

Appendix B
NOP Scoping Comment Letters

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682



January 6, 2017



City of Yuba City
Development Services

Mr. Arnoldo Rodriguez
Yuba City Development Services Department
1201 Civic Center Boulevard
Yuba City, California 95993

Subject: CEQA Comments: Bogue Stewart Master Plan, Notice of Preparation,
SCH No.: 2017012009

Location: Sutter County

Dear Mr. Rodriguez,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is adjacent to the Feather River, a regulated stream under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Mr. Arnaldo Rodriguez
January 6, 2017
Page 2 of 2

Board permit applications and Title 23 regulations are available on our website at <http://www.cvpfb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Andrea Buckley". The signature is written in a cursive style with a large initial "A".

Andrea Buckley
Environmental Branch Chief
Environmental Services and Land Management Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

**Bogue Stewart Master Plan
Environmental Scoping Comment Card**

A Notice of Preparation (NOP) pursuant to the California Environmental Quality Act (CEQA) has been released for a 30-day comment period that began on January 4, 2017. The purpose of the NOP is to solicit input from individuals, organizations, and public agencies on the environmental issues and the range of alternatives that should be addressed in the Draft Environmental Impact Report (EIR) being prepared for the Bogue Stewart Master Plan. Space is provided below for your input to be included in this public comment process.

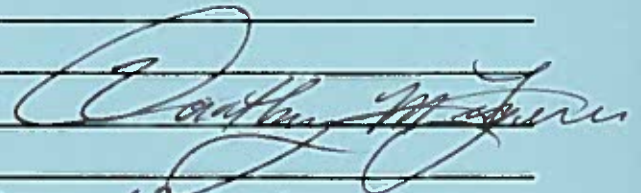
Name: Gustavo + Dorothy Figueroa

Address: 988 Bogue Rd
Yuba City, CA 95991
Cell - Gus - 530-591-2623

Email: Cell - Dorothy 530-591-2624

Comments:

I HAVE many concerns:
Red tail Hawks - Nesting
Owls - Nesting
Humming birds
Traffic (4 lanes + Bike lanes ???
Noise
Crime
Farm Fresh Veggies
Air Quality
Parks + Homeless
Parking for our Cars + Trucks



Please contact me with all reviews
figueroa.dorothy@gmail.com

**Bogue Stewart Master Plan
Environmental Scoping Comment Card**

A Notice of Preparation (NOP) pursuant to the California Environmental Quality Act (CEQA) has been released for a 30-day comment period that began on January 4, 2017. The purpose of the NOP is to solicit input from individuals, organizations, and public agencies on the environmental issues and the range of alternatives that should be addressed in the Draft Environmental Impact Report (EIR) being prepared for the Bogue Stewart Master Plan. Space is provided below for your input to be included in this public comment process.

Name: STEVE GEIGER, SENIOR PLANNER

SUTTER COUNTY DEVELOPMENT SERVICES DEPT.

Address: 1130 CIVIC CENTER BLVD., SUITE A

YUBA CITY, CA 95993

(530) 822-7400

Email: sgeiger@co.sutter.ca.us

Comments:

Sutter County Development Services, Planning Division, requests the project
EIR address consistency with the Sutter County General Plan
policies regarding the expansion of the Yuba City Sphere of Influence.
Within these policies, there are specific actions that are called
out to occur (i.e. enter into an MOU with the County, coordinate
with the County for comprehensive planning, etc)

Thank you,
Steve Geiger

Mr. Arnaldo Rodriguez, City of Yuba City
Development Services Director, Development Services Dept.
1201 Civic Center Blvd, Yuba City, CA 95993
Ph 530.822.3231 eMail: ARodriguez@YubaCity.net

Jan 19, 2017

Ref: Bogue Stewart Master Plan Environmental Scoping Public Comment - Public Mtg Jan 18, 2017

I am firmly opposed to the "Bogue Stewart Master Plan" as presented in the public meeting of January 18, 2017. I see no simple alterations that would gain my acceptance of this "BSMP" plan.

I personally prefer the small town nature of Yuba City and have no desire to become a resident of another Sacramento sized city. I am baffled by the City Council desire for more growth.

This plan represents urban sprawl at its worst. There are vast areas now within the sphere of influence that would accommodate the components of the plan. These areas are both within the city limits already or in areas potentially to be annexed. There are a large number of commercial buildings already standing vacant or little used. "Urban Infill" should be the preference not "Urban Sprawl".

Years ago it was a stated policy that Yuba City would grow to the West as needed and stay North of Bogue Rd and South of Pease Rd. That policy seems to be readily ignored when a developer waves a huge check in front of the City Council.

The area of the BSMP is wonderful farming area and would be severely impacted by additional residents in close proximity to the farm activities involved in pesticide spraying and night time harvesting. Farmers and growers are already impacted by residents of the newer area near the Riverbend Elementary School. Trespassing on fields and orchards and trash dumping is a constant problem.

Police service to this area would not be centralized and would require relatively long response times from headquarters. This is compared to using infill to complete the projects of the developers where response times would be shorter.

The water supply for this BSMP is questionable given the near constant water restrictions. Future supplies are certainly not guaranteed from the Feather River. My question at the meeting met with the response that new private water wells are not going to be allowed in this BSMP. I am well aware Yuba City has adequate plant capacity to process any water it may receive from the Feather River or large city water wells. But I did not hear discussion at the meeting of Yuba City's ability to obtain adequate water supplies for this new demand. And state restrictions are in planning stages for ground water pumping so this needs to be clearly addressed in the BSMP.

Much of the BSMP area is in low lying area subject localized water drainage issues in extreme rain periods. This was addressed in the meeting by the consultant MHM. However, the BSMP is proposing massive amounts of land redistribution from future retention ponds to build up pads for houses and commercial buildings. That is to meet flood plain building restrictions. Existing "Urban Infill" areas do not have such extreme requirements.

Robert B. Renton

Jan 19, 2017

1106 Hunn Rd, Yuba City, CA. 95991 Ph 530.695.3227 eMail: BobRenton91@GMail.com

Central Valley Regional Water Quality Control Board

26 January 2017



Arnoldo Rodriguez
Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

City of Yuba City
Development Services

CERTIFIED MAIL
91 7199 9991 7035 8487 3106

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, BOGUE STEWART MASTER PLAN PROJECT, SCH# 2017012009, SUTTER COUNTY

Pursuant to the State Clearinghouse's 4 January 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the Bogue Stewart Master Plan Project, located in Sutter County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



for Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

From:

January 19, 2017

Sutter County Property Owners.

To:

Arnaldo Rodriguez
Development Services Director
Development Services Department



City of Yuba City
Development Services

Subject: A request for Zone Changing to the Bogue Stewart Master Plan.

Dear Sir:

We the under signed are strongly objecting to the purposed Medium Low Density Residential zoning (Apartments) designation in front^{or nearby} of our Houses and Farms (Rail Road Avenue and Tuscan Road, Yuba City). By allowing this will definitely impact negatively to our properties and the surrounding environment. We earnestly request you to change it to the Low Density Residential Zoning (Single Family Dwelling) and that will be more appropriate Zoning for this area.

Thanking You!

Sincerely,

Concerned Sutter County Residents

Properties Impacted	Property Owner	Signature
① - East Tuscan Road A.P.N.# 23-040-008	HARKRAT HOTHI BHAGWANT HOTHI 530-632-1904	Heaven BHM Bhagwant K. Hothi
②		
③ 202 Tuscan Road 23-040-007	Douglas G Tolla Jr MD Lois G Tolley 751-1326	Doug Lois Tolley
④ Sashik clar 2127 Rail Road Ave	JASPAL S. CLAR SURBIT K. CLAR 673-6259	Sashik clar Elvira Martinez
⑤ Sashik clar Tuscan	x Elvira Martinez (800)277-6377	Elvira Martinez
⑥ 244 Elvira Martinez		
⑦ 2005 RAIL RD AV. YUBA CITY, CA.	Ron Johnson 530 237 7407	Ron Johnson
⑧ 2125 RAIL ROAD AV, Y.C.	Jorge Aleman Jr 530 415 5780	Jorge Aleman Jr
⑨ 2267 RAIL ROAD AV. Y.C.	RICKARDO VARGAS 530 844 7231	Rickardo Vargas
⑩ 2295 Rail Rd. Av. Y.C.	Ana Cervantes. 530-218-4966	Ana Cervantes
⑪ 2341 RAIL ROAD AV. Y.C.	SCOTT Pendergrass 530-671-5411	Scott Pendergrass
5411 RAIL ROAD AV. Y.C.	Edgar Schulte	Edgar Schulte
WAS CIRCLE Ilas Circle	Talca Borzani Patricia Leland 530-218-0955	Talca Borzani Patricia Leland
↓	Tom Broad	Tom Broad
✓	Cliff F. D. ...	Cliff F. D. ...

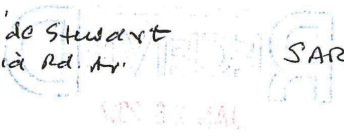
⑦ 2410 Tuscon Road H. Allen Herr W. Allen Herr

⑧ 2400 ↓ ↓ " " " W. Allen Herr

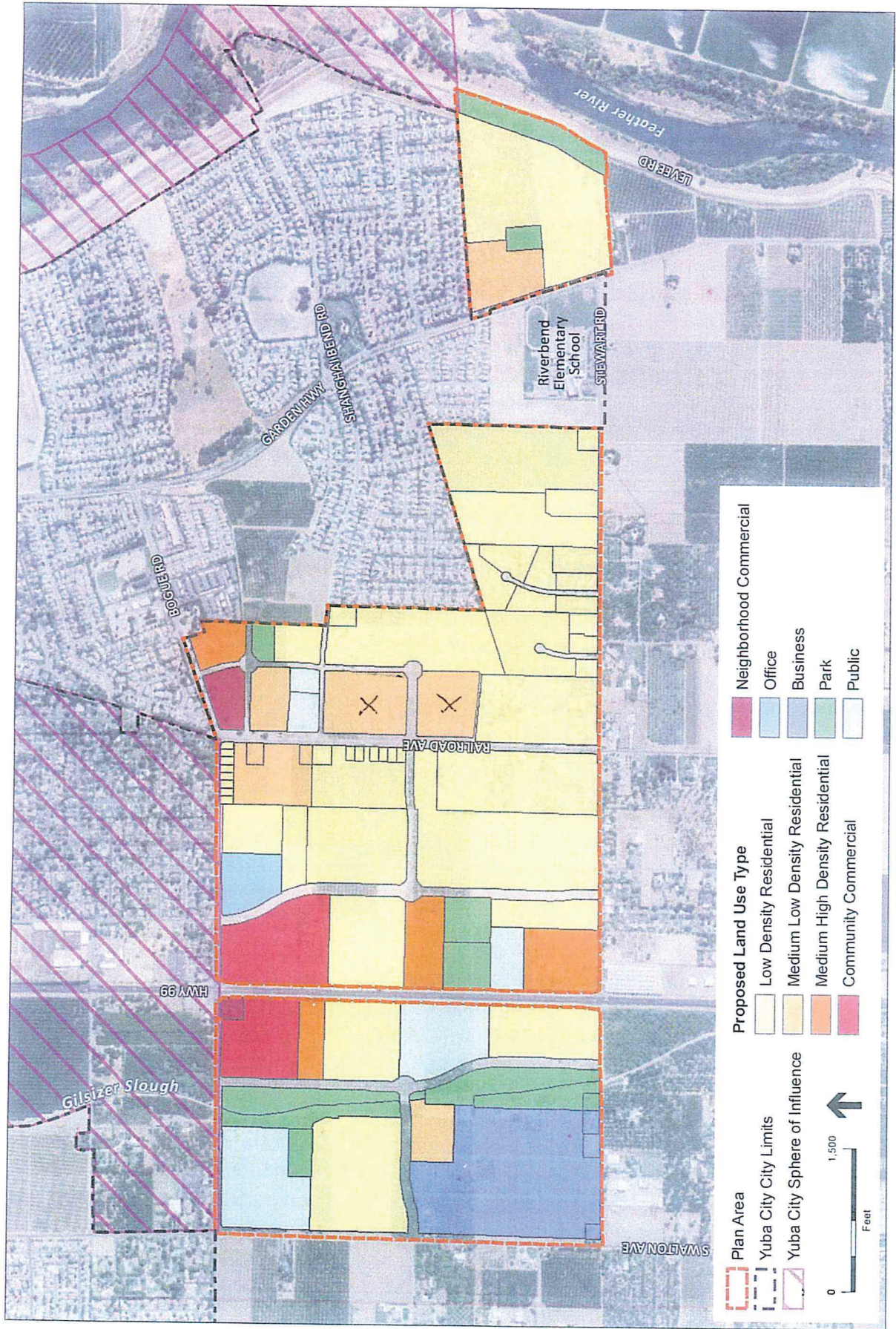
⑨ 2596 Raic Road Av. Juanita Stewart
673-3894. *Juanita Stewart*
owner's name

⑩ Northside Stewart
Earl Raic Rd. Av. SARABIT THARA

Sarabit Thara
530-682-5801



etc. state to go
to. Av. Rd. Int. map. out



Bogue Stewart Master Plan • 140720
Figure 3
 Proposed Project

SOURCE: ESRI, 2015; City of Yuba City, 2016; MHM, 2016; ESA, 2016

Mr. Arnaldo Rodriguez, City of Yuba City
Development Services Director, Development Services Dept.
1201 Civic Center Blvd, Yuba City, CA 95993
Ph 530.822.3231 eMail: ARodriguez@YubaCity.net

Jan 27, 2017

Ref: Draft of Bogue Stewart Master Plan
Dear Mr. Rodriguez,

With regard to your recent meeting on the topic 01/18/2017, I am totally against more Yuba City expansion. Your sphere of influence by your determined design is simply too large for the city to manage and control, but you do not want to recognize that fact. This country can not manage 330 million people, this state can not manage nearly 40 million people and we are seeing that.

One third of this state's population is on some form of government health care and they miscalculated (the "D" Student accounting people in this states financial dept) their budget by \$1.6 Billion dollars! Then there are the counties and city governments and their excessive pensions for government people/workers in order to get "qualified and good people" That does not always work and is at the expense of the taxpayer. The Yuba City employee makes nearly twice the income of the average Yuba City resident according to the Appeal Democrat 2016 articles. Well, you feel you can justify expansion for more people and households with more people by tax money to satisfy your need for more money. But, that is counter to the stated LAFCo commission to protect agricultural land and prevent/stop urban sprawl. Then they add "Logical Boundaries"?! Really? Wider/larger boundaries protects Ag land and reduces urban sprawl? Please explain this dichotomy.

Then there is the water issue. Let alone streets , roads, and highway maintenance as you become bigger. When we went through the first 2004 annexation issue it was about the water. (now its about the police) At those meetings as I recall, water from the Feather River was not an issue and was a reliable source for this city's water needs. Then came the drought. Need I say more?

From the City's point of view (not admitted by Mr. Darren Gale when I brought this issue of growth before the council) more people, larger city population means a better chance for receiving grants from the financially broke federal government and this state. Where is the money!!

You, the council, Darin Gale and Steve Kroeger are government thinking people and you think of big government and its control. It is in your DNA. It is not in mine. And President Trump may cut federal funds for this state because of its lawless sanctuary cities.

In summary, bigger isn't always better, only except possibly the military for defense of our country and that can be problematic as well. Please stop this crazy expansion idea and obtain control and management of what you already have. Thankyou.

Michael C. Andrews B.S., D.P.M

Jan 19, 2017

888 Southland Dr, Yuba City, CA. 95991 Ph 530.673.7349 eMail: MCATrains@Yahoo.com

Copy:
Yuba City Council, City of Yuba City, City Manager, Darin Gale
1201 Civic Center Blvd, Yuba City, CA 95993

Bogue Stewart Master Plan
Environmental Scoping Comment Card

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Name: Joseph R. Fanucchi

Address: 2373 Railroad Ave.

Yuba City, CA 95991

Email: Joe@INSSVC.COM / (530) 632-9823

Comments:

We live at 2373 Railroad Ave. I object to the Bogue Stewart Master Plan for the following reasons:

- 1.) Traffic - Traffic will increase on Railroad Ave. Currently there is moderate traffic during commute hours and very little traffic throughout the day. Getting out of our driveway is already a questionable safety hazard. With the increased traffic to get out of driveway or back a trailer or load onto our driveway will require stopping traffic to perform this task. Also, consider the increased danger to the Railroad Avenue residents of having more vehicles traveling on Railroad Avenue.
- 2.) Noise - The increase of traffic both vehicle and pedestrian will increase noise.
- 3.) We bought this house to be away from the city and you are bringing the city to us.

Questions concerning the Bogue Stewart Master Plan/Newkom Ranch Project and the Environmental Impact Report

January 30, 2017

Arnoldo Rodriguez
Development Services Director
Yuba City Development Services Department
1201 Civic Center Blvd.
Yuba City, CA 95996
arodriguez@yubacity.net

1. Drainage- Currently my property drains well and quickly. My drainage to both the west and south will be impacted by this project. In addition, if neighboring property drainage is not sufficient, I could see additional drainage onto my property that I do not now experience. Also changes to existing infrastructure could adversely affect my drainage.
2. Noise: My house is set back well from the street now, with an orchard to my west. How will the noise from the new develop, wider road closer to my house, and increased traffic volume be mitigated? Will a sound wall be constructed to the west side of my property ?
3. Solar: Will my ability to utilize full solar power on the west facing roof of my structures be impacted? E.g. will the homes planned to the west side of my property be 2 story, thus significantly reducing the effectiveness of any of my future solar panel installations?
4. Impact of street and residential lighting on existing owl/raptor activity?
5. What will impact be to my existing trees, shrubbery, etc.? How will this be mitigated?
6. My current driveways have very smooth transitions from the roadway to my property allowing minimal impact and disruption to backing my trailers. Will these smooth transitions be maintained with proposed changes to roadway, curb, and gutter?
7. Will city sewer and water stub outs be installed at edge of property right of way prior to any roadway, curbing or sidewalks etc. installations?
8. Will current electrical/gas etc. utility performance be impacted? I currently have 3 phase AC power supplied to my shop and have 3 phase power equipment.
9. At the scoping meeting, I was informed Stewart Rd in front of my house would be 60' wide. I would like the detail plan on how this is to be accomplished.

John Teague
999 Stewart Rd
Yuba City CA, 95991
propspin@att.net

530-671-3543

Pictures of 999 Stewart property immediately following most recent storm.







Facing West on Stewart Rd



Facing East on Stewart Rd



Facing East on Stewart Rd.



From: Kennedy, Amy@Wildlife [<mailto:Amy.Kennedy@wildlife.ca.gov>]

Sent: Tuesday, January 31, 2017 4:28 PM

To: Arnaldo Rodriguez

Cc: Wildlife R2 CEQA

Subject: BSMP California Dept. of Fish and Wildlife

January 31, 2017

Yuba City Development Services Department
1201 Civic Center Boulevard
Yuba City, CA 95993
Arnaldo Rodriguez, Development Services Director.

The California Department of Fish and Wildlife (Department) have reviewed the Notice of Preparation for the Environmental Impact Report for the Bogue Steward Master Plan (SCH # 2017012009). Department's response to the NOP focuses on the potential direct, indirect, short term, long term and cumulative impacts of the proposed land use changes within two District Plan Areas, three Future Planning Area's as well as general land use policies and development standards. The Department may provide additional comments after release of the EIR. At that time, the Department anticipates commenting on the Bogue Steward Master Plan within the context of and using the lead agency's analysis of potential significant impacts to biological resources from project, and the adequacy of proposed mitigation for such impacts contained in the EIR.

The project is located along State Highway 99 and Bogue Road, Feather River Levee, Steward Road, and South Walton Ave, in Sutter County.

The Department recommends that the DEIR discuss and provide adequate mitigation for the following concerns:

1. The project's impact upon wildlife and their habitat. We recommend that the DEIR identify natural habitats and provide a discussion of how the proposed project will affect their function and value.
2. The project's impact to special status species including species that are state and/or federal listed as threatened and endangered. In particular Swainson's hawk (*Buteo swainsonii*), tricolored blackbird (*Agelaius tricolor*), Western burrowing owl (*Athene cuniculara*), and giant garter snake (*Thamnophis gigas*).
3. The project's cumulative impacts upon wildlife and vegetative resources.
4. The DEIR should provide an analysis of specific alternatives which reduce impacts to wildlife and vegetative resources.
5. The DEIR should contain an evaluation of the proposed project's consistency with applicable land use, or species recovery plans, such as General Plans, Specific Plans, Habitat Conservation Plans, Critical Habitat Designation, etc.

This project will have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the Department requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Thank you for the opportunity to review this project. If the Department can be of further assistance, please contact Amy Kennedy at (916) 358-2842 or amy.kennedy@wildlife.ca.gov.

Sincerely,

Amy Kennedy
Senior Environmental Scientist-Specialist
California Dept. of Fish and Wildlife
1701 Nimbus Road
Rancho Cordova, CA 95670
916-358-2842



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From: Greg Chew [<mailto:GChew@sacog.org>]
Sent: Tuesday, January 31, 2017 4:31 PM
To: Edwin Palmeri; Kacey Lizon
Cc: Arnaldo Rodriguez; Terry Kopp
Subject: RE: DEIR/Bogue Stewart Master Plan

Mr. Palmeri – on behalf the Airport Land Use Commission (ALUC), thank you for sending information about the Bogue Stewart Master Plan. The ALUC reviewed the proposed subject area of the plan with the Comprehensive Land Use Plan (CLUP) for Sutter County Airport. The subject area is outside of the noise and safety zones of the CLUP, and therefore the proposed Master Plan is compatible with the CLUP. If you have any questions, please feel free to contact me.

Greg Chew
SACOG/ALUC Senior Planner
(916) 340-6227

From: Edwin Palmeri [<mailto:epalmeri@yubacity.net>]
Sent: Tuesday, January 24, 2017 10:51 AM
To: Greg Chew <GChew@sacog.org>; Kacey Lizon <KLizon@sacog.org>
Cc: Arnaldo Rodriguez <arodrigu@yubacity.net>; Terry Kopp <tkopp@yubacity.net>
Subject: DEIR/Bogue Stewart Master Plan

Yuba City had sent SACOG and SACOG Airport Commission an NOP for a DEIR on the Bogue Stewart Master Plan. Unfortunately we used an address from GOOGLE search which was wrong. We are requesting that written responses be provided to our office by February 2, 2017.

In addition to this email I will mail a hard copy to: Sacramento Area Council of Governments and Sacramento Area Council of Governments, Airport Land Use Commission, 1415 L Street, Suite 300, Sacramento, CA 95814.

Thank you



Ed Palmeri | Senior Planner
City of Yuba City | Development Services Department
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Phone (530) 822-4700 | Fax (530) 822-7575 | epalmeri@yubacity.net

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meeting notes

project Bogue Stewart Master Plan EIR project no. D140720.00
date January 18, 2017 time 5:30 PM to 8:30 PM
present Arnoldo Rodriguez, City of Yuba City route to
Sean Minard, Project Applicant
Steve Smith, ESA
Jon Teofilo, ESA
24 members of the public
subject BSMP EIR Public Scoping Meeting at the Yuba City.

ESA staff attended the EIR public scoping meeting for the Bogue Stewart Master Plan, held in the City Council chamber of the Yuba City City Hall, on January 19, 2017. The meeting was held from 5:30 PM and concluded by City staff at 8:00 PM. The following key topics were the main focus of questions and discussion at the BSMP EIR Public Scoping Meeting, as noted by ESA staff:

- Definition of the multi-family residential development areas near State Route 99.
- How does the proposed project and the keyhole annexation influence one another?
- Will there be new private well restrictions?
- Traffic conditions:
 - What will happen on Railroad Avenue in regards to traffic conditions?
 - How wide will Railroad Avenue be with the implemented BSMP?
 - Riverbend School Issues:
 - Will the EIR address speeding and congestion uses on Stewart Road from school traffic during the peak AM period?
 - According to a resident on Stewart Road, there is high traffic from individuals dropping their children off at Riverbend school and then traveling west on Stewart Road instead of up Garden Hwy (Contrary to what was planned in the schools prior traffic study).
 - How will the planned school traffic be evaluated in the EIR?
- Biological Resources:
 - Nesting raptors including red tail hawks and owls were reported by a resident of property along the southern side of Bogue Road, within the BSMP area.

- Will there be open space for wildlife habitat?
- Floodplain:
 - Will built up Newkom Ranch property divert stormwater runoff to adjacent properties?
- How will the BSMP impact/attract the homeless population?
- Land Use Compatibility:
 - Property values could be adversely impacted by proximity to the City.
 - City residents leave garbage on private property on the County side of barrier walls that divide developed subdivisions and rural county property.
 - There is resident concerns that benefits of the project would leapfrog residents that are in the plan area but not part of the Newkom/Kells development areas.
 - What are the impacts to the existing residents who are not part of the initial development phase.
 - Agricultural Issues:
 - How will the agricultural buffers work? How will existing agricultural buffers between property owners and Yuba City Unified School District be impacted?
 - Will agricultural residents be able to spray crops?

action required: As they apply to potential impacts from the proposed BSMP to the physical environment, the comments/areas of concern, listed above, will be addressed in the Draft EIR.