south of the City of Auburn and then southward, roughly parallel to Interstate 80, to its confluence with Miners Ravine Creek (elevation 165 feet) near Atlantic Street in the City of Roseville. If the project were not properly designed, soil erosion generated during project construction could potentially degrade the water quality within Secret Ravine Creek and pollutants generated during long-term occupation of the site could also potentially degrade water quality.

The project, as required by City of Rocklin, has provided for a setback from Secret Ravine Creek of 50 feet from the top of the bank or the edge of riparian, whichever is greater. The proposed project's runoff, erosion, and subsequent sedimentation issues would be minimized or eliminated, through implementation of Mitigation Measures 4.10-3 and 4.10-4, which require the preparation of an erosion control plan and stormwater pollution prevention plan (SWPPP) and the installation of appropriate best management practices (BMPs) to comply with the City's Stormwater Runoff Pollution Control Ordinance (Title 8, Chapter 8.30 of the City Code) and the Grading and Erosion and Sedimentation Control Ordinance (Title 15, Chapter 15.28 of the City Code), which regulate stormwater and prohibit non-stormwater discharges except where regulated by an NPDES permit.

Specifically, site operations with the potential to degrade water quality in the long term would be mitigated through Mitigation Measure 4.10-4, which requires the project applicant to identify additional storm water runoff BMPs.

Both short-term and long-term measures to ensure against water quality impacts are required to be designed to prevent against erosion, on-site dust generation, and runoff of pollutants that would create an adverse environmental impact. Best practices measures are required to be compliant with regulatory mechanisms pursuant to the Clean Water Act, and agencies responsible for implementing federal and state water quality legislation are required to approve permits and stormwater mitigation plans prior to construction. Please refer to Section 4.10 of this EIR for more information.

Mitigation required for the project includes erosion sediment control BMPs, means of waste disposal, implementation of approved local plans, nonstormwater management controls, and inspection and maintenance responsibilities. Mitigation identified for the project requires the SWPPP to: specify the pollutants that are likely to be used during construction and that could be present in stormwater drainage and nonstormwater discharges; specify spill prevention and contingency measures; identify the types of materials used for equipment operation; identify measures to prevent or clean up spills of hazardous materials used for equipment operation and hazardous waste, and identify emergency procedures for responding to spills. A sampling and monitoring program is also included, to ensure compliance. Long-term functionality of the stormwater quality BMPs shall be provided for through a maintenance and inspection program.

Runoff from the project is planned to be collected and routed to a detention basin. The detention basin will serve dual uses: attenuate peak post project flows and accommodate the water quality volume. The detention basin would serve to reduce pollutants in stormwater through infiltration, biological uptake, and settling. The detention basin will be designed to function as a water quality basin, in accordance with Guidance Document for Volume and Flow-based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection published by the Placer Regional Stormwater Coordination Group (PRSCG) (May 2005). This aspect of project design has been added to Mitigation Measure 4.10-4 on page 4.10-17 of the EIR – please refer to the EIR Errata section of this Final EIR.

Following discharge from the detention basin, the stormwater would flow through an existing grassy swale for approximately 300 feet before entering Secret Ravine Creek. Such measures are designed to reduce the discharge pollutant concentrations to comply with existing water quality criteria and to minimize the potential for impacting Secret Ravine Creek.

Prior to issuance of a grading permit for the site, however, the BMPs would be reviewed for adequacy by the City of Rocklin, Engineering Department to ensure that they would effectively remove pollutants from the site’s stormwater runoff.

Additional clarifying language has been added to Mitigation Measure 4.10-4 to discuss a multi-staged approach to water quality best management practice for the project. Please refer to the EIR Errata section of this Final EIR.

The City has also made a minor change to Mitigation Measures 4.10-3 and 4.10-4 to clarify the procedural process related to NPDES permitting. Please refer to the EIR Errata section of this Final EIR.

With implementation of Mitigation Measures 4.10-3 and 4.10-4, the quality of the water entering Secret Ravine Creek would not be degraded and the project’s potential impacts on water quality would be reduced to a less-than-significant level.

The commenter notes that the EIR does not sufficiently consider efficacy of bio-swales on-site as opposed to constructing stormwater conveyance pipes connected to a detention basin. As noted in the EIR, the project would incorporate stormwater flow across a grassy swale to remove additional contaminants. The commenter is correct to note that the project also includes piped conveyance of stormwater and use of a detention basin. Although the project is not designed to use bio-swales alongside each internal street to collect and convey stormwater, this specific technique is not required in order to reduce water quality impacts of the project to a less-than-significant level. This suggestion, however, is provided here and in the verbatim copy of this comment letter for decision maker consideration.

The commenter correctly notes that the project will be designed to share a detention basin with an adjacent commercial development commonly known as “Rocklin Crossings.” This adjacent development will also be required to implement water quality measures to ensure against impacts to Secret Ravine. As with the proposed project, the Rocklin Crossings project will be required to implement a multi-stage stormwater quality program that includes source controls, separators and filters, as well as water quality measures incorporated into the design of the detention basin. Please refer to the EIR for Rocklin Crossings on file with the City and available online at: http://www.rocklin.ca.gov/government/development/planning/publications_n_maps/rocklin_crossing_draft_environmental_impact_report.asp

The commenter suggests that the project be redesigned so that a road, rather than backyards would be located next to the open space area to be dedicated adjacent to the Secret Ravine

corridor. The commenter is referred to Section 5.0 of the DEIR, which illustrates and evaluates alternative project designs, including two alternatives that envision greater setbacks from Secret Ravine.

- 13-2 The comment suggests that, due to the lack of street lighting in the portion of Loomis adjacent to the project site, that the proposed project use no street lights or that street lights only be placed at intersections to reduce adverse lighting impacts on nearby areas. Street lights are installed as a public safety amenity. As such, to avoid a public safety issue, the City is requiring the project to install street lighting.

Please refer to Section 4.7 of the EIR, which addresses aesthetic impacts of the project. The comment does not include information about the adequacy of the environmental analysis. The commenter's suggestion has been forwarded to the decision makers for their consideration. No further response is necessary.

- 13-3 The comment requests extensive planting of trees along the project's border with the Town of Loomis to help address the recognition of in Impact 4.7-3 that the project will convert views of the project site from an oak woodland/grassland to an urban development.

The project will result in a conversion of undeveloped land to developed land, which was characterized as a significant and unavoidable impact in Impact 4.7-3. The project has limited common borders with the Town of Loomis. Only Lots 22, 23, 24, 25, 26, 178, and 179 would border the Town of Loomis. Lots 178 and 179 are proposed within annual grassland habitat, as shown in Exhibit 4.12-3 in the Biological Resources chapter of the Draft EIR. On these lots, there is very limited tree cover today. Thus, the development of lots 178 and 179 will require minimal tree removal, and there will not be an abrupt visual transition in that area of the project site as a result of tree removal. For this reason, the City does not believe that it is necessary to create a tree-covered buffer at this location.

Lots 22-26 occur within oak woodland habitat, as shown in Exhibit 4.12-3 in the Biological Resources chapter of the Draft EIR. The development of these lots will require substantial tree removal (as compared to the tree removal for lots 178 and 179). However, the properties on the eastern side of Dias Lane in the areas of lots 22-26 are covered extensively with trees that will in effect serve as a buffer between those properties and the Rocklin 60 project. Thus, the City does not believe it is necessary to create a tree-covered buffer in this location, either.

- 13-4 This comment discusses lot sizes within the proposed project compared to lot sizes that occur adjacent to the project site in Loomis.

Lot size is not in and of itself a physical adverse impact of the project. The size of lots could indirectly affect the project's effects on any existing scenic vistas (if they were present) and the degree of impact on the existing visual character. Please refer to Section 4.7 of the EIR, which addresses visual impacts of the project. The commenter is also referred to Section 5.0 of the EIR, which addresses alternatives to the project, including alternatives that create additional buffers between the project, and developed and undeveloped areas east and southeast of the project site.

- 13-5 This comment discusses access to Dias Lane and includes questions for the City regarding the project site plan and its relationship with Dias Lane.

The project site plan shows large arrows toward Dias Lane indicating direct access for three lots: 178, 179, and 26. Other than these three lots and emergency access, the project does not propose any additional access to Dias Lane. Encroachment permits would be required from the Town of Loomis for any new access points to Dias Lane, consistent with applicable regulations. Under

existing conditions, two lots within the project site directly abut Dias Lane. The project proposes to create one additional lot with access to Dias Lane. If trips to Dias Lane occurred at a rate of 9.57 per day, the three lots with access to Dias Lane would add approximately 29 trips to this roadway. Please refer to Section 4.2 of the EIR, which discusses traffic impacts. As noted in this section, the thresholds of significance are based Appendix G of the CEQA Guidelines, with appropriate specific local content, based on applicable policy. There are no significant impacts to Dias Lane attributable to the project. The project does not make a cumulatively considerable contribution to any significant cumulative traffic impact.

13-6 The comment states that the environmental document should include analysis of the effects of a 200-year flood event.

The majority of the project site is located within FEMA flood zone X, which is considered to be a moderate to low risk area, and is described by FEMA as “Areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than one foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than one square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in these zones.”

Per page 4.10-3 of the Draft EIR, portions of the property are also located within the 100-year floodplain boundary; the southeastern extremities of the project site adjacent to Secret Ravine Creek are designated Zone AE. Zone AE is considered to be a high risk area and is described by FEMA as “Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. In most instances, base flood elevations derived from detailed analyses are shown at selected intervals within these zones.” However, the portions of the project site within Zone AE are not proposed for housing development. In addition, the project is subject to the City’s adopted Flood Hazard Ordinance (Rocklin Municipal Code, Chapter 15.16), which restricts or prohibits unsafe land uses in flood-prone areas, controls alteration of natural floodplains, controls development activities that would increase flood danger, and controls the diversion of flood waters.

As noted in the comment, the 100-year floodplain is the standard that is being used. Impact 4.10-2 evaluates the effects of the 100-year flood event. The 100-year standard is promulgated by the Federal Emergency Management Agency (FEMA), the federal agency whose primary mission is to “reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters...” FEMA’s normal requirement is for finished floor elevations to be one foot above the floodplain. The City of Rocklin exceeds this requirement by requiring finished floor elevations to be two feet above the floodplain.

In addition, Impact 4.10-1 includes information about storm events ranging from a 2-year event to a 500-year event.

The 500-year flood event exceeds the commenter’s request for an analysis of a 200-year flood event.. The project’s direct effects on flooding and any contribution to a cumulative impact are reduced to a less-than-significant level through the project’s approach to stormwater management.

Please refer also to the comment from the Placer County Flood and Water Conservation District (Comment Letter #7). This District was formed in part to ensure that issues of flooding were addressed on a regional basis (rather than strictly local basis).

13-7

This comment lists a sampling of development projects in the Rocklin/Loomis area and notes the need for the cities of Rocklin and Loomis to develop “global mitigations” to address cumulative impacts.

A cumulative analysis for the proposed project and several other projects in the region is included in Chapter 6 of the Draft EIR, “Cumulative, Growth Inducing, and Irreversible Impacts.”

The State CEQA Guidelines Section 15130(b)(1) provide two approaches to analyzing cumulative impacts. The first is the list approach, which requires a listing of past, present, and reasonably anticipated future projects producing related or cumulative impacts. The second is the summary approach wherein the relevant projections contained in an adopted general plan or related planning document that is designed to evaluate regional or areawide conditions are summarized. For this DEIR, both the list and the plan approach have been combined to generate the most reliable future projections possible. A list approach is used to define specific projects that are currently proposed, but are not necessarily considered within an approved planning document. The plan approach is used to consider development consistent with an adopted plan.

Relative to the commenter’s list of projects, each of these is included in the DEIR analysis. Secret Ravine Center and Del Mar Business Park are relatively new proposals and, as a result, were not specifically listed in the DEIR. However, they are consistent with the City’s General Plan and therefore the combined list/plan approach employed in this EIR accounts for these projects, as well.

While it is recognized that the proposed project occurs along a jurisdictional boundary between Rocklin and Loomis, the Draft EIR’s analysis of the proposed project’s potential environmental impacts did not halt at the Rocklin City limit line. The Draft EIR analyzed potential environmental impacts that would occur from the proposed project irrespective of the jurisdiction where the impacts potentially occurred. In addition, consistent with CEQA Guidelines, the Draft EIR analyzed potential impacts of the proposed project in association with other future development in the region. That methodology, which takes into account surrounding proposed and planned growth, is particularly evident in the cumulative chapter of the Draft EIR, as well as in the City’s General Plan EIR, where it is recognized that impacts can potentially occur outside of the City of Rocklin’s jurisdictional boundaries.

13-8

This comment notes that traffic counts used for this EIR were collected in September and October of 2006. The commenter believes that these traffic counts do not reflect existing conditions.

Existing traffic counts at the 21 study intersections were collected in October 2006 (a.m. and p.m. peak hours) and September 2006 (Saturday peak hour). These counts were taken during a non-holiday (excluding summer and winter breaks) period when schools were in session, and therefore include the traffic generated by Sierra College and all schools within the study area. The City of Rocklin collected traffic counts in April 2008 at major intersections within the City. Ten of the intersections counted in April 2008 were also Rocklin 60 study area intersections. A comparison between the 2006 volumes and 2008 volumes revealed that traffic was lower in 2008 at 8 of the 10 common intersections. Only the I-80/Rocklin Road interchange intersections (I-80 westbound (WB) ramp/Rocklin Road and I-80 EB ramp/Rocklin Road) had higher volumes in 2008, and those volumes were higher by only 1%. It is likely that these intersections experienced more traffic due to construction at the Sierra College Boulevard/I-80 ramp intersections and not because of ambient traffic growth. Traffic counts taken in 2006 are generally higher and provide a conservative basis for traffic analysis of study intersections.

13-9 This comment states that the City’s approach to evaluating impacts to already-congested roadways is unsatisfactory. As noted on page 4.2-17 of the Draft EIR, “The Town of Loomis was contacted to clarify the significance criteria that should be applied to intersections that currently operate in excess of the Town’s LOS C threshold. Town staff requested that the same significance criteria be applied to Loomis intersections as applied in the City of Rocklin. Therefore, consistent with the Town’s approach for roadway segments and the City of Rocklin’s intersection significance thresholds, if an intersection in the Town of Loomis is already operating at an unsatisfactory level of service, an increase of 5 percent (addition of 0.05) or more to the v/c ratio would constitute a significant project impact.” Please refer to the response to Comment 2-3.

13-10 This comment discusses cumulative impact analysis methodology and characterizing the significance of impacts. Please refer to the response above (13-9) and to response to Comment 2-3.

13-11 This comment discusses concerns on behalf of the Town of Loomis regarding development along Sierra College Boulevard. This comment does not raise any issue regarding the adequacy of the DEIR.

The comment is correct in noting that the DEIR’s traffic analysis shows that under existing traffic conditions, the intersection of Sierra College Boulevard/I-80 Eastbound Ramps is operating at an unsatisfactory service level (Level of Service [LOS] F in both the AM and PM peak hours), and that two roadway segments along Sierra College Boulevard are also operating at unsatisfactory levels (LOS F on Sierra College Boulevard between Taylor Road and I-80 and LOS D on Sierra College Boulevard between Dominguez Road and Rocklin Road. The DEIR’s traffic analysis studied these same intersection and roadway segments in the existing plus approved projects (baseline) scenario, the existing plus approved projects plus project scenario, the cumulative scenario, and the cumulative plus project scenario, with the results as follows:

Roadway Intersection or Segment	Existing Plus Approved Projects (No Project) LOS	Existing Plus Approved Projects Plus Project LOS	Cumulative (No Project) LOS	Cumulative Plus Project LOS
Sierra College Boulevard/I-80 Eastbound Ramps	A/A (AM/PM)	A/A (AM/PM)	C/C (AM/PM)	C/C (AM/PM)
Sierra College Boulevard – between Taylor Road and I-80	F	F	C	C
Sierra College Boulevard – between Dominguez Road and Rocklin Road	E	E	C	C

As shown above, the intersection of Sierra College Boulevard/I-80 Eastbound Ramps operates at acceptable Levels of Service under the Existing plus Approved Projects, Existing plus Approved Projects plus Project, Cumulative, and Cumulative plus Project scenarios.

The improvement in Level of Service at the Sierra College Boulevard/I-80 Eastbound ramp intersection from existing traffic conditions to the scenarios noted above is attributable to the interchange improvements at Sierra College Boulevard and Interstate 80, as discussed on page 4.2-10 of the Draft EIR. Because the interchange improvements were approved, fully funded and under construction, the DEIR assumed that such improvements would be in place for the existing plus approved, existing plus approved plus project, cumulative, and cumulative plus project scenarios.

With such an assumption, the DEIR analysis showed that the intersection operates at an acceptable LOS in Existing plus Approved Projects, Existing plus Approved Projects plus Project, Cumulative, and Cumulative plus Project scenarios, and that the Rocklin 60 project does not cause a significant impact at that intersection. It should be noted that the interchange improvements at Sierra College Boulevard and I-80 are now complete. Please see Response to Comment 13-12 below for more discussion on the segments of Sierra College Boulevard between Taylor Road and I-80 and between Dominguez Road and Rocklin Road.

13-12 This comment discusses improvements to the I-80/Sierra College Boulevard interchange and improvements to Sierra College Boulevard.

Per the DEIR traffic analysis and the summary discussion of impacts in Response to Comment 13-11, the segments of Sierra College Boulevard between Taylor Road and I-80 and between Dominguez Road and Rocklin Road are shown to be operating at unacceptable levels of service under the scenarios of Existing Conditions, Existing plus Approved Projects, and Existing plus Approved Projects plus Project. These segments are shown to be operating at acceptable levels of service in the Cumulative and Cumulative plus Project scenarios primarily due to the assumption that Sierra College Boulevard would be widened to four and six lanes in the future.

The assumption of the future widening of Sierra College Boulevard is consistent with both the City of Rocklin and Town of Loomis General Plans, the City of Rocklin Capital Improvement Program (CIP), and SPRTA's planned regional transportation projects.

The South Placer Regional Transportation Authority (SPRTA) collects fees from new development to fund planned transportation improvements, including planned improvements to Sierra College Boulevard. SPRTA will contribute approximately \$7.12 million for the design and construction of improvements to Sierra College Boulevard from just south of Taylor Road to Granite Drive, and the construction of improvements from Sierra College Boulevard from just south of the new interchange at Interstate 80 (I-80) to just north of El Don Drive. The SPRTA funding comes from the collection of the SPRTA fee at issuance of building permits for residential, commercial, office, and industrial projects within the communities of Rocklin, Roseville, Lincoln, and south Placer County. For Fiscal Year 2006/07, the total fees collected were \$5,351,538. Since its inception in mid-2002, total SPRTA fees collected through October 2007 are approximately \$29 million.

The City recently approved the Sierra College Boulevard Widening EIR which contemplated widening improvements to Sierra College Boulevard from Pacific Street/Taylor Road to just south of Rocklin Road. The portion of the Sierra College Boulevard widening project from just south of Rocklin Road to the Sierra College Boulevard/I-80 interchange is fully funded, a contract has been awarded, and work is now proceeding. The portion of the project from the Sierra College Boulevard/I-80 interchange to Pacific Street/Taylor Road is in a similar state of "readiness" with the exception of complete project funding at this time. That portion of the project also has completed plans, a certified EIR, is ready to go to bid now that Loomis has committed a funding contribution to the project..

It is appropriate and permissible to assume the future widening of this roadway segment for the cumulative analysis scenarios. The Rocklin 60 project will contribute towards improvements to Sierra College Boulevard through the payment of City traffic fees and payment of SPRTA fees.

Relative to the project's impacts to Sierra College Boulevard, the commenter is referred to Section 4.2, which discusses transportation related impacts, as well as Section 6.0, which addresses cumulative impacts, including those related to transportation. Based on the project's

location relative to destinations in the vicinity, the transportation analysis shows few trips south of Rocklin Road along Sierra College Boulevard. In fact, for both the cumulative with Dominguez Road and cumulative without Dominguez Road scenarios, the project would add 9 trips southbound on Sierra College Boulevard, south of Rocklin Road during the morning peak hour and 13 trips during the afternoon peak hour.

13-13 This comment discusses traffic impacts related to schools.

The traffic generated by the project (residential units) was estimated using the trip generation rates included in the Institute of Transportation Engineers (ITE) Trip Generation Manual (7th Edition). These rates were developed based on actual surveys performed at similar land uses throughout the United States. These surveys included the traffic generated by trips to and from work, shopping, and schools during the peak hours. Hence, the school trips are included in the traffic analysis.

ITE generally includes two types of trip generation rate for each land use. The first type is the trip generation rate for peak hour of the generator, which describes the trips generated by the land use during its peak hour. The second type is the trip generation rate for the peak hour of adjacent street traffic, which describes trips generated by the land use during the peak hour of adjacent street traffic. In a traffic analysis, the second type of trip generation rate is generally used (peak hour of adjacent street traffic) to estimate project traffic generation. The peak hour of adjacent street traffic may not be the peak hour (highest generation) for a particular land use. For example, the peak hour for school traffic may be earlier than the peak hour for adjacent street traffic. Hence, the traffic analysis, which is based on volume data collected during the peak hour of adjacent street traffic, may include only a portion of the total school traffic (generated during its highest peak hour) during the peak hour of adjacent street traffic. However, this is appropriate for a traffic analysis that is keyed to the peak hour of travel demand, as is typical in the context of CEQA analysis. The EIR addresses project impacts related to additional traffic along Rocklin Road, where Sierra College is located (see Section 4.2). Very few trips are anticipated for the project east of the project site along any roads serving existing schools. The project's impacts, including those to roadways serving schools, as well as roadways serving other existing land uses are comprehensively assessed in Section 4.2 and Section 6.0 of the EIR.

13-14 This comment discusses global climate change. The commenter questions the City's significance conclusion based on the suggestion that the DEIR did not establish a significance threshold.

The commenter also suggests that the DEIR "fails to adequately assess the project's contribution to climate change."

The threshold of significance for greenhouse gas emissions established by the City in the DEIR is presented and discussed under the heading "Thresholds of Significance" beginning on page 6-59 and under the heading "Analysis Methodology" on page 6-61 of Section 6.0. This discussion notes that, as of the writing of the DEIR, when the thresholds of significance to analyze the Project's impacts were being developed, the agencies with jurisdiction over air quality regulation and GHG emissions such as CARB and the Placer County Air Pollution Control District ("PCAPCD") had not established regulations, guidance, methodologies, significance thresholds, standards, or analysis protocols for the assessment of greenhouse gas emissions and climate change. Climate change is a global issue. The solution to global climate change is therefore complex, requires consideration of many factors, and requires collaboration and cooperation on a large scale. The City recognized that, while addressing global climate change requires cooperation of all levels of government, the City, as a local government, is limited in its ability to control certain sources of GHG emissions associated with the project. For example, the vast

majority of GHG emissions associated with the project are attributable to the combustion of fossil fuels, either in motor vehicles or in electricity-generating power plants, and the City has no legal authority or power to regulate such emissions.

In light of the global nature of the impact of greenhouse gases, the EIR determined that local/municipal lead agencies are not the best or most appropriate source for establishing methods and significance standards pertaining to impacts of a project or this project on global climate change. Given the challenges associated with determining a reasonable and proper, quantitative project specific significance criterion for GHG emissions when the issue must be viewed on a global scale, and because the regulatory agencies best suited for developing the methodology have not yet been able to establish such an agreed upon criteria, the City chose not to use a quantitative significance threshold for the project.

Nonetheless, the City, using the information available to it, established a qualitative threshold, which is permitted (though not required) by CEQA. (See CEQA Guidelines, § 15064.7, subd. (a) [“[a] threshold of significance is an identifiable quantitative, *qualitative* or performance level of a particular environmental effect...”] (italics added); see also recently amended CEQA Guidelines Section 15064.4 subd. (a)(2) [a lead agency “shall have the discretion to determine, in the context of a particular project,” whether to use a quantitative approach or to “rely on a qualitative analysis or performance based standards.”].) In establishing a threshold, the City considered statewide efforts, legislation and executive orders on the subject of climate change in California which have established a *statewide* context for GHG emissions, and an enforceable statewide cap on GHG emissions. (DEIR, pp. 6-56 through 6-59.) These efforts, including AB 32, Executive Order S-3-05, and the Climate Action Team (“CAT”) report, all indicate that, in order to find that development projects’ incremental contributions to global climate change impacts are not significant, lead agencies and project proponents should carry out GHG reduction measures consistent with the State’s efforts to reduce greenhouse gas emissions to the target levels.

The City, therefore, determined that the project’s potential for creating an impact on global warming should be based on a comparative analysis of the project against the emission reduction strategies contained in the California Climate Action Team’s Report to the Governor regarding the steps needed to comply with AB 32 and Executive Order S-3-05 and in OPR’s Technical Advisory entitled “CEQA and Climate Change Addressing Climate Change Through California Environmental Quality Act (CEQA) Review” The City determined that, if the project was compatible or consistent with the applicable CAT and OPR strategies, the project’s cumulative contribution to global climate change would be less than significant. On the other hand, if the project was not consistent with those strategies that the City deemed feasible, then the project could potentially be deemed to have a significant impact on global climate change.

The DEIR assesses both the project-level and cumulative impacts related to climate change of the project. As noted on page 6-61 of the DEIR:

“An individual project cannot generate enough GHG emissions to significantly influence global climate change. The project participates in this potential impact by its incremental contribution, combined with the cumulative contributions of all other sources of GHGs, which, when taken together, cause global climate change impacts.”

The DEIR goes on to present quantified estimates of greenhouse gas (GHG) emissions attributable to the project being considered by the City of Rocklin. The DEIR quantifies short-term and long-term GHG impacts, and those from mobile, stationary, and area sources. The DEIR presents estimates of emissions associated with project-generated vehicle trips, from stationary sources associated with increased electricity consumption, landscaping and maintenance of

proposed land uses, natural gas consumption for space and water heating, and emissions related to increased water demand. The DEIR provides a comparison of the project's quantified emissions to the state's overall emissions, noting that it is reasonable to conclude that the project's incremental contribution is miniscule, viewed in the state or global context. Finally, as discussed above, the DEIR establishes a qualitative threshold of significance and then qualitatively analyzes the project's compliance with the emission reduction strategies contained in the California Climate Action Teams (CAT) Report to the Governor regarding the steps needed to comply with AB 32 and Executive Order S-3-05 and in OPR's Technical Advisory entitled "CEQA and Climate Change Addressing Climate Change Through California Environmental Quality Act (CEQA) Review". The DEIR also applies various mitigation measures and City policies to the project that are designed to reduce GHG gases to the extent feasible. (See CEQA Guidelines, Section 15126.4, subd. (c) (recently amended guidelines regarding mitigation of GHG emissions, which provide that the traditional CEQA rules apply [mitigation must be feasible, based on substantial evidence, and capable of monitoring].) This qualitative threshold and qualitative analysis is presented to show compliance with the stated goals of AB 32. Such a qualitative approach is also consistent with recently amended CEQA Guidelines Section 15064.4 subd. (a)(2) [a lead agency "shall have the discretion to determine, in the context of a particular project," whether to use a quantitative approach or to "rely on a qualitative analysis or performance based standards."].)

13-15

This comment discusses state regulations and policy guidance, mitigation, and significance thresholds. The commenter suggests that measures contained in the Climate Action Team (CCAT) GHG reduction measures do not take the place of mitigation measures required for the project.

The City agrees that statewide measures do not take the place of mitigation measures that may be necessary to reduce potentially significant impacts of projects. However, the DEIR does not suggest that this is the case. The DEIR considers not only measures forwarded by the CCAT, but also strategies offered by the Governor's Office of Planning and Research, as well as a myriad of sources for potential mitigation for this project. In addition to the Citywide measures summarized on pages 6-75 through 6-77 in Section 6.0 of the DEIR, the City has identified additional mitigation on pages 6-77 and 6-78 for this project to reduce impacts related to global climate change. This approach complies with CEQA, as confirmed in recent amendments to the CEQA Guidelines. (See CEQA Guidelines, Section 15126.4, subd. (c) ("Mitigation Measures Related to Greenhouse Gas Emissions).)

The listed City programs and mitigation measures in the DEIR demonstrate the steps that the City is taking to reduce the overall GHG emissions originating from Rocklin. The relevance of such programs related to the project is two-fold. First, some of these programs and mitigation measures would apply to reduce existing buildings and other emitters in the City, which would reduce the baseline GHG emissions within the City, so though not strictly related to reduction in GHG emissions from this project, the City considers the listing of city-wide programs and mitigation measures to be important information which should be included in this project EIR. Those measures that are applicable to the new residential development will be incorporated into the project.

The second point of listing the city-wide programs and measures relates to the City's threshold of significance of GHG emissions. The City has not adopted a zero emissions increase threshold of significance, but rather the threshold of significance used in this EIR would be categorized as a non-zero increase threshold. A non-zero threshold is used to minimize the resources spent conducting and reviewing environmental analyses that do not result in real GHG emission reductions. The practical advantages of considering non-zero thresholds for GHG significance

determinations fits into the concept regarding whether the project's GHG emissions represent a "considerable contribution to the cumulative impact". The CEQA Guidelines recognize that there may be a point where a project's contribution, although above zero, would not be a *considerable contribution* to the cumulative impact and, therefore, not trigger the need for a significance determination.

The implementation of the mitigation measures and compliance with City policies and programs would reduce the emission of greenhouse gases attributable to the project through vehicle emission reductions, vehicular trip reductions, recycling programs, increases in building and appliance energy efficiencies, and decreased water use. With the implementation of these mitigation measures and compliance with City policies, the proposed project would be substantially consistent with the emission reduction strategies contained in the CAT's Report to the Governor regarding the steps needed to comply with AB 32 and Executive Order S-3-05 and the emission reduction strategies contained in OPR's Technical Advisory, thus the EIR concluded the project's incremental contribution to any impact relating to global climate change would not be cumulatively considerable.

13-16

The commenter suggests that the DEIR ignores recommendations to set a significance threshold for analyzing climate change impacts from California Governor's Office of Planning and Research (OPR) document "CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review."

The commenter also indicates that the DEIR dismisses the project's GHG emissions and the project's cumulative impact related to climate change without substantial evidence, the DEIR fails to establish a baseline for GHG emissions, and . the DEIR fails to establish a threshold of significance for GHG emissions.

Please refer to response to comment 13-14 regarding the DEIR's establishment of a threshold of significance for greenhouse gas emissions.

Following the establishment of a qualitative threshold, the City then determined that the project's potential for creating an impact on global warming should be based on a comparative analysis of the project against the emission reduction strategies contained in the California Climate Action Team's Report to the Governor regarding the steps needed to comply with AB 32 and Executive Order S-3-05 and OPR's Technical Advisory entitled "*CEQA and Climate Change Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*". The City determined that, if the project was compatible or consistent with the applicable CAT and OPR strategies, the project's cumulative contribution to global climate change would be less than significant. On the other hand, if the project was not consistent with those strategies that the City deemed feasible, then the project could potentially be deemed to have a significant impact on global climate change.

As discussed above in response to comment 13-14, each lead agency for a project has discretion to determine the significance of the project's impacts, which includes determining applicable thresholds of significance. (See Pub. Resources Code, § 21080.1, subd. (a) [lead agency determines whether EIR is required for project, and that determination is binding on responsible agencies].) Even OPR's Technical Advisory entitled, *CEQA and Climate Change Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*, on which Loomis relies, acknowledges that no statewide thresholds have been established, and states that "[a]s with any environmental impact, lead agencies must determine what constitutes a significant impact...individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice."

Loomis also claims that the DEIR's threshold and analysis is not consistent with OPR's Technical Advisory. As an initial matter, the Technical Advisory is a purely *advisory* document, and has no legal force, given that it has not gone through any formal rulemaking process or been adopted, ratified, or codified by any policy making body. (See *Chaparral Greens*, *supra*, 50 Cal.App.4th at pp. 1145-1146 [refusing to read into CEQA a requirement that an EIR must speculate about the effects of draft plans in evaluating a project because CEQA prohibits courts from imposing procedural or substantive requirements beyond those set forth in the statute or the Guidelines, citing Pub. Resources Code, § 21083.1].) Therefore, the City did not "violate" CEQA if it failed to conform to such a document. Regardless, the EIR's analysis of GHG did conform to the approach recommended by OPR.

As noted by Loomis, the Technical Advisory states that a lead agency must determine the threshold of significance for the project and that its analysis must be based on best available information. As discussed above, the City developed its approach to climate change analysis based on the best information available at the time of the DEIR, including AB 32, Executive Order S-3-05, and the CAT and OPR reports. These authorities all support the conclusion that development projects need to include GHG reduction measures consistent with the State's overall efforts to achieve GHG emissions targets in order to reduce such projects' incremental contributions to global climate change to less than significant levels.

As noted by Loomis, the Technical Advisory states that compliance with CEQA entails three basic steps: first, identify and quantify the GHG emissions; second, assess the significance of the impact on climate change; and third, if the impact is found to be significant, identify alternatives and mitigation measures that will reduce the impact to a less than significant level. The City complied with these three basic steps by quantifying the GHG emissions for the project, assessing the significance of the impact, and identifying mitigation (Mitigation Measures 4.3-1, 6-7 and 6-29) to reduce the impact to a less-than-significant level. (DEIR, pp. 6-61 through 6-79.) The quantification of the GHG emissions for the project, moreover, takes into account construction emissions, vehicular emissions, and emissions from energy consumption, which is consistent with the Technical Advisory recommendation for identifying GHG emissions, quoted by Loomis. The three-step methodology used to assess GHG emission for this project described above is also consistent with recently amended CEQA Guidelines Section 15064.4 (emissions resulting from a project should be described using "a good-faith effort, based to the extent possible on scientific and factual data"; a lead agency shall have the discretion to determine whether to use a quantitative approach or to "rely on a qualitative analysis or performance based standards.", and when assessing the significance of impacts from greenhouse gas emissions, take into consideration compliance with "regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.").

The implementation of the mitigation measures and compliance with City policies would reduce the emission of greenhouse gases attributable to the project through vehicle emission reductions, vehicular trip reductions, recycling programs, increases in building and appliance energy efficiencies, and decreased water use. With the implementation of these mitigation measures and compliance with City policies, the proposed project would be substantially consistent with the emission reduction strategies contained in the CAT's Report to the Governor regarding the steps needed to comply with AB 32 and Executive Order S-3-05 and the emission reduction strategies contained in OPR's Technical Advisory, and thus the EIR concluded the project's incremental contribution to any impact relating to global climate change would be less than cumulatively considerable. Therefore, it was not necessary to quantify the reduction in GHG due to the compliance with the CAT strategies, the compliance with the OPR Greenhouse Gas Emission Reduction Recommendations, and the application of City policies and project-specific mitigation measures.



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June 26, 2009

Attn: Sherri Abbas
Building & Development Services Manager
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677

Ladies and Gentlemen:

RE: Rocklin 60 Draft Environmental Impact Report (DEIR)

Thank you for the opportunity to comment on the Rocklin 60 DEIR, for placing it on the website, and for “breaking it up” into manageable sizes (MB) for computer downloading (especially for folks with dial up). For your information, as helpful as the website is, not all of the pages would open/download on a couple of days this week, thus creating a situation where all the issues could not be fully addressed. The concerns stated below will have to suffice.

Wastewater

The project’s wastewater will be treated at the Dry Creek Wastewater Treatment Plant. This facility may claim to have adequate capacity and compliant operations, but in fact, it has been out of compliance with regulations on numerous occasions. It is our understanding that fines have been levied, and more will be forthcoming. If the plant cannot handle its existing commitments, and/or those projects currently scheduled to come on line before Rocklin 60, how can it be expected to handle the wastewater generated by almost 180 additional units?

A wastewater treatment facility should not be allowed to accept new hookups when its current compliance record is troublesome. Even if the facility can legally claim its capacity can handle and take on more hookups, the city of Rocklin should address what and how Rocklin 60’s contribution will be to the ongoing non-compliant incidences. In other words, how can Rocklin 60 claim its wastewater needs will be served when we know the receiving facility is “at risk” of contaminating the Dry Creek Watershed due to its record of repeated “failures” and fines? How will Rocklin 60 mitigate for the greatly increased risk of wastewater pollution into the Dry Creek watershed? How will the very likely continued wastewater facility failures and resultant pollution affect the Central Valley Steelhead and salmon migrations in the Dry Creek Watershed?

Rocklin 60 cannot and should not defer its wastewater responsibilities to another agency or facility when that agency or facility has a known non-compliance record and a potential inability to adequately meet the project’s needs.

Stormwater

To increase the stormwater run off into Secret Ravine in any amount is problematic to put it mildly. Sediment, pesticides, herbicides, fertilizers/nutrients, oil, grease, fuel,

metals, etc., will negatively impact Secret Ravine. There are documented cases that conclusively link urbanization and increased watershed imperviousness to hydrologic impacts on streams which have negative effects on fish populations.

Low Impact Development (LID) design features are well accepted and recognized by most all lead state and federal environmental agencies as being beneficial in mitigating the runoff impacts. From grass swales, permeable pavements, vegetated roof tops, LID design features should be required in this project. How have LID features been fully incorporated into the project design—and not just a smattering here or there? If not incorporated, why not? If incorporated, how will their effectiveness be monitored and for how many years?

A recent court decision (US Court of Appeals, 6th Circuit, National Cotton Council of America, et al., v. U.S. EPA, January 7, 2009) held that pesticide residuals and biological pesticides constitute pollutants under federal law and therefore must be regulated under the Clean Water Act in order to minimize the impact to human health and the environment. How are these issues being addressed to protect Secret Ravine and all of the downstream Dry Creek Watershed?

Because runoff is such a major problem with waterways, especially ones with species of concern, the California State Water Resources Control Board (WRCB) has drafted new National Pollutant Discharge Elimination System (NPDES) with much stricter rules to address the problems. The proposal will significantly increase the risk of future permit violations and provide greater opportunities for Water Boards or private citizens to bring enforcement actions.

How is the Rocklin 60 project meeting the intent of the proposal? How will site monitoring be implemented, either with visual inspections or with the proposed “monitoring program”? How will the project avoid pH impacts to Secret Ravine with discharges? With accelerated erosion, where there is little or no sediment basin, what BMPs will be undertaken?

What precautions are being implanted to prevent groundwater contamination, especially where the water table reaches or emerges from the surface or soil saturates?

How will the detention basins be maintained; who will pay for their monitoring, dredging and upkeep?

Secret Ravine Buffers and Setbacks

Although there may be conflicting data, the general consensus is that the larger the setbacks and buffers from the waterway, the better the protection. Wider buffers on both sides (66 to 197 feet) are necessary to remove most sediment (Cooper and Gilliam 1987; Castelle et al. 1992; Davies and Nelson 1994; Wenger 1999—from “Setback Recommendations to Conserve Riparian Areas and Streams in Western Placer County,” prepared for Placer County Planning Dept, Jones & Stokes, Feb 2005, p-14). This study makes other recommendations for riparian setbacks, including the statement that the entire active floodplain, regardless of the current extent of riparian vegetation on that surface, should have additional 98 feet buffer included within the setback. (p 2-14). The study also states:

In order to conserve wildlife habitat functions, the width of riparian areas must be sufficient to contain these habitat attributes for area-sensitive species.

Habitat requirements vary considerably among various riparian-associated vertebrate taxa. However, the following general conclusions can be made regarding the

relationship of habitat values to width and size of riparian areas in western Placer County.

- Large (more than 10 ha [25 ac]) and wide (more than 500 m [1,640 ft]) riparian corridors provide the highest habitat values for riparian-dependent wildlife with large home ranges and territories.
- Moderately large (5–10 ha [12–25 ac]) and wide (more than 100 m [328 ft]) corridors provide sufficient habitat values to support most native species that are strongly associated with these habitats.
- Small (less than 5 ha [12 ac]) and narrow (less than 30 m [98 ft]) riparian corridors provide habitat values for many species, but most area-sensitive species will probably not be present.
- Highly fragmented and narrow riparian corridors (< 5 m [16 ft]) provide habitat for only a few generalist species, but they may still provide some values for cover and as movement corridors in urbanized and agricultural areas. (pages 6-15 and 6-16)

With these statements in mind, isn't it obvious that 50' buffers are inadequate? How will Rocklin 60 project meet adequate buffers along Secret Ravine to maintain and conserve the necessary area which is critical habitat for species and the water quality?

Additionally, this study recommend in higher order stream segments that riparian corridors should be "managed to maintain and enhance riparian corridors at least (100 m—294 ft) on both sides of the channel (Semlitsch and Bodie 2003, Appendix B). Riparian woodlands should be restored and enhanced within this zone."

How will Rocklin 60 meet the 294 feet buffer on both sides of the channel recommendations?

Since there appears to be direct correlation to bird, mammal and fish health (and ultimately, human health) to increased buffers, we strongly recommend that the units situated between Secret Ravine and Black Willow Street/Court (lots 1 to 24) be eliminated from the proposal. We submit that the 50' buffer from the floodplain line is extremely inadequate, and that it will create the very impacts that are so detrimental to a watershed that is habitat to many species of concern.

Although we were unable to view the map for Alternative 5 (Avoid Constraints through Clustering), if that alternative provided for at least 200' buffers, we believe that may be an improved plan.

Growth-Inducing

Statements in the DEIR repeatedly claim that various infrastructure will "serve this project alone" and therefore conclude that the project will not induce further growth. How will the now undeveloped parcel(s), almost surrounded by the project (possibly identified as "Ramsey" and "Alexandro") be impacted? With the General Plan Amendments and other entitlements, the area designated ads "Ramsey" will be locked into development. If they are not scheduled for development, they certainly will have no choice but to develop. Is this not growth inducing? If not, it would seem that the northern units/lots (on Tecate Drive) are actually sprawl-inducing units, requiring isolated infrastructure construction. If as stated, the infrastructure will not serve any other projects, does this mean that more construction will have to be undertaken in order to develop those properties that will be surrounded by this project?

Biological Resources—California Black Rail

With a potential for the California Black Rail (CBR) to be present on the project site, we are concerned that appropriate surveys have not been undertaken for this DEIR. We, the public, cannot comment on a survey that “shall be conducted....” The survey should be completed BEFORE certification of any EIR. Although proper protocol for the survey may be described in this DEIR, it is no substitute for having completed it in a timely manner. Please do not finalize this DEIR until the appropriate, adequate CBR surveys are completed.

In addition, should the presence of CBR be detected, a buffer during construction is unacceptable. How big will the buffer area be? What are the standards that will be imposed? The CBR is known to be extremely “shy,” so any construction activity in the area may cause it to abandon its habitat or nest. Please explain how and why this impact and its mitigation are being deferred. Please explain how “construction activity” should have any bearing on the size of the buffer area.

Last, if the CBR is detected, the area should have no activity at all. Mitigation at 1:1 is a net loss and is unacceptable. The area where the CBR is detected must remain undisturbed in perpetuity. However, if a mitigation ratio is to be, it must be at least 3:1. The CBR habitat is being lost; to set aside some other wetland that potentially has no CBR is not going to bring the specie back. Greater steps or effort must be made to mitigate any adverse effects.

Water Quality and Hydrology

Although a 100-year floodplain delineation is the standard being used, we have seen how deficient such determinations can be (Sacramento’s North Natomas area, for example). The project should lean on the side of caution with regard to placing housing anywhere near a creek/floodplain. With Climate Change and earlier snow melts, the current standards more than likely will not hold (water!). A CEQA threshold of significance may deal with placing structures in flood hazard areas that would impede or redirect floodflows. However, potential human health and safety issues must be considered more important than merely dealing with “exposure”; in an era of unstable changes, the city should require a minimum of 100’ setbacks from the floodplain.

As previously stated, one of our biggest concerns with this project is the line of 24 homes that parallel Secret Ravine (specifically lots numbered 1 to 21). They should be removed, if not for the benefit of Secret Ravine’s quality, then for the safety of the residents—if not for their safety, then for the visual impact, the potential blocking of a wonderful natural creek area by private dwellings.

Thank you for considering our views,



Marilyn Jasper, Chair

Marilyn.jasper@mlc.sierraclub.org

14-1

The commenter alleges that the Dry Creek Wastewater Treatment Plant (DCWWTP) cannot currently accommodate the project's wastewater flows, and therefore may not be able to accommodate additional projects, including the proposed project, that would connect to the facility for wastewater treatment service. The commenter asserts that repeated failures and fines have occurred at the facility, but does not provide specific details about these incidents.

There is no documented pattern of failure suggesting that the DCWWTP could not accommodate the wastewater treatment demand of the project. The City is aware of one incident, which occurred on January 1, 2006, in which a manhole cover was inadvertently removed during a heavy rain event, which allowed for a wastewater discharge directly into the watershed. Although this incident resulted in a violation, it prompted the City of Roseville to implement a new program that requires manhole covers to be bolted down to prevent similar incidents from occurring in the future. Operators at the DCWWTP have assured that this particular incident was the result of an accident and was not related to the plant's ability to accommodate wet weather flows. The emphasis here on wet weather flows is important for wastewater conveyance and treatment, as it represents maximum flow conditions. In certain areas, during storms, it is possible for stormwater runoff to combine with wastewater and increase the overall flow rate. Therefore, since operators of the DCWWTP have indicated that the plant can accommodate wet weather flows, it can also accommodate average daily flows and dry weather flows.

As noted in Section 4.10 of the EIR, the state and federal government have adopted regulations to protect the environmental and public health related to water quality and permitted discharges. Pursuant to federal law, EPA has published water quality regulations under Title 40 of the Code of Federal Regulations (CFR). Section 303 of the CWA requires states to adopt water quality standards for all surface waters of the United States. Section 304(a) requires EPA to publish advisory water quality criteria that accurately reflect the latest scientific knowledge on the kind and extent of all effects on health and welfare that may be expected from the presence of pollutants in water. Where multiple uses exist, water quality standards must protect the most sensitive use.

The National Pollutant Discharge Elimination System (NPDES) permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. NPDES permit regulations have been established for broad categories of discharges, including point source municipal waste discharges (such as wastewater treatment facilities). Each NPDES permit identifies limits on allowable concentrations and mass emissions of pollutants contained in the discharge. Sections 401 and 402 of the CWA contain general requirements regarding NPDES permits. The RWQCBs in California are responsible for implementing the NPDES permit system. Specific NPDES permits for a variety of activities that have potential to discharge pollutants to waters of the state and adversely affect water quality. Point-source sources of discharge, such as wastewater treatment plants, are monitored to ensure that standards, which are, as described above, designed to protect the public and environmental health, are maintained. Permit monitoring and enforcement actions are taken to ensure against adverse impacts to the environment.

Operators of the DCWWTP have assured the City that the wastewater storage ponds used during wet weather flows have adequate capacity to accommodate wet weather flows from existing development and the proposed project with additional capacity to spare. The storage ponds at the

treatment plant have adequate capacity to store projected wet weather flows during large storm events and as discussed on page 4.6-16 of the Draft EIR, the treatment plant has adequate capacity to accommodate the increased wastewater flows associated with the proposed project. The City is not aware of any other violations that prove the facility's inability to accommodate wastewater flows, so the operators' assurance of capacity is considered adequate for the analysis.

The contribution of the project's anticipated wastewater effluent – including the quantity and anticipated pollutant concentrations – would not substantially affect overall wastewater treatment operations at the DCWWTP or the post-treatment effluent, regardless of any past, present, or future permit violations, enforcement actions, or the resolutions to such enforcement actions.

- 14-2 The comment refers to the link between stormwater runoff as a result of urbanization and negative effects on fish populations. The comment does not suggest that the DEIR is deficient in any way relative to the water quality analysis and potential effects on fish.

An analysis of stormwater runoff from the project site as it relates to fish populations in Secret Ravine is found in the analysis of Impact 4.12-6, beginning on page 4.12-27 of the Draft EIR. Impact 4.12-6 also refers to Mitigation Measures 4.10-3 and 4.10-4, starting on page 4.10-15 of the Draft EIR, which reduce stormwater runoff impacts from the proposed project. The commenter is referred to these pages for the analysis of stormwater runoff and its effects on fish populations. Please refer also to the response to Comment 13-1.

- 14-3 The comment states that Low Impact Development (LID) design features are accepted by federal and state lead agencies as being beneficial for mitigating runoff impacts. The commenter believes that LID design features should be included in the project. The commenter asks if LID features are included in the project and other questions not related to the adequacy of the DEIR.

LID refers to design approaches to reduce infrastructure costs and environmental impacts of development simultaneously. These concepts are mostly commonly associated with stormwater, although LID applies also to other infrastructure types. LID concepts are designed to reduce stormwater runoff at the source and use naturalized rather than mechanized techniques for collecting, conveying, and detaining stormwater. The project incorporates a grassy swale to help with biofiltration, as discussed in Section 4.10 of the DEIR. The project and mitigation required in the EIR outline a series of Best Management Practices (BMPs) that will be used to reduce stormwater runoff and water quality impacts. Please refer to Mitigation Measures 4.10-3(d), 4.10-3(e), and 4.10-4(c), which require implementation of BMPs in the project design to reduce impacts from stormwater runoff at the project site. Please refer also to the response to Comment 13-1.

- 14-4 This comment asks how pesticides are addressed.

The commenter is referred to Section 4.10, page 4.10-16 of the DEIR, which discusses such pollutants, as well as other pollutants associated with urban stormwater runoff.

- 14-5 This comment asks about NPDES requirements, monitoring of stormwater measures, pH, and erosion.

As noted in the DEIR, the project will be subject to NPDES requirements. Please refer to Section 4.10 of the DEIR, "Hydrology and Water Quality." Specifically, the commenter is directed to pages 4.10-7 through 4.10-10 and pages 4.10-15 through 17.

Rainwater runoff tends to have the most pH impact in urbanized areas, particularly low pH rainwater. The proposed best management practices included as a part of the project and

described in mitigation (e.g. detention basin and swales), have buffering capacities to maintain optimum pH levels (i.e. Basin Plan standards). Contact with buildings and parking lots also has buffering capacity for low pH rainwater (See EPA 1999. Preliminary Data Summary of Urban Storm Water Best Management Practices. EPA-821-R-99-012).

14-6 This comment discusses groundwater quality impacts.

As stated on page 4.10-4 of the Draft EIR, the geologic study completed for the proposed project did not encounter groundwater on the project site. As noted in the geotechnical report prepared to support the DEIR, a permanent ground water table is indicated to be present at a depth of approximately 200 feet below the existing ground surface, although perched groundwater could potentially be encountered, requiring dewatering. Mitigation Measures 4.10-3 and 4.10-4 would reduce the potential for short-term and long-term erosion and water quality degradation at the project site.

14-7 The comment asks for clarification regarding how the proposed detention basins will be maintained and who will pay for their monitoring, dredging, and upkeep.

Please refer to Mitigation Measure 4.10-4: Potential Long-Term Degradation of Water Quality, which describes the maintenance of the stormwater management system. Letter (c) of this mitigation measure has been clarified as a part of this Final EIR. Please refer to the EIR Errata section. The detention basin will ultimately be maintained by the City using Community Facilities District # 5 funds.

14-8 The commenter suggests that the 50-foot setbacks from Secret Ravine proposed by the project are inadequate for the purposes of critical habitat and water quality.

While there are studies that suggest benefits of larger setbacks, such as those cited by the commenter, such large setbacks are recommendations rather than requirements. Section 4.12, “Biological Resources” of the Draft EIR provides an analysis of the potential impacts that could occur if the project is built using 50-foot setbacks, as proposed, and provides appropriate mitigation measures, where necessary, to reduce impacts. In addition, Section 4.10, “Hydrology and Water Quality” of the Draft EIR provides an analysis of the potential impacts that could occur if the project is built using 50-foot setbacks, as proposed, and provides appropriate mitigation measures, where necessary, to reduce impacts.

Regarding the commenter’s encouragement for eliminating Lots 1 through 24 from the plan, increasing buffer distances, and a preference for an alternative that provides greater buffer from Secret Ravine Creek – these are not comments on the adequacy of the Draft EIR. However, these comments are included here for decision maker consideration. Two alternatives included in Section 5.0 of the DEIR provide for larger undeveloped areas along Secret Ravine Creek.

14-9 The commenter is asking about aspects of the project that could be growth inducing.

Please refer to Exhibit 4.1-1 on page 4.1-3 of the DEIR, which illustrates City of Rocklin General Plan Land Use Designations for the properties referenced. As this exhibit demonstrates, adjacent land is designated for residential development under Rocklin’s General Plan. Infrastructure work on-site is designed with these planned growth areas in mind. There is nothing about the project, however, that “locks” any other properties in to urban development, however, as suggested by the commenter.

The DEIR acknowledges on page 6-50 that the proposed project could be growth inducing because the increased population associated with the proposed project could minimally increase

demand for goods and services, thereby fostering population and economic growth. The DEIR further acknowledges that it is possible that a successful project could place pressure on adjacent areas to the east, north, and south to seek development entitlements. As noted, however, it would be speculative to assume that these areas would in fact develop with urban uses, and numerous discretionary actions subject to environmental review and political considerations would have to be granted before any such urban uses could materialize. As also noted in the DEIR, the minimal growth that the proposed project could induce has been evaluated and provided for in the City of Rocklin General Plan, Placer County General Plan, Town of Loomis General Plan, and other relevant planning documents.

14-10 This comment notes concern regarding surveys for the California black rail.

The California black rail was not detected at the project site during on-site surveys, and suitable habitat for the California black rail within the project site is limited. The only incident of the occurrence of the species occurred in 2006, when a territorial male was detected approximately two miles northwest of the project site.

The comment calls for additional surveys to be prior to the certification of the EIR, rather than waiting until prior to project construction to perform such surveys, as required by Mitigation Measure 4.12-11.

Since it is unlikely that project construction would start immediately after certification, pre-construction would be more appropriate for protecting this species. The species could be present today but not at the time of construction. The species could be absent today, but present at the time of construction. Pre-construction surveys would determine whether California black rail are present at the site at the time of construction. If this species is detected, protective measures required by DEIR mitigation would be implemented to prevent impacts during construction activities.

14-11 This comment discusses buffers that will be required if the California black rail is detected on-site.

Page 4.12-30 of the Draft EIR states that buffer areas for avoiding the California black rail will be determined at the time by a biologist and confirmed by CDFG. This allows for the opportunity to determine an appropriate buffer area based on site-specific conditions at the time of construction. Setting a buffer distance at this time would not allow for modifications if site-specific conditions at the time of construction determine that a smaller or larger buffer distance would be more appropriate. The buffers will be determined by a qualified biologist and will be confirmed by CDFG to ensure that they are appropriate. Depending on the type of construction activity occurring on-site, the size and location of the buffer may need to be different, in order to protect the species. For example, noisier phases or types of site preparation or construction activity may require larger buffer areas.

14-12 As shown on page 4.12-30 of the Draft EIR, Mitigation Measure 4.12-14(b) states that if California black rail is detected within the buffer area, activity could not occur until the biologist confirms that the species has evacuated the area; therefore, as long as the species is present in the project area, construction will not occur within the buffer area.

The City has elected to revise part “c” of Mitigation Measure 4.12-11, which addresses impact to California black rail, including the following replacement language (see also the EIR Errata section of this Final EIR).

c) If black rail is detected, impacts shall be avoided by establishing appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist confirms that the species has evacuated the area. The size of the buffer shall be determined by the biologist and confirmed by DFG; buffer size may vary, depending on the nest location, nest stage, and construction activity. Take of black rail would be avoided in compliance with the Fish and Game Code and CESA.

14-13

This comment discusses flood hazards. As noted, the DEIR evaluates flood hazard risk using the 100-year floodplain. This is consistent with the State CEQA Guidelines. The commenter references past inaccuracies regarding the location of the 100-year floodplain in the North Natomas area of Sacramento. The City has no reason to believe at this time that the 100-year floodplain used for analysis and setback requirements for this project is inaccurate, and assuming this is the case would be speculative. The commenter notes that climate change may affect the location of floodplains. The potential impacts of climate change on flooding and snowmelt are acknowledged in the DEIR. Please refer to pages 5-54 and 5-55, in particular. The future location of the 100-year floodplain, if it were to change as a result of climate change or other factors, is not knowable.

Please refer response to comment 13- 6, which provides additional information related to this comment. Because the majority of the project site is outside of the 100-year floodplain and the City's requirement for finished floor elevations is two times the standard of the federal agency that regulates floodplain development, the City disagrees with the suggestion that 100 foot minimum setbacks from the floodplain should be required.

Please refer also to the comment from the Placer County Flood and Water Conservation District (Comment Letter #7), wherein the District, which was formed in part to ensure that issues of flooding were addressed on a regional basis (rather than strictly local basis), notes that the applicant is adequately proposing mitigation measures for the estimated increases in 10- and 100-year peak flow runoff discharging from the proposed development.

14-14

The comment recommends that Lots 1 through 21 of the plan be removed from the project. This comment is included here for decision maker consideration. Please refer also to response to comment 14-8. The comment does not address the Project's environmental impacts, or provide a specific concern regarding the sufficiency of the environmental impact report to identify or analyze a potential Project impact. (See CEQA Guidelines section 15024(a).) Accordingly, pursuant to CEQA, no further response is required.

SPECIAL JOINT MEETING
OF THE
ROCKLIN CITY COUNCIL
AND
ROCKLIN PLANNING COMMISSION

ORIGINAL

PUBLIC HEARING
ROCKLIN 60 PROJECT

THURSDAY, JUNE 18, 2009
6:00 P.M.

CITY COUNCIL CHAMBERS
3970 ROCKLIN BOULEVARD
ROCKLIN, CALIFORNIA

REPORTED BY:

ESTHER F. SCHWARTZ
CSR NO. 1564

CAPITOL REPORTERS (916) 923-5447

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ATTENDEES

CITY COUNCIL:

- PETER HILL, MAYOR
- SCOTT YUILL
- KATHY LUND
- GEORGE MAGNUSON
- BRETT STOREY

PLANNING COMMISSION:

- JEFF SHIRHAL, CHAIR
- LYNNE SULLY
- LARRY MENTH

STAFF:

- DAVID MOHLENBROK

AUDIENCE PARTICIPANTS:

- MARCUS J. Lo DUCA
- LISA PYWTORAK

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ROCKLIN, CALIFORNIA
June 18, 2009, 6:00 P.M.

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MAYOR HILL: I'm going to call the Special
Joint Meeting of the Rocklin City Council and the
Rocklin Planning Commission to order.

UNIDENTIFIED JOINT MEMBER: You don't have a
quorum. You can't call it to order.

MAYOR HILL: Anyway, we are going to take
roll call.

THE CLERK: Commissioner Sully.

COMMISSIONER SULLY: Here.

THE CLERK: Commissioner Menth.

COMMISSIONER MENTH: Here.

THE CLERK: Councilmember Lund.

COUNCILMEMBER LUND: Here.

THE CLERK: Councilmember Storey.

COUNCILMEMBER STOREY: Here.

THE CLERK: Vice Mayor Yuill.

COUNCILMEMBER YUILL: Here.

THE CLERK: Mayor Hill.

MAYOR HILL: Here.

We are here tonight for the public hearing for
the Rocklin 60 Project.

I'm going to open the public hearing.

1 I understand that we are going to start with
2 David Mohlenbrok, who is going to give us an
3 overview of the project.

4 David.

5 (Commissioner Shirhal now present.)

6 MR. MOHLENBROK: Thank you. Good evening,
7 Mayor Hill, Members of the City Council and Members
8 of the Planning Commission. As you mentioned, I am
9 David Mohlenbrok with the Community Development
10 Department, and I wanted to give a brief
11 introduction regarding tonight's meeting.

12 (Councilmember Mangnuson now present.)

13 MR. MOHLENBROK: The purpose of it is to
14 take comments on the Draft EIR for the Rocklin 60
15 Project. The Rocklin 60 Project, as envisioned by
16 this exhibit over here, is located south of
17 Interstate 80 and east of Sierra College Boulevard,
18 directly behind or west of the recently approved
19 Rocklin Commons Shopping Center. The project
20 consists of a residential subdivision of
21 approximately 56.9 acres. The site is proposed to
22 be subdivided into 179 single family lots with lot
23 sizes averaging 6,500 square feet, but also ranging
24 from 6,000 at the minimum to 36,300 square feet at
25 the maximum.

1 The Rocklin 60 Draft EIR is currently out for
2 public review, and the comment period ends next
3 Friday, March 26 [verbatim]. Any comments received
4 during the meeting this evening, including any
5 comments received during the comment period,
6 including comments received this evening, will be
7 responded to in the project's Final EIR. The Draft
8 EIR is available on the City's website and CD copies
9 of the document are available from the Planning
10 Division during normal business hours. The Planning
11 Division is the building immediately below the
12 Council chambers here. Comments may be submitted to
13 the Planning Division up and until 5:00 p.m., next
14 Friday, the 26th of June.

15 As I noted earlier, the purpose of tonight's
16 meeting is to take comments on the Rocklin 60 Draft
17 EIR. The purpose is not to take comments on the
18 project itself. There will be a later opportunity
19 before both the Planning Commission and the City
20 Council, at which time people may comment publicly
21 regarding merits of the project itself. So I would
22 ask that people try to limit their comments to
23 comments related to the Draft EIR.

24 Secondly, I would also ask for those people
25 interested in either becoming -- added onto the

1 City's mailing list for the project, to please state
2 your name and address into the record, and we'll get
3 you onto the project mailing list. That way you
4 will receive any and all further notices regarding
5 this project.

6 With that, my introduction is complete unless
7 any questions. I will turn it back over to the City
8 Council.

9 MAYOR HILL: Any questions of Dave?

10 COUNCILMEMBER STOREY: Are we sure the
11 lawyer for Loomis has everything so he can turn them
12 in at 5:00 p.m. that day? That is a rhetorical
13 question.

14 MR. MOHLENBROK: We distributed the
15 information to them.

16 MAYOR HILL: Any other questions?

17 Thanks, Dave.

18 MR. MOHLENBROK: Thank you.

19 MAYOR HILL: This a public hearing.

20 Anybody that wishes to address the Planning
21 Commission and Council on this EIR, comments on the
22 Draft EIR, is welcome to come up to the podium.

23 Mr. Lo Duca.

24 MR. Lo DUCA: Mr. Mayor, Members of
25 Council, Mr. Chairman, Members of the Planning

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1 Commission. I am Marcus Lo Duca of Lo Duca & Avdis,
2 3721 Douglas Boulevard in Roseville.

3 On behalf of long time Rocklin residents,
4 Margaret and Richard Ramsey and their daughter,
5 Vicky Ramsey, I would like to just relay a few
6 concerns that the Ramseys have with a couple of
7 aspects of the Rocklin 60 Project.

8 The Ramseys are surrounded on three sides by
9 the project. And they fully understand the land
10 around them is going to develop, and develop
11 according to the General Plan and the adopted
12 opposed to planned growth in the city that is taking
13 place around them over the years. It is important
14 what the City has done over the many years of its
15 General Plan.

16 They are seeking to have their concerns
17 addressed. The Ramseys are merely looking to have
18 the project be a good neighborhood to them. Their
19 objective, that their concerns are addressed, is to
20 support the project both before the Planning
21 Commission, when it comes before the Commission for
22 entitlements, and also before the City Council when
23 it ultimately reaches the City Council for a hearing
24 on the project entitlements.

25 In the Draft EIR the principal concerns of the

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1 Ramseys are in the area of construction blasting,
2 aesthetics and visual impacts, their irrigation
3 water canal service, and the drainage, along with a
4 couple of questions they have on traffic and
5 circulation.

6 The noise section of the Draft EIR. The
7 document proposes no mitigation for addressing
8 impacts from blastings other than requiring the
9 applicant to get a permit from the City and the
10 possibility of having a blast blanket.

11 With the Croftwood subdivision that was
12 developed, blasting was done for that project and
13 the Ramseys experienced cracks in the Sheetrock of
14 their house. That project is some distance to the
15 south. They're concerned about further damage to
16 the house and to the in-ground pool, and damage to
17 the other two houses on the property and a separate
18 garage shop building from blasting that may take
19 place on a project that is immediately adjacent to
20 them. That immediate proximity would tend to call
21 for elimination of blasting and a prohibition on the
22 Rocklin 60 site.

23 If such a prohibition isn't feasible in terms
24 of actually being able to development the project,
25 they understand at the very least the project

1 applicant should follow the example of the Rocklin
2 Crossing Project, which acted as a good neighbor
3 should, and agreed to a preproject and postproject
4 inspection of the Ramsey's home. We would ask that
5 such a requirement be applied to the Rocklin 60
6 Project. Again, a preinspection, a preproject and
7 postproject inspection with the requirement to
8 repair any damage to those three homes or to the
9 pool or to the shop building that might take place.

10 Again, we are simply asking as a good neighbor
11 that the Rocklin 60 Project look at what might be
12 damages that might occur from blasting that could
13 take place during construction.

14 Regarding the PCWA water irrigation service,
15 the Draft EIR has a good description of the existing
16 easements, the distribution boxes and continuation
17 of the gravity flow on the Ramsey's property.
18 Description in the document, however, doesn't
19 contain any requirements that mandate, one,
20 relocation of the irrigation line of the new
21 easements that would maintain gravity flow and have
22 that gravity flow have no decrease in water
23 pressure, or would allow the Ramseys to access the
24 relocated line in case they need to -- repairs are
25 needed or payment -- also, there is nothing in there

1 that says the cost of relocating the lines and
2 distribution box are to be borne by the applicant.

3 Also, that they have no interruption of water
4 service. If there is interruption of water service,
5 they would like to make sure that water service is
6 provided to their property during any interruption.
7 The Draft EIR, Page 4.6-5, says that service will
8 not be interrupted, quote, for any extensive period
9 of time. That is just an expectation. There is
10 extensive landscaping on the Ramseys' property, both
11 Mr. and Mrs. Ramsey's house and also on the two
12 other houses on the property.

13 In the middle of summer, it is 105 degrees.
14 You have three or four days with no water available
15 to irrigate, that could cause some significant
16 damage. They want to make sure that those are
17 required of the applicant. That might be in the
18 context of MAP conditions as opposed to the actual
19 document. They just want to make sure that is
20 addressed.

21 The EIR contains a good description of the
22 relocated lines and boxes, but there is no
23 requirements.

24 The most serious concern the Ramseys have is
25 the description in the document that the project

1 could have, won't necessarily have, but could have
2 four to six foot high retaining walls on top of what
3 would be a six foot fence to the western and
4 southern boundaries of the property. That could
5 create somewhat of a canyon effect near two of the
6 houses, including Mr. and Mrs. Ramsey's house, of a
7 12 foot high walls. That is an impact that, we
8 think, that the document needs to look at. And the
9 applicant, we hope, would work, continue to work,
10 with us, as they have been, to try to resolve that
11 and get the walls down.

12 We understand that there is going to be
13 retaining walls on the site. The Ramseys are
14 interested in a solution along the lines of eight
15 foot total as opposed to 12 feet. Again, looking at
16 what is needed. We will hope that the solution that
17 comes out of this in lowering the walls, however,
18 doesn't create another problem, increasing overland
19 release flow on the property. We are just trying to
20 get that point one problem for the others.

21 We do hope that we continue to work with City
22 staff and with the applicant to reach a mutually
23 agreeable solution to avoid that canyon effect to
24 those two homes.

25 In addition, immediately south of the Ramsey's

1 backyard and pool, Lots 141, 142 and 143 are
2 somewhat bigger lots. Those will somewhat loom over
3 their backyard. What we would ask is for
4 consideration of a one-story limitation on those
5 larger lots where you are able to locate a larger
6 one-story home on those, at least so some of the
7 impacts from having homes peering over their
8 backyard could be mitigated.

9 In the area of drainage, we just had a couple
10 questions that we want to have specified. It is not
11 entirely clear in the document whether the existing
12 culverts to the south of the Ramseys' property will
13 be retained. The information might be in one of the
14 appendices, but we couldn't find it. That is
15 critical to avoiding backup of storm water flows on
16 the Ramseys' property.

17 In addition, there is a good discussion in the
18 EIR regarding preproject and postproject drainage
19 flows and how those are being mitigated, so you are
20 less than or equal to preproject as you are in
21 postproject. But is not clear what the postproject
22 flows would be for overland release, how that water
23 would be treated as it leaves the site. We want to
24 have some clarification on that.

25 In the traffic section, just two

1 clarifications. There is a 11 lots of the project
2 that border Tecate Lane. It may be just a scale of
3 the map, but it looks like some of the lots encroach
4 into the existing 20 foot road easement. We want to
5 make sure, as the lots develop, they, in fact, do
6 not encroach into that easement. Also, Wedgeleaf
7 Drive and Buttonbush Lane, on the project, show
8 future stubs to Makabe Lane. If the property, the
9 Ramseys' property, in the future develops, they
10 would hope that those are connected so that you
11 don't have a landlocked parcel that has to go over
12 the river and through the woods to go back out to
13 Sierra College.

14 Also, the two houses in the southern part of
15 the Ramseys' property, they access Dias Lane over an
16 existing 15 foot easement, and we want to make sure
17 that south of, I think it is, Lot 26, and just north
18 of Lots 25 and 27, while it says that there is an
19 existing easement, there is nothing in the document
20 that describes the houses will continue to pull
21 their access to Dias Lane over their existing
22 easement.

23 We will be submitting written comments next
24 week. Basically, here is what I have said. We just
25 want to get these comments out so that we can start

1 working with the applicant on getting the focus down
2 to resolving these. My clients' hope that they get
3 their issues resolved, come back before you, the
4 Planning Commission, and hear the project, and also
5 at City Council and to be able to support the
6 project.

7 Thank you.

8 MAYOR HILL: Any questions?

9 Thanks Marcus.

10 Anybody else who wishes to address the Joint
11 Planning Commission and Council on this Draft EIR?

12 MS. PYWTORAK: Lisa Pywtorak, 4255 Dias Lane
13 in Loomis. My home and property are directly across
14 from one part of this proposed subdivision. So it
15 certainly impacts my home very much. Right now it
16 is a beautiful view. As I was getting in my car to
17 come here, I couldn't help but notice all the sounds
18 of the birds and all of that and the beautiful view.
19 And the fact that this is going to be completely
20 wiped out is very sad.

21 I thought: For what? More houses? We are in
22 the middle of a terrible housing crisis.

23 MAYOR HILL: Do you have a comment on the
24 EIR? We are really not talking about the project
25 tonight. We are talking about the Draft EIR. If

1 you have concerns about --

2 MS. PYWTORAK: I have concerns --

3 MAYOR HILL: -- the description, the
4 impacts, whether or not they are adequate or missed
5 something. That is what we want to hear.

6 COUNCILMEMBER STOREY: Mr. Mayor, if I
7 might. You might want to also let her know, if she
8 missed it, there will be other opportunities she
9 will have to talk about the specific project.

10 MS. PYWTORAK: For more general comments
11 later this evening or another time?

12 COUNCILMEMBER STOREY: Tonight is about the
13 EIR. It will come back before the Planning
14 Commission once the Final EIR, the actual project.
15 You will have an opportunity to speak there. And
16 then it will come to the City Council. Just want to
17 let you know that this wasn't the only opportunity,
18 tonight.

19 MS. PYWTORAK: I will specifically address
20 traffic. I know the traffic studies have been done.
21 However, my experience with, spending my life in
22 California, is that somehow the traffic studies do
23 not solve all the problems they intend to. And I
24 just believe that with two subdivisions competing
25 with all the combined commercial interest that will

1 be built, there would be far too much traffic. As I
2 came home today, you know, Interstate 80 was backed
3 up way up the freeway. And I don't see a need to
4 continue that further yet up the freeway for homes
5 and Home Depots and Wal-Mart's that, frankly, we
6 already have too many of them, in the first place.

7 Secondly, the size of the lots, of course,
8 Dias Lane is a rural/agricultural area. My great
9 concern is that by packing all of those lots into
10 this area, obviously, we are going to lose that
11 rural atmosphere completely. No matter what our
12 zoning is.

13 Secondly, the homes themselves in the middle
14 of this economic time, I don't see how they can be
15 built and at the same time be sold for a profit,
16 unless they are built extremely cheaply. I think
17 that it would be much better served by not rezoning
18 -- I believe I saw that in the EIR -- to smaller
19 lots, but leaving them large, so that the lots and
20 homes could preserve the character of the area and
21 at the same time be worth more. So that hopefully
22 we wouldn't have yet another real estate bankruptcy
23 on our hands, and so that both Loomis residents and
24 Rocklin could be served with a much better, nicer
25 subdivision.

16

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1 When you build many very cheap houses in
2 between a freeway and a commercial area, you get
3 problems. And we on Dias Lane do not wish that. I
4 am sure you do not wish that either. So I would
5 strongly urge you to keep the lot sizes large, to
6 not rezone it down --

7 MAYOR HILL: You are kind of drifting off
8 point here. We want to hear if you have concerns
9 about the environmental document. I'm assuming --

10 MS. PYWTORAK: Was not the zoning mentioned
11 in the EIR?

12 MAYOR HILL: It might have been mentioned
13 in the EIR, but that is not an impact.

14 Do you have concerns about the environmental
15 impact that this project may impose on you?

16 MS. PYWTORAK: The views are mentioned, and
17 the views from the freeway and Dias Lane, and those
18 are something of what I have been addressing. And
19 it affects the quality of life for residents on Dias
20 Lane as well for people driving through the area, as
21 well as for Rocklin residents who will leave there.

22 I have to admit I've been gone away from home
23 for a couple weeks. I just obtained the EIR. It is
24 not a document to be glanced over. I did glance
25 over it. But these are concerns that I have all

1 along, and I will address them later on.

2 MAYOR HILL: You will have more
3 opportunities, and you can submit written comments.

4 Anybody else wish to address the Joint
5 Planning Commission and Council on this, Rocklin 60
6 Project?

7 Okay. Seeing none, I'm going to close the
8 public hearing.

9 Any comments or questions from members up
10 here?

11 Anything else, David?

12 We are adjourned.

13 (Hearing concluded at 6:25 p.m.)

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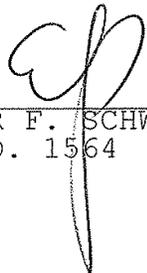
REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

I, ESTHER F. SCHWARTZ, certify that I was the official Court Reporter for the proceedings named herein, and that as such reporter, I reported in verbatim shorthand writing those proceedings;

That I thereafter caused my shorthand writing to be reduced to printed format, and the pages numbered 3 through 18 herein constitute a complete, true and correct record of the proceedings.

IN WITNESS WHEREOF, I have subscribed this certificate at Sacramento, California, on this 22nd day of June, 2009.



ESTHER F. SCHWARTZ
CSR NO. 1564

- 15-1 Please refer to Response to Comment 12-2.
- 15-2 Please refer to Response to Comment 12-5.
- 15-3 Please refer to Response to Comment 12-5.
- 15-4 Please refer to Response to Comment 12-6.
- 15-5 Please refer to Response to Comment 12-6.
- 15-6 Please refer to Response to Comment 12-6.
- 15-7 Please refer to Response to Comment 12-7.
- 15-8 Please refer to Response to Comment 12-7.
- 15-9 Please refer to Response to Comment 12-1.
- 15-10 Please refer to Response to Comment 12-1.
- 15-11 Please refer to Response to Comment 12-1.
- 15-12 The commenter questions whether the traffic studies done for the proposed project would solve traffic problems and expresses the opinion that traffic in the area is already bad and that there is already too much development.
- Note that the proposed project does not include the development of commercial uses, such as a Home Depot or Wal-Mart. The commenter does not raise any substantive comments on the contents of the traffic analysis found in the Draft EIR or the traffic study, or any other points related to the adequacy of the DEIR. The commenter's opinions are included here for decision maker consideration. No additional response is necessary.
- 15-13 The commenter is concerned with density of the proposed project and how it may contribute to the loss of the rural atmosphere. The commenter does not raise any substantive comments on the contents of the Draft EIR or otherwise raise a significant environmental issue; therefore, no response is necessary.
- 15-14 Please refer to Response to Comment 10-5.
- 15-15 The commenter suggests that a lower-density subdivision with fewer homes on larger lots would be preferable for both Rocklin and Loomis.
- The commenter's opinion is noted and has been forwarded to the decision makers for their consideration. No additional response is needed.
- 15-16 The comment is a general statement about views and quality of life, but the commenter does not raise any substantive comments on the contents of the Draft EIR or otherwise raise a significant environmental issue; therefore, no response is necessary.