

Volume 3A

TIERRA ROBLES

PLANNED DEVELOPMENT

SCH NO. 2012102051

Final Environmental Impact Report

NOVEMBER 2021



Kimley » Horn

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Volume 3A
FINAL ENVIRONMENTAL IMPACT REPORT
TIERRA ROBLES PLANNED DEVELOPMENT

Zone Amendment 10-002
Vesting Tentative Tract Map 1996
SCH NO. 2012102051

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The 2017 Draft EIR and 2020 Partial Recirculated Draft EIR prepared for the Project is provided on the USB device enclosed with printed versions of this Final EIR. It also is available on the County’s website:

<https://www.co.shasta.ca.us/index/drm/planning/eir/tierra-robles>

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EXECUTIVE SUMMARY

The Shasta County Department of Resource Management (County), as Lead Agency under the California Environmental Quality Act (CEQA), was responsible for preparing the Draft Environmental Impact Report (DEIR) for the proposed Tierra Robles Planned Development (Z10-002/TM 1996) (State Clearinghouse No. 2012102051) that was circulated for public review on October 24, 2017, and the Partial Recirculated Draft Environmental Impact Report (RDEIR) that was circulated for public review on December 18, 2020.

Subsequent to the DEIR being released for public review, changes to the regulatory environment related to Air Quality, Greenhouse Gases and Climate Change, Energy Consumption, and Traffic and Circulation occurred. Therefore, these sections of the DEIR were revised accordingly. In addition, revisions to the Utilities and Service Systems section of the DEIR was needed because the water supply analysis was revised to identify an alternative water source during dry years, and a discussion of the feasibility and reliability of that source was warranted. Additional revisions to the Traffic and Circulation section of the DEIR were needed related to mitigation to minimize traffic impacts to the Deschutes Road and Cedro Lane intersection. Lastly, due to recent legislative changes to CEQA, a new Wildfire section was included in the RDEIR.

Both the DEIR and RDEIR were prepared in conformance with CEQA (California Public Resources Code [PRC] §21000 et seq.), California CEQA Statutes and Guidelines (California Code of Regulations [CCR], Title 14, §15000 et seq.), and the rules, regulations, and procedures for implementation of CEQA, as adopted by the County. Comments on both documents were received from agencies, the public, and other stakeholders. All comments received on the DEIR and RDEIR and responses to those comments are included within this Final EIR.

This Final EIR is intended to and does, allow the public and the Lead Agency an opportunity to review the previous and current comments and responses, and any revisions to the DEIR and RDEIR that were made as a result of the comments received. Comments received did result in some revisions and refinements to the components and language in both the DEIR and RDEIR, all of which are listed in the following section of this chapter. The Final EIR serves as the environmental document to support a decision on the proposed project. The Final EIR is comprised of the following elements:

- Draft EIR (DEIR)
- Partial Recirculated Draft EIR (RDEIR)
- DEIR and RDEIR Technical Appendices
- Mitigation Monitoring and Reporting Program (MMRP)
- Comments and Responses

After completing the Final EIR, and before approving the project, pursuant to §15090 of the *State CEQA Guidelines* the decision-making body must certify:

- *That the Final EIR has been completed in compliance with CEQA;*
- *That the Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project; and*

-
- *That the Final EIR reflects the Lead Agency's independent judgment and analysis.*

Additionally, pursuant to §15093(b) of the *State CEQA Guidelines*, when a Lead Agency approves a project that would result in significant, unavoidable impacts that are disclosed in a Final EIR, the agency must submit in writing its reasons for supporting the approved actions. This is referred to as the Statement of Overriding Considerations. These certifications and the Findings of Fact are included in a separate Findings document. Both the Final EIR and the Findings document have been submitted to the Planning Commission for consideration prior to taking action on the proposed project.

ES1. PUBLIC REVIEW PROCESS

The DEIR for the proposed Tierra Robles Planned Development was circulated for review and comment by the public, agencies, and organizations in 2017. The DEIR was also circulated to State agencies for review through the State Clearinghouse, Office of Planning and Research. The public review period was originally noticed to begin on October 24, 2017 and end at 5:00 p.m. on December 7, 2017. The close of the public review period was subsequently extended to December 29, 2017.

The planning and environmental review process has been ongoing since 2012 and has followed the CEQA requirements of public notice and review since that time. As required by *State CEQA Guidelines* §15082, the County issued a Notice of Preparation (NOP) on October 26, 2012 that summarized the proposed project, stated its intention to prepare an EIR, and requested comments from interested parties. The NOP also included notice of the County's public scoping meeting on November 8, 2012. The review period for the NOP ended on November 26, 2012. Fifty-four (54) comment letters were submitted by private individuals during the scoping process, and approximately forty-seven (47) individuals presented oral comments during the November 8, 2012 scoping meeting. In addition to private individuals, five (5) government agencies and two (2) private organizations submitted written and/or oral comments. An EIR for the project was not completed or circulated at this time and the environmental review process did not recommence until 2016.

Due to the amount of time that passed since the NOP was issued in 2012 and changes to the proposed project, a revised NOP was issued on February 19, 2016, with the review period ending on March 25, 2016. All written comments received during the review period were also reviewed prior to preparation of the DEIR. Forty-one (41) comment letters were submitted by private individuals during the NOP comment period. In addition to private individuals, four (4) government agencies and one (2) private organizations submitted written comments.

After issuance of the 2016 NOP, the DEIR was prepared in compliance with CEQA. The DEIR was circulated for public review on October 24, 2017, with the review period ending on December 7, 2017. Due to reported difficulties by the public accessing the DEIR, the close of the public review period was extended by the County to December 29, 2017. Ninety (90) written responses (i.e., comment letters and email correspondence) were received on the DEIR.

As discussed above, changes to the regulatory environment related to Air Quality, Greenhouse Gases and Climate Change, Energy Consumption, and Transportation and Circulation occurred subsequent to the DEIR being released for public review, resulting in the need to recirculate those sections of the DEIR. In addition, revisions to the analysis in the Utilities and Service Systems and Traffic and Circulation sections

were needed. Lastly, due to recent legislative changes to CEQA, a new Wildfire section was included in the RDEIR.

The RDEIR was circulated for public review on December 18, 2020, with the review period ending on February 2, 2021. Copies of the RDEIR were made available for review at the Shasta County Department of Resource Management, Anderson Branch Library, Redding Branch Library, and on the Shasta County website.

As shown above and in compliance with the *State CEQA Guidelines*, the City has taken all steps needed to maximize opportunities for interested individuals, parties, and agencies to participate in the environmental process. During the preparation of the DEIR and RDEIR, all required efforts were made to contact various federal, State, regional, and local government agencies and other interested parties to solicit comments, which are provided for review and consideration below, and to inform the public of the proposed project.

Section 14.0, COMMENTS AND RESPONSES, of this Final EIR contains the list of persons, organizations and public agencies commenting on the content and adequacy of the RDEIR. Additions or modifications to the proposed project and/or mitigation measures as a result of comments are shown in the section immediately following. These changes, as well as discussion in all three documents (DEIR, RDEIR, and Final EIR), will be considered by the Planning Commission prior to making a decision to approve or deny the proposed project.

ES2 ERRATA TO THE DEIR AND RDEIR TEXT

This section includes minor edits and revisions to both the DEIR and RDEIR. Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Added or modified text is underlined (example) while deleted text is struck out (~~example~~).

This section has been prepared in response to comments received on the DEIR and RDEIR. Additional editorial changes initiated by County staff are also hereby incorporated. These clarifications and modifications are not considered to result in any new or greater impacts than identified and addressed in the DEIR and RDEIR. To avoid redundancy, it should be assumed that additions, modifications, or deletions of text within the DEIR and RDEIR are reflected in Section 2.0, EXECUTIVE SUMMARY, and Section 9.0, INVENTORY OF MITIGATION MEASURES. Changes are listed by page and where appropriate by paragraph.

The revisions, as noted below, fall within the scope of the both the original project analysis included in the DEIR and RDEIR, and do not result in an increase to any identified impacts or produce any new impacts not previously disclosed. No new significant environmental impact would result from the changes or from a new mitigation measure proposed to be implemented. Therefore, no significant revisions have been made which would require recirculation of the RDEIR pursuant to *State CEQA Guidelines* §15088.5 (Recirculation of an EIR Prior to Certification). Consistent with §15088.5(b) of the *State CEQA Guidelines*, recirculation of an EIR is not required where changes or new information added to the EIR merely clarifies for amplifies or makes insignificant modifications to an adequate EIR.

GLOBAL CHANGE

All DEIR and RDEIR references to the Tierra Robles Community Services District (TRCSD) shall be updated to reflect the following language:

Tierra Robles Community Services District (TRCSD) or Tierra Robles Homeowners Association (TRHOA).

SECTION 1.0 – INTRODUCTION

No changes or revisions are necessary to Section 1.0, INTRODUCTION, of the RDEIR.

SECTION 2.0 – EXECUTIVE SUMMARY

Changes or revisions noted throughout the ERRATA result in similar but minor changes and points of clarification to Section 2.0, EXECUTIVE SUMMARY, of the DEIR.

SECTION 3.0 – PROJECT DESCRIPTION

For clarification purposes, page 3-20 of the DEIR has been revised as follows:

~~A series of internally looped roads with right-of-way ranging between 50 to 60 feet in width would be connected to this main road which would provide access to the internal lots of the proposed project. The southerly terminus of Tierra Robles Lane is at the northerly terminus of Northgate Drive, a road used for over 40 years as access to the southeast corner of the proposed project site. The proposed connection with Northgate Road would be gated per County fire standards and used for reciprocal emergency access only.~~

For clarification purposes, page 3-33 of the DEIR has been revised as follows:

Overall construction activities would include grubbing/clearing of the project site, cut/fill and compaction of soils, installation of utilities (e.g. underground power, sewer, water, telephone, and storm drainage facilities), construction of proposed buildings, and the paving of approximately ~~52.8~~ 17.2 acres of internal roadways.

This change was made in response to Comment 2-9 on the RDEIR.

SECTION 4.0 – BASIS OF CUMULATIVE ANALYSIS

No changes or revisions are necessary to Section 4.0, BASIS OF CUMULATIVE ANALYSIS, of the DEIR.

SECTION 5.0 – DESCRIPTION OF ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

Section 5.1 – Aesthetics and Visual Resources

No changes or revisions are necessary to Section 5.1, AESTHETICS AND VISUAL RESOURCES, of the DEIR.

Section 5.2 – Agricultural Resources

In response to comments from the project applicant, University of California Cooperative Extension Shasta County staff performed an independent expert analysis of the number of Animal Unit Months (AUMs) available on the site. Based upon the results of this analysis, the County concluded that the DEIR overestimated the number of AUM available on the-site. Therefore, it has been determined that the DEIR was overly conservative and required mitigation that was not proportional to the project's impacts to grazing land. Based on this revised analysis, the grazing land mitigation requirement was reduced from 1,044.2 AUM to 396.5 AUM.

As a result of this updated analysis, the discussion of potential impacts on grazing land on page 5.2-18, Table 5.2-8, and Mitigation Measure 5.2-2 of the DEIR have been revised as follows:

The lands to be protected under the conservation easement should provide an equivalent or greater grazing capacity than the development site. Grazing capacity is defined in terms of “Animal-Unit Months (AUM),” which is based on the amount of forage production needed to support one cow and calf for a month (26 pounds of dry matter per day). As shown in Table 5.2-8, GRAZING LAND CONVERSION AND MITIGATION REQUIREMENT, the project site provides approximately ~~1,354.1~~ 492.2 AUMs. A total of ~~95.7~~ 309.9 AUMs would be preserved within Resource Management Area 5-1 areas designated as Open Space.

For clarification purposes, Table 5.2-8 of the DEIR has been revised as follows:

**Table 5.2-8 (REVISED)
 GRAZING LAND CONVERSION AND MITIGATION REQUIREMENT**

Map Unit Symbol	Soil Name	Total Acres	Acres not Designated as Grazing Land ¹	Acres Preserved In RMA 5-1	Acres Impacted	AUM/Acre (Based on Soil Type) ²	Mitigation Needed (AUM)
Ad	Anderson gravelly sandy loam	33.32		33.32	0	1.32	0
Ae	Anderson gravelly sandy loam, moderately deep	27.65		0	27.65	1.32	36.50
CfA	Churn gravelly loam, deep, 0-3% slopes	6.7	6.7	0	0	1.98	0
CgB	Clough gravelly loam, 3-8% slopes	60.41	16.88	0	43.53	1.32	57.46
leD	Inks-Pentz complex, 5-30% slopes	50.93		50.93	0	0.4	0
leE	Inks-Pentz complex, 30-50% slopes	105.02		56.11	48.91	0.4	19.56
NeC	Newtown gravelly loam, 8-15% slopes	176.57	2.23	0	174.34	0.8	139.47
RcA	Red Bluff gravelly loam, moderately deep, 0-3% slopes	119.8	12.89	0	106.91	0.6	64.15
RcB	Red Bluff gravelly loam, moderately deep, 3-8% slopes	135.45		4.24	131.21	0.6	78.73
RdA	Redding gravelly loam, 0-5% slopes, moist, MLRA 17	8.23		8.23	0	0.6	0
ReA	Redding-Red Bluff gravelly loams, 0-3% slopes	1.12		0	1.12	0.6	0.67
StD	Supan gravelly loam, 15-30% slopes	1.37		1.37	0	1.0	0
Total		726.57	38.7	154.2	533.67		396.5

¹ As mapped by the California Farmland Mapping and Monitoring Program (FMMP)

² University of California Cooperative Extension - Shasta County

Sources: Natural Resources Conservation Service. 2017; USDA, Soil Conservation Service and Forest Service. 1974.

Mitigation Measure 5.2-2 on page 5.2-19 of the DEIR has been revised as follows:

MM 5.2-2: The loss of agricultural (grazing) lands on the subject property shall be offset through establishment of a conservation easement providing for agricultural use of offsite lands in perpetuity. Shasta County or a qualified land conservation organization shall facilitate the establishment of the conservation easement. The conservation easement shall be held by a conservation-oriented third party acceptable to Shasta County. The offsite agricultural lands shall be located in Shasta County and shall provide a grazing capacity of at least ~~1,044~~ 396.5 Animal-Unit Months (AUMs). An Operation and Management Plan identifying the land to be protected, acceptable land uses, management practices, and a reporting program shall be provided for Shasta County review and acceptance prior to establishment of the easement. All costs associated with establishing the conservation easement shall be the responsibility of the project applicant.

Section 5.3 – Air Quality

For internal consistency with Mitigation Measure 5.7-1 on page 5.7-21 of the RDEIR, Mitigation Measure 5.3-2 on page 5.3-20 of the RDEIR has been revised as follows:

MM 5.3-2: Prior to the issuance of individual building permits, the Shasta County Building Division ~~Department~~ shall confirm that all construction documents and specifications stipulate that the installation of wood-burning and natural gas fireplaces is prohibited. ~~Natural gas fireplaces are acceptable.~~

Section 5.4 – Biological Resources

For clarification purposes, page 5.4-5 of the DEIR has been revised as follows:

The grassland areas can have values ~~has moderate values~~ for wildlife species. The grassland provides habitat for a variety of mammals such as black-tailed deer, coyote, mice, gophers, and moles. Reptiles expected to utilize the grassland may include gopher snakes, rattlesnakes, and kingsnakes. The grassland may also provide potential nesting habitat for ground-nesting migratory birds such as killdeer and California quail, which were observed on the site during the field inspections. Pacific treefrogs were observed in pools associated with Clough Creek on the site.

For clarification purposes, page 5.4-6 of the DEIR has been revised as follows:

Although no salmonids were observed during the field surveys, Clough Creek and the unnamed seasonal stream in the eastern portion of the site provide potential rearing/spawning habitat for salmonids during spring and early summer when flows are adequate and water temperatures are below 77°F. Additionally, the streams support a variety of freshwater invertebrates, and the shallow waters and the relatively short duration of ponding provide marginally suitable breeding habitat for Pacific tree frogs and western toads. These streams also provide potential habitat for western pond turtles during spring and early summer. Standing pools in the unnamed seasonal stream that drains the eastern portion of the project site were inhabited by bluegill and mosquitofish. Common garter snakes may forage for frogs and toads along the seasonal streams; waterfowl may forage for invertebrates. In addition, the presence of water within these drainages for most of the year and the greater diversity of vegetative composition are natural attractions for wildlife. Though not quantified during the field surveys, deer, turkey, raccoon, fox, bobcat, ducks and

various songbird species were observed within these drainages in greater numbers than the upland oak woodlands. The streams have moderate values to wildlife given the variety of species that may be present.

For clarification purposes, page 5.4-6 of the DEIR has been revised as follows:

Wetlands on the project site include wet swales located in the central and southern portions of the site, two seasonal ponds (associated with Clough Creek and the unnamed stream that flows from north to southeast across the eastern side of the project site), and a seep located in the eastern portion of the site. These water features can provide ~~some~~ value to wildlife species given their large-ranging size (the largest is 11,543 square feet) and increased ponding duration. The wet swales support ostracods and caddisflies, and provides marginal breeding habitat for frogs. Similar to the wet swales, the ponds on the site have very low value to wildlife species given their very small size, shallow depth, and brief duration of ponding. The ponds provide marginal breeding habitat for frogs.

For clarification purposes, page 5.4-24 of the DEIR has been revised as follows:

Oval-leaved viburnum	<i>Viburnum ellipticum</i>	2B.3	Oval-leaved viburnum is a perennial deciduous shrub that occurs in chaparral, cismontane woodland, and lower montane coniferous forests. The species often occurs on north-facing slopes covered by dense brush. Oval-leaved viburnum is found between 700 and 4,600 feet in elevation. The flowering period is May and June.	In California, oval-leaved viburnum is <u>considered a California native species</u> an introduced weed . Review of CNDDDB records found that oval-leaved viburnum has been reported within 10 miles of the project area. However, CDFW does not consider oval-leaved viburnum to be a special status species. No further evaluation of this species is warranted. <u>Oval-leaved viburnum was not observed during the botanical surveys and is not expected to be present.</u>
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For clarification purposes, page 5.4-42 of the DEIR has been revised as follows:

Weed Species. A number of introduced weed species are present in the study area. The proposed project could potentially introduce additional weed species into the study area or facilitate the spread of unique weed species to other locations. The potential for introduction and spread of weeds can be avoided/minimized by using only certified weed-free erosion control materials, mulch, and seed; precluding the use of rice straw in riparian areas; limiting any import or export of fill to material known to be weed free; and requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the County and the project site ~~(if the equipment has most recently been used within the County, cleaning would not be required)~~, and requiring the contractor to thoroughly wash all equipment upon completion of its onsite use. With implementation of **MM 5.4-1d** impacts with respect to weed species would be *less than significant*.

For clarification purposes, page 5.4-48 has been revised to read as follows:

However, as described in Section 3.0, PROJECT DESCRIPTION, and in accordance with the Design Guidelines prepared by Shasta Red, LLC, for the project, lighting should ~~will~~ be carefully used and oriented downward or shielded to minimize glare to enhance the overall design concept of the home in an aesthetically pleasing manner.

For clarification purposes, Mitigation Measure 5.4-1a on page 5.4-49 of the DEIR has been revised as follows:

MM 5.4-1a: Subject to review and approval by the Shasta County Resource Management Department Director, and prior to the removal of any vegetation, the applicant shall establish an offsite conservation easement covering a minimum of 137.8 acres of blue oak woodland in Shasta County. A detailed management plan guiding long-term preservation of the oak woodland, which may include a regulated intensity of grazing on the site, shall be provided for Shasta County and the California Department of Fish and Wildlife review and acceptance prior to establishment of the easement. The management plan shall identify monitoring and maintenance activities, conservation easement and deed restriction terms, the easement holder, and remedial actions to be taken if the management plan objectives are not met.

A conservation-oriented third-party entity acceptable to Shasta County and the California Department of Fish and Wildlife shall hold the conservation easement and shall be responsible for ongoing monitoring and management of the site in accordance with the management plan.

Monitoring reports shall be submitted to Shasta County and the California Department of Fish and Wildlife at least once every three years; if management problems are identified or other concerns arise, the County may require submittal of more frequent reports (up to two per year) until the concerns are adequately addressed. Management activities shall be funded through an endowment account established by the project applicant or through fees collected by the Tierra Robles Community Services District.

For clarification purposes, Mitigation Measure 5.4-1d on page 5.4-50 of the DEIR has been revised as follows:

MM 5.4-1d: Grading plans prepared by the project applicant shall note the following construction specifications designed to avoid the introduction and spread of weeds:

- Using only certified weed-free erosion control materials, mulch, and seed.
- Precluding the use of rice straw in riparian areas.
- Limiting any import or export of fill material to material known to be weed free.
- Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the County, and the project site. ~~If the equipment has most recently been used within the County, cleaning is not required.~~
- Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility immediately upon termination of its use at the project site.
- The project contractor shall continuously comply with the above stated measures throughout the duration of onsite and offsite construction activities.

Red Bluff dwarf rush mitigation has been revised based on comments from the project applicant. The revised mitigation measure provides flexibility regarding the design of the project and Resource Management Areas (RMAs) based on Red Bluff dwarf rush populations at the time of construction while still providing protection and specific performance standards for the mitigation of impacted Red Bluff

dwarf rush. Mitigation Measure 5.4-1e on pages 5.4-50 and 5.4-51 of the DEIR has been revised as follows:

MM 5.4-1e: Potential impacts to Red Bluff dwarf rush (RBDR) shall be avoided and minimized with implementation of the following:

- The project shall be designed to avoid all RBDR habitat.
- The areal extent of the RBDR habitat within the project site shall be delineated and density of the Red Bluff dwarf rush population shall be documented by a qualified biologist within the blooming period prior to construction activities. Habitat to be delineated consists of vernal moist areas, including vernal pools and swales within the basins valley grassland, chaparral, and foothill woodland areas, between elevation from 300 to 1,000 feet (90 to 305 meters) botanist through at least two years of baseline monitoring in non-drought years. Monitoring shall be completed prior to final design of Lots 60-69 and 77-79, as well as the roads bordering these lots.
- The delineated habitat shall be protected during construction phases by the placement of plastic netting 50 feet outside the delineated area. This fenced protected area shall be signed every 100 feet to indicate a non-disturbance area. This fence shall be inspected weekly throughout the construction period to ensure structural integrity.
- ~~Upon establishment of the baseline Red Bluff dwarf rush population boundary, the adjoining building envelopes, RMAs, and roads shall be redesigned to provide a minimum 100-foot buffer between the plant population and all roads and building envelopes.~~
- The spring following construction activities within the general area, the RBDR habitat identified shall be surveyed, by a qualified biologist, to assess impacts resulting from construction activities. This survey will note any change in vegetative composition and hydrological process within the delineated habitat area. Baseline data for this follow-up survey may be found in the Tierra Robles subdivision development basin G supplementary hydrology analysis prepared by S2~J2 Engineering, 2016 and the Tierra Robles Biological Review prepared by WRM, 2015.
- If the post construction survey finds that impacts resulting from construction activities to the delineated habitat to be greater than 10 percent of the area or there is a hydrological change of greater than 20 percent, off site mitigation shall be purchased from an approved mitigation bank at a ratio of 2:1.
- ~~Low (±24 inch tall) post and cable fencing shall be constructed around the Red Bluff dwarf rush population prior to construction on any of Lots 60-69 or 77-79. The fencing shall be a minimum of 100 feet from the outer edge of the plant population. A conservation-oriented third-party entity acceptable to Shasta County shall be responsible for annual monitoring of the fence in perpetuity, and for ensuring that the fence is maintained in good condition at all times.~~

- Treated effluent from the onsite wastewater treatment plant shall not be disposed within 200 feet of the RBDR habitat area ~~Red Bluff dwarf rush population.~~
- Roadside runoff shall pass through a minimum of 50 feet of vegetated habitat prior to entry into the delineated RBDR habitat area.
- ~~The project applicant shall preserve an offsite population of Red Bluff dwarf rush in perpetuity. The offsite preserve shall support an areal extent and density of Red Bluff dwarf rush equal to or greater than that of the onsite population. The mitigation site and a surrounding upland buffer shall be protected through implementation of deed restrictions or a conservation easement, and implementation of a management plan approved by Shasta County and CDFW. A third party conservation oriented entity acceptable to Shasta County shall hold the conservation easement and be responsible for monitoring and maintenance of the mitigation site in perpetuity, with the Tierra Robles Community Services District funding implementation of the management plan in perpetuity.~~

For clarification purposes, page 5.4-54 of the DEIR has been revised to as follows:

Streams corridors are considered primary locations for wildlife migration corridors. However, implementation of the proposed project, would not incur development along streams. The RMA within each residential lot has been created to establish setbacks from property lines, stream channels and/or critical natural resources. These areas would remain undisturbed and would be managed by the private landowner under direction of the TRCSD/TRHOA. These areas would allow for travel corridors for wildlife. Additionally, the open space preserves, which accounts for more than a quarter of the total acres of the site, would also remain undeveloped under management of the TRCSD/TRHOA and would allow for wildlife movement and continued use for bird or bat nurseries. Regardless, wildlife movement would be impeded to some degree, but would not be considered a significant impact. Native wildlife nursery sites would be potentially impacted as discussed in Impact 5.4-1, above; however, implementation of MM 5.4-1g, MM 5.4-1h, MM 5.4-1i, and MM 5.4-1k would reduce impacts to birds and bats.

Section 5.5 – Cultural Resources

For clarification purposes, page 5.5-1 of the DEIR has been revised as follows:

The purpose of this section is to identify any potential cultural resources within or adjacent to the proposed project, and to assist the Lead Agency, in this case Shasta County, in determining whether such resources meet the office definitions of “historical resources,” as provided in the California PRC, in particular under the California Environmental Quality Act (CEQA). The analysis in this section has been prepared in accordance with §15064.5 of the *State CEQA Guidelines*, which considers the potential impacts on prehistoric, historic, and paleontological resources. This section describes the potential cultural resources within the project study area, and the applicable regulations that govern those resources. The following analysis of the potential environmental impacts related to ~~recreation~~ cultural resources is derived from the following sources and agencies:

Section 5.6 – Geology and Soils

No changes or revisions are necessary to Section 5.6, GEOLOGY AND SOILS, of the DEIR.

Section 5.7 – Greenhouse Gases and Climate Change

No changes or revisions are necessary to Section 5.7, GREENHOUSE GASES AND CLIMATE CHANGE, of the RDEIR.

Section 5.8 – Hazards and Hazardous Materials

No changes or revisions are necessary to Section 5.8, HAZARDS AND HAZARDOUS MATERIALS, of the DEIR.

Section 5.9 – Hydrology and Water Quality

No changes or revisions are necessary to Section 5.9, HYDROLOGY AND WATER QUALITY, of the DEIR.

Section 5.10 – Land Use and Planning

No changes or revisions are necessary to Section 5.10, LAND USE AND PLANNING, of the DEIR.

Section 5.11 – Noise

No changes or revisions are necessary to Section 5.11, NOISE, of the DEIR.

Section 5.12 – Population and Housing

No changes or revisions are necessary to Section 5.12, POPULATION AND HOUSING, of the DEIR.

Section 5.13 – Public Services and Fiscal Impacts

No changes or revisions are necessary to Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the DEIR.

Section 5.14 – Recreation

No changes or revisions are necessary to Section 5.14, RECREATION, of the DEIR.

Section 5.15 – Tribal Cultural Resources

No changes or revisions are necessary to Section 5.15, TRIBAL CULTURAL RESOURCES, of the DEIR.

Section 5.16 – Traffic and Circulation

For clarification purposes, page 5.16-32 of the RDEIR has been revised to read as follows:

A series of internally looped roads with right-of-way ranging between 50 feet to 60 feet in width would be connected to Tierra Robles Parkway which would provide access to the internal lots of the proposed project. An approved secondary emergency access per Shasta County Fire Safety standards would consist

~~of an emergency access easement across Lot No. 81 and Lot No. 98 and a 5.23-acre offsite extension of the proposed new access road to Old Alturas Road. The southerly terminus of Tierra Robles Lane is located at the northerly terminus of Northgate Drive. The proposed connection with Northgate Road would be gated per County fire standards and used for reciprocal emergency access only. Potential long-term impacts related to emergency access would be less than significant.~~

This change was made in response to Comment 2-15 on the RDEIR.

Section 5.17 – Utilities and Service Systems

For clarification purposes, Note 2 of Table 5.17-2 Summary of Water Supply Sources on page 5.17-4 of the RDEIR has been revised as follows:

² Groundwater wells are currently only used to supplement surface water in short and long-term shortages. 4,200 AFY is estimated to be the maximum capacity of the existing wells. Additional groundwater wells are planned for construction every 10 years starting in 2020 increasing groundwater by 810 AFY per well. BVWD did not drill a well in 2020 as planned.

This change was made in response to Comment 3-3 on the RDEIR.

For clarification purposes, page 5.17-30 of the RDEIR has been revised as follows:

How this works mechanically is CCCSD would pump 100-acre feet of groundwater from their existing wells over the course of multiple months during a dry year to serve existing CCSD customers. In exchange, CVP designated water from the Whiskeytown reservoir. This water would be transported through CCCSD's existing underground aqueduct from its facilities near the Whiskeytown Reservoir Dam and released into the Sacramento River just below the Keswick Dam northeast of city of Redding. BVWD would pump a commensurate amount of water from the Sacramento River from their existing intake station approximately 0.25-mile down river from the Sundial Bridge in Redding. No new facilities or infrastructure would be required to complete this transfer.

Therefore, based upon the information provided by the project applicant, the publicly available data regarding groundwater conditions, and historic use data provided by CCCSD, the proposed supplemental water supply would be a feasible method to address MM 5.17-4b.

While the potential supply of supplemental water from CCCSD is addressed in this section, this is not the only potential available option. MM 5.17-4b provides both assurances and flexibility. The assurance is that the mitigation must be satisfied before development may occur (i.e., development is curtailed if sufficient water is not available). The flexibility is that potential supplies of supplemental water other than from CCCSD may be utilized to satisfy the requirements of MM 5.17-4b.

For example, as explained in this section two other water providers could potentially provide supplemental water. The McConnell Foundation has a contract to receive 5,100 AFY of Central Valley Project (CVP) water each year, without any shortage provision curtailment. Additionally, BVWD has a long-term transfer agreement with the Anderson-Cottonwood Irrigation District for 1,536 AFY of CVP water.

Further, to the extent supplemental water supplies would need to come from groundwater, draft sections of the Enterprise Groundwater Sustainability Plan and the Anderson Groundwater Sustainability Plan (the

applicable groundwater basins) both demonstrate that groundwater levels are and have been stable for many years, even when groundwater pumping has increased in the past during dry years.¹ Thus, a nominal, temporary increase in pumping to satisfy the project's potential supplemental water needs in a multiple dry-year scenario would not have a significant effect on the environment. This conclusion is also supported by analysis in this section.

It is also important to consider that the project and its anticipated water demand are specifically referenced and included in BVWD's Urban Water Management Plan, both in 2015 and in the 2020 Update (Exhibit C to the Tierra Robles Final EIR, Recirculated Draft EIR Responses to Comments). In other words, BVWD already anticipated serving the project and is planning accordingly.

This consideration is particularly important to understand in the context of BVWD's 2020 Drought Contingency Plan (Exhibit D to the Tierra Robles Final EIR, Recirculated Draft EIR Responses to Comments). As noted in Section 5 of that plan, BVWD is planning numerous actions to ensure that its water supply is more efficient (e.g., leak detection), increased (e.g., new groundwater wells), and more available (e.g., water storage projects). As one example, the plan analyzed potential new groundwater wells and determined that, with one additional groundwater well, BVWD could reasonably provide an additional 965 to 1,040 AFY of well water supplies beyond what BVWD's current wells provide. BVWD is planning to construct new groundwater wells "every 10 years starting in 2020," which could increase groundwater by 810 AFY per well.² These figures are well in excess of the project's total anticipated water demand of 80 AFY.

There are sufficient water supplies to provide for the project in normal, dry, and multiple dry years, and the project will not have a significant effect on water supplies. MM 5.17-4b mandates an agreement be entered into with BVWD to ensure there is sufficient water, and one potential supplemental water supply that could satisfy this mitigation requirement is addressed in this section. But, as discussed previously, there are other supplemental water options that could satisfy this mitigation requirement. MM 5.17-4b provides BVWD with the opportunity to shape the agreement in a way that integrates with BVWD's broader efforts, consistent with BVWD's Urban Water Management Plan (which includes the project) and the multiple projects described in BVWD's 2020 Drought Contingency Plan to ensure there is sufficient water to meet all anticipated water demands.

For clarification purposes, Mitigation Measure 5.17-4b on page 5.17-30 of the RDEIR has been revised to read as follows:

MM 5.17-4b: Concurrent with the establishment of the Tierra Robles Community Services District or Tierra Robles Homeowners Association, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 90 percent of the project's

¹ See pages 3-12 and Figures 3-14 and 3-15 of Section 3 of the draft Enterprise Groundwater Sustainability Plan and Anderson Groundwater Sustainability Plan, included as Exhibits A and B to Attachment 1 of this Final Recirculated Draft Environmental Impact Report Responses to Comments. Also available at <https://www.cityofredding.org/departments/public-works/eagsa>

² See Recirculated Draft Environmental Impact Report, page 5.17-4. As previously noted, the groundwater basin levels are stable and capable of sustaining development of new wells.

prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the U.S. Bureau of Reclamation (USBR) that it will receive less than a 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination has been announced by USBR as of April 15th of each year. The augmenting water supplies shall be made available to BVWD through the Agreement ~~until such time as BVWD has completed three years of full CVP water allocation after commencement of operations at the project site with BVWD consistent with the methodology of USBR's Central Valley Project Municipal and Industrial Storage Policy, Guidelines and Procedures until such time as BVWD has received three successive water years of full (Unconstrained) CVP water allocations following buildout and completion of all phases of the development and newly created water demands.~~ For any shortage condition that occurs after three years of full CVP allocation following buildout, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement.

This change was made in response to Comment 1-11 on the RDEIR.

Section 5.18 – Energy Consumption

No changes or revisions are necessary to Section 5.18, ENERGY CONSUMPTION, of the RDEIR.

Section 5.19 – Wildfire

For clarification purposes, page 5.19-13 of the RDEIR has been revised as follows:

The proposed internal street network consists of approximately 15 roadway segments and would be designed and constructed to meet applicable County street standards. A proposed secondary access is proposed that would meet all Shasta County Fire Safety standards and would consist of an emergency access easement across Lot No. 81 and Lot No. 98. This would include a 5.23-acre offsite extension of the proposed new access road to Old Alturas Road on the northerly side of the project, the southerly terminus of Tierra Robles Lane at Northgate Drive. The proposed connection with Northgate Drive would be gated per County fire standards and used for reciprocal emergency access only. As a result, Project operations would have a less than significant impact related to emergency response or evacuation activities within the development.

This change was made in response to Comment 2-15 on the RDEIR.

SECTION 6.0 – GROWTH-INDUCING IMPACTS

No changes or revisions are necessary to Section 6.0, GROWTH-INDUCING IMPACTS, of the DEIR.

SECTION 7.0 – ALTERNATIVES TO THE PROPOSED PROJECT

No changes or revisions are necessary to Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, of the DEIR.

SECTION 8.0 – OTHER CEQA CONSIDERATIONS

No changes or revisions are necessary to Section 8.0, OTHER CEQA CONSIDERATIONS, of the DEIR.

SECTION 9.0 – INVENTORY OF MITIGATION MEASURES

Additions, modifications or deletions of text within Sections 5.1 through 5.19 noted in this ERRATA result in similar changes in Section 9.0, INVENTORY OF MITIGATION MEASURES, of the DEIR.

SECTION 10.0 – EFFECTS FOUND NOT TO BE SIGNIFICANT

No changes or revisions are necessary to Section 10.0, EFFECTS FOUND NOT TO BE SIGNIFICANT, of the DEIR.

SECTION 11.0 – ORGANIZATIONS AND PERSONS CONSULTED

No changes or revisions are necessary to Section 11.0, ORGANIZATIONS AND PERSONS CONSULTED, of the DEIR.

SECTION 12.0 – BIBLIOGRAPHY

No changes or revisions are necessary to Section 12.0, BIBLIOGRAPHY, of the DEIR.

13.0 Mitigation Monitoring and Reporting Program

13.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Tierra Robles Planned Development Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Partial Recirculated Environmental Impact Report (Partial Recirculated EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

13.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the Final Partial Recirculated EIR prepared for the proposed project. This MMRP is intended to be used by Shasta County staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the Final Partial Recirculated EIR.

The Final Partial Recirculated EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or

- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by Shasta County. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. Shasta County will be responsible for monitoring compliance.

13.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance. The table includes mitigation measures that were included to the original Draft EIR as well as mitigation measures contained in the selected chapters of the Partial Recirculated Draft EIR. If applicable, where mitigation measures in Section 5.3 Air Quality; Section 5.7 Greenhouse Gases; Section 5.16 Traffic and Circulation; and Section 5.17 Utilities and Service Systems; were modified from the original Draft EIR and include to the Final Partial Recirculation EIR, the most recent version is reflected below.

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
AGRICULTURAL RESOURCES						
<p>MM 5.2-1. Upon subsequent sale or lease of all or part of the affected property, including the sale of individual lots following subdivision of the property, a real estate transfer disclosure statement shall be provided to the purchaser or lessee and shall include the following language:</p> <p><i>It is the policy of the County of Shasta to protect, promote and encourage properly conducted agricultural operations within the County. You are hereby notified that the property you are purchasing is located near agricultural lands or operations, or is included within or adjacent to an area where agricultural operations are or may be permitted. You may be subject to inconveniences or discomfort arising from such operations.</i></p> <p><i>Such discomfort or inconveniences may include noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft), during any 24-hour period. Also, discomfort or inconvenience may result from the storage or disposal of manure; the application, by spraying or otherwise, of fertilizers, soil amendments, herbicides, and pesticides; and grazing of livestock on open range. One or more of the inconveniences described may occur as a result of any agricultural operation that is in conformance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector.</i></p>	At time of sale or lease of any lot(s)	Pre-Construction (At time of real estate transfer)	Shasta County Assessor's Office; Shasta County Resource Management, Building Division; Shasta County Resource Management Planning Division; Qualified Real Estate Agent			
<p>MM 5.2-2. The loss of agricultural (grazing) lands on the subject property shall be offset through establishment of a conservation easement providing for agricultural use of offsite lands in perpetuity. Shasta County or a qualified land conservation organization shall facilitate the establishment of the conservation easement. The conservation easement shall be held by a conservation-oriented third party acceptable to Shasta County. The offsite agricultural lands shall be located in Shasta County and shall provide a grazing capacity of at</p>	Prior to the sale of the first lot.	Pre-Construction	Shasta County Resource Management, Planning Division; Qualified Land Conservation Organization; Tierra			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>least 396.5 Animal-Unit Months (AUMs). An Operation and Management Plan identifying the land to be protected, acceptable land uses, management practices, and a reporting program shall be provided for Shasta County review and acceptance prior to establishment of the easement. All costs associated with establishing the conservation easement shall be the responsibility of the project applicant.</p>			Robles Community Services District			
AIR QUALITY						
<p>MM 5.3-1: Prior to issuance of a grading permit, the project applicant shall submit a grading plan for review and approval by the Shasta County Building Department. The following specifications shall be included to reduce short-term air quality impacts attributable to the proposed project:</p> <ul style="list-style-type: none"> • During all construction activities, all diesel-fueled construction equipment, including but not limited to rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors, shall be California Air Resources Board (CARB) Tier 4 Interim Certified or better as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations • All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept onsite and made available upon request by the County of Shasta. • All material excavated, stockpiled, or graded shall be sufficiently watered to prevent fugitive dust from leaving property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering shall occur at least twice daily with complete site coverage, preferably in the mid-morning and after work is completed each day. • All areas (including unpaved roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions. 	Prior to grading permit	Pre-Construction and during construction	Shasta County Resource Management, Planning Division;			

**Mitigation Monitoring and Reporting Program
 Fairview at Northgate Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<ul style="list-style-type: none"> All onsite vehicles shall be limited to a speed of 15 miles per hour on unpaved roads. All land clearing, grading, earth-moving, or excavation activities on the project site shall be suspended when sustained winds are expected to exceed 20 miles per hour. All portions of the development site which have been stripped of vegetation by construction activities and left inactive for more than ten days shall be seeded and/or watered until a suitable grass cover is established. All trucks hauling dirt, sand, soil, or loose material shall be covered or shall maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of California Vehicle Code Section 23114. This provision will be enforced by local law enforcement agencies. All material transported offsite shall be either sufficiently watered or securely covered to prevent a public nuisance. Wheel washers shall be installed where project vehicles and/or equipment enter and/or exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Prior to final occupancy, the applicant shall re-establish ground cover on the construction site through seeding and watering. Off-road construction equipment shall not be left idling for periods longer than 5 minutes when not in use. 						

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
MM 5.3-2: Prior to the issuance of individual building permits, the Shasta County Building Division shall confirm that all construction documents and specifications stipulate that the installation of wood-burning and natural gas fireplaces is prohibited.	Prior to issuance of individual building permits	Pre-Construction	Shasta County Resource Management, Planning Division;			
<p>MM 5.3-3: Prior to the issuance of individual building permits, the Shasta County Building Department shall confirm that all project plans and specifications include the following design features:</p> <ul style="list-style-type: none"> The project shall provide for the use of energy-efficient lighting (includes controls) and process systems such as water heaters, furnaces, and boiler units. The project shall utilize energy-efficient and automated controls for air conditioning. Residential structures shall include exterior electric outlets in the front and rear. 	Prior to issuance of individual building permits	Pre-Construction	Shasta County Resource Management, Planning Division;			
BIOLOGICAL RESOURCES						
<p>MM 5.4-1a: Subject to review and approval by the Shasta County Resource Management Department Director, and prior to the removal of any vegetation, the applicant shall establish an offsite conservation easement covering a minimum of 137.8 acres of blue oak woodland in Shasta County. A detailed management plan guiding long-term preservation of the oak woodland, which may include a regulated intensity of grazing on the site, shall be provided for Shasta County and the California Department of Fish and Wildlife review and acceptance prior to establishment of the easement. The management plan shall identify monitoring and maintenance activities, conservation easement and deed restriction terms, the easement holder, and remedial actions to be taken if the management plan objectives are not met.</p> <p>A conservation-oriented third-party entity acceptable to Shasta County and the California Department of Fish and Wildlife shall hold the conservation easement and shall be responsible for ongoing monitoring and management of the site in accordance with the management plan.</p>	Prior to any removal of vegetation	Pre-Construction	Shasta County Resource Management Department; California Department of Fish and Wildlife			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>Monitoring reports shall be submitted to Shasta County and the California Department of Fish and Wildlife at least once every three years; if management problems are identified or other concerns arise, the County may require submittal of more frequent reports (up to two per year) until the concerns are adequately addressed. Management activities shall be funded through an endowment account established by the project applicant or through fees collected by the Tierra Robles Community Services District.</p>						
<p>MM 5.4-1b: Oak woodlands within designated open spaces on the development site shall be maintained in perpetuity. The open spaces shall be protected through establishment of conservation easements and deed restrictions. The five small open spaces shall be managed for their oak woodland values. The large eastern open space shall be managed for both oak woodland and seasonal grazing values. A management plan shall be provided for Shasta County review and acceptance prior to establishment of the easements and deed restrictions. The plan shall be consistent with the Oak Management Plan and shall identify monitoring and maintenance activities, conservation easement and deed restriction terms, the easement holder, and remedial actions to be taken if the management plan objectives are not met. The deed restrictions shall include a provision prohibiting dogs in the designated open space areas.</p> <p>Should the Tierra Robles Community Services District ultimately own and maintain the onsite conservation easements, monitoring reports shall be submitted to Shasta County at least once every three years. If management problems are identified or other concerns arise, the County may require submittal of more frequent reports (up to two per year) until the concerns are adequately addressed.</p> <p>Should the onsite conservation easements be held by a conservation-oriented third-party entity (acceptable to Shasta County), the third-party entity shall be responsible for ongoing monitoring and management of the onsite conservation easements in accordance with the Oak Management Plan. Monitoring and maintenance of the open spaces, in perpetuity, shall be funded through an endowment account</p>	<p>Prior to the sale of the first lot.</p>	<p>Pre-Construction; During Construction; During the life of the project</p>	<p>Shasta County Resource Management, Planning Division; Tierra Robles Community Services District</p>			

**Mitigation Monitoring and Reporting Program
 Fairview at Northgate Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
established by the project applicant or through fees collected by the Tierra Robles Community Services District.						
MM 5.4-1c: Resource Management Areas (RMAs) shall be maintained in perpetuity for their wildlife habitat values and for fire hazard reduction. The RMAs shall be protected through establishment of conservation easements and deed restrictions. Each RMA shall be managed by the Tierra Robles Community Services District as specified in the Final Tierra Robles Wildland Fuel/Vegetation Management Plan, which shall be provided for Shasta County review and acceptance prior to establishment of the easements and deed restrictions. The plan shall identify monitoring and maintenance activities, conservation easement and deed restriction terms, the easement holder, and remedial actions to be taken if the management plan objectives are not met. The deed restrictions shall include a provision prohibiting dogs within the RMAs. As required by the Tierra Robles Design Guidelines, a licensed land surveyor shall identify limits of the building envelope on each lot for easier identification of RMA boundaries.	Prior to the sale of the first lot.	During the life of the project	Shasta County Resource Management, Planning Division; Tierra Robles Community Services District			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>MM 5.4-1d: Grading plans prepared by the project applicant shall note the following construction specifications designed to avoid the introduction and spread of weeds:</p> <ul style="list-style-type: none"> • Using only certified weed-free erosion control materials, mulch, and seed. • Precluding the use of rice straw in riparian areas. • Limiting any import or export of fill material to material known to be weed free. • Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the County, and the project site. • Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility immediately upon termination of its use at the project site. • The project contractor shall continuously comply with the above stated measures throughout the duration of onsite and offsite construction activities. 	Prior to the issuance of grading permits	Pre-Construction; During Construction	Shasta County Resource Management, Planning Division; Shasta County Resource Management, Building Division			
<p>MM 5.4-1e: Potential impacts to Red Bluff dwarf rush shall be avoided and minimized with implementation of the following:</p> <ul style="list-style-type: none"> • The project shall be designed to avoid all RBDR habitat. • The extent of the RBDR habitat within Basin shall be delineated by a qualified biologist within the blooming period prior to construction activities. Habitat to be delineated consists of vernal moist areas, including vernal pools and swales within the basins valley grassland, chaparral, and foothill woodland areas, between elevation from 300 to 1,000 feet (90 to 305 meters). • The delineated habitat shall be protected during construct phases by the placement of plastic netting 50 feet outside the delineated area. This fenced protected area shall be signed every 100' to indicate a non-disturbance area. This fence shall be inspected 	Prior to final design on individual lots; prior to the issuance of individual building permits	Pre-Construction; During Construction; During the life of the project	Shasta County Resource Management, Planning Division; California Department of Fish and Wildlife; Tierra Robles Community Services District			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>weekly throughout the construction period to ensure structural integrity.</p> <ul style="list-style-type: none"> The spring following construction activities within the general area, the RBDR habitat identified in step 1 shall be surveyed, by a qualified biologist, to assess impacts resultant of the construction activities. This survey will note any change in vegetative composition and hydrological process within the delineated habitat area. Baseline data for this follow-up survey may be found in the Tierra Robles subdivision development basin G supplementary hydrology analysis prepared by S2~J2 Engineering, 2016 and the Tierra Robles Biological Review prepared by WRM, 2015. If the post construction survey finds that impacts resultant of construction activities to the delineated habitat to be greater than 10% of the area or there is a hydrological change of greater than 20%, off site mitigation shall be purchased from an approved mitigation bank at a ratio of 2:1. Treated effluent from the onsite wastewater treatment plant shall not be disposed within 200 feet of the RBDR habitat area- Roadside runoff shall pass through a minimum of 50' of vegetated habitat prior to entry into the delineated RBDR habitat area. 						
<p>MM 5.4-1f: As part of the on-going vegetation management activities conducted by the Tierra Robles Community Services District, individual trees in the RMAs and open spaces that provide suitable bat roosting habitat (trees ≥12" dbh; trees with cavities, crevices, or exfoliating bark; and standing snags) shall be identified and retained. Removal of trees providing bat roosting habitat may be authorized by the Shasta County Resource Management Department Director if the Director determines that the tree(s) pose a significant hazard to the public due to their location and condition.</p>	Prior to the issuance of grading permits; Prior to any removal of trees	During the life of the project	Shasta County Resource Management, Planning Division; Tierra Robles Community Services District			
<p>MM 5.4-1g: For all activities requiring a grading permit, conduct tree removal outside of the bat maternity season (i.e., remove trees between September 1 and February 28) if possible. If trees must be</p>	Prior to the issuance of grading permits; Prior to any removal of trees	During the life of the project	Shasta County Resource Management, Planning Division;			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>removed during the maternity season (March 1 through August 31), the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Within two weeks prior to tree removal, daytime habitat assessments and/or nighttime emergence surveys shall be conducted to identify potential roost trees. • Potential roost trees shall be removed using a two-step process to provide humane eviction of the bats. On Day 1, the non-habitat features on the trees shall be removed using chain saws for cutting and, as feasible, using chippers for disposal, with the objective being to create sufficient noise and vibration to cause the bats to choose not to return to the tree after they emerge to forage. On Day 2, the remainder of the tree shall be removed, with no restrictions on removal methods. 			Qualified Biologist; Tierra Robles Community Services District			
<p>MM 5.4-1h: Install three four-chamber bat houses within the Clough Creek open space and three four-chamber bat houses within the eastern open space parcel. The bat houses shall be located a minimum of 10 feet above ground in open areas oriented south-southeast, where they receive at least seven hours of direct sun daily. The bat houses shall be located in areas with high habitat diversity (e.g., near riparian, woodland, and grassland/open woodland habitats). The bat houses shall be annually inspected and maintained between November 1-February 1 (when bats are unlikely to be present), and shall be replaced as needed, by the Tierra Robles Community Services District.</p>	Prior to the issuance of grading permits; Prior to any removal of trees	During the life of the project	Shasta County Resource Management, Planning Division; Qualified Biologist; Tierra Robles Community Services District			
<p>MM 5.4-1i: Prior to conducting any vegetation removal in the eastern open space or on lots that are adjacent to the eastern open space, a qualified biologist shall conduct a thorough survey of the brush-removal area to identify all elderberry shrubs within the proposed work area. The survey should occur during the elderberry flowering period (generally late April to late June, depending on weather conditions) to ensure that the elderberries are visible. The location of all elderberries shall be accurately recorded and the elderberries shall be permanently marked in the field (e.g., through placement of T-</p>	Prior to the issuance of grading permits; Prior to any removal of vegetation	During the life of the project	Shasta County Resource Management, Planning Division; Qualified Biologist; Tierra Robles Community Services District			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
posts at a distance of 20 feet outside of the elderberry dripline). No elderberries shall be pruned or removed, and no brush removal shall occur within 20 feet of the dripline of any elderberry with a basal diameter of one inch or greater.						
<p>MM 5.4-1j: Prior to each brush-removal operation in the general vicinity of the elderberries, the following actions shall be undertaken:</p> <ul style="list-style-type: none"> High-visibility protective fencing or flagging shall be installed at a distance of 20 feet outside the driplines of elderberry shrubs; the fencing/flagging shall be maintained for the duration of each brush-removal operation. Environmental awareness training for all vegetation management personnel shall be provided by a qualified biologist. The objective of the training shall be to ensure that the vegetation management personnel can recognize habitats capable of supporting elderberries, identify elderberry plants of all sizes and conditions, understand the need for protection of the plants, and can properly implement protective measures. Confirmation of such training shall be maintained by the Tierra Robles Community Services District. 	Prior to the issuance of grading permits; Prior to any removal of vegetation	During the life of the project	Shasta County Resource Management, Planning Division; Qualified Biologist; Tierra Robles Community Services District			
<p>MM 5.4-1k: The following measure applies to any vegetation removal activities undertaken by the project developer or the Tierra Robles Community Services District for the purposes of fire-hazard reduction or oak woodland management, as well as to any onsite action by any entity that triggers the need for a grading permit (e.g., road construction, multi-lot developments, wastewater collection and treatment system construction, etc.). The measure does not apply to individual lot owners proposing activities that do not require a grading permit; it is the responsibility of individual lot owners to ensure that their actions comply with the Migratory Bird Treaty Act.</p> <ul style="list-style-type: none"> If feasible, vegetation removal and construction shall be conducted between September 1 and January 31. If vegetation removal or construction must occur between February 1 and August 31, a nesting bird survey shall be conducted by a qualified biologist within one week prior to initiation of work; if active nests are present, work 	Prior to the issuance of grading permits; Prior to any removal of vegetation	During the life of the project	Shasta County Resource Management, Planning Division; Qualified Biologist; California Department of Fish and Wildlife; U.S. Fish and Wildlife Service; Tierra Robles Community Services District			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
within 500 feet of the nest(s) shall be postponed until the young have fledged, unless a smaller nest buffer zone is authorized by the CDFW and USFWS. If a lapse in construction lasting two weeks or more occurs during the nesting season, an additional nesting bird survey shall be undertaken to ensure that no new nests have been constructed during the lapse. All nesting bird survey reports shall be kept on file with the Tierra Robles Community Services District and shall be provided to the California Department of Fish and Wildlife within one week following completion of each survey.						
CULTURAL RESOURCES						
MM 5.5-1a. Should any additional archaeological discoveries (human skeletal remains, culturally modified lithic materials, structural features or historic artifacts) or paleontological resources be encountered during ground disturbing activities, all such activities shall halt within a 100-foot radius of the discovery, and a qualified archaeologist shall be contacted to determine the nature of the find, evaluate its significance, and if necessary, suggest preservation or mitigation measures.	During grading and construction activities	During grading and construction activities	Shasta County Resource Management, Planning Division; Qualified Archaeologist; Native American Heritage Commission			
MM 5.5-1b. If human remains are discovered during development of the project, all activity shall cease immediately, the Contractor shall notify the Shasta County Coroner's Office immediately under State law, and a qualified archaeologist and Native American monitor shall be contacted. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code Section 5097.98 and the remains interred as provided for by law.	During grading and construction activities	During grading and construction activities	Shasta County Resource Management, Planning Division; Shasta County Coroner's Office; Qualified Archaeologist; Native American Heritage Commission			
GREENHOUSE GASES						
MM 5.7-1: The project shall include the following improvements, which shall be incorporated into project improvement plans where applicable, to ensure consistency with adopted statewide plans and programs. The	Prior to the issuance or building and occupancy permit	During grading and construction activities	Shasta County Resource Management, Planning Division.			

**Mitigation Monitoring and Reporting Program
 Fairview at Northgate Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>project applicant shall demonstrate compliance with this measure prior to issuance of building and occupancy permits as specified below:</p> <p><i>Transportation</i></p> <ul style="list-style-type: none"> • Pedestrian connections to the offsite circulation network shall be provided on improvement/grading plans and implemented concurrent with subdivision backbone infrastructure improvements. (Building Permit) • During formation of the HOA, the HOA bylaws shall be drafted to include a ride-sharing program and mechanism for coordination and communication between residents regarding ride-sharing. The HOA bylaws shall also include a requirement that monthly newsletters published by the HOA promote ride-sharing programs through the monthly newsletter and association meetings. (Occupancy Permit) <p><i>Project Sources</i></p> <ul style="list-style-type: none"> • Natural gas hearths and wood burning hearths shall be prohibited. (Building Permit). • Requirements for use of low VOC interior and exterior paints shall be included in the project Covenants, Conditions, and Restrictions (CC&Rs) (Building Permit). • Power tools utilized in the course of building construction shall be electric powered. Temporary electric service shall be established at building construction sites as soon as it is available from PG&E; generators, air compressors, and other non-electric construction equipment shall not be utilized for building construction after temporary electric service is established. (Building Permit) • During formation of the HOA, the HOA Covenants, Conditions, and Restrictions (CC&Rs) shall be drafted to require the use of Use 100 percent electric lawnmowers and leaf blowers. The HOA shall provide an electric lawnmower to homeowners by request (Building Permit). • During formation of the HOA, the HOA bylaws shall be drafted to include a requirement that monthly newsletters published by the 						

**Mitigation Monitoring and Reporting Program
 Fairview at Northgate Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>HOA provide GHG emissions reduction education to the residents. (Occupancy Permit)</p> <ul style="list-style-type: none"> Final project design shall include, in all residential buildings, a “utility” room or space for recharging batteries, whether for use in a car, electric lawnmower, other electric landscaping equipment, or batteries for small items such as flashlights. (Building Permit) Electrical wiring and infrastructure to support a 240-volt EV charger shall be installed in the proposed garage(s) for off-street EV charging. (Building Permit) Bicycle lockers and bicycle parking shall be installed at a bus stop at the southern entrance of the project site. (Building Permit) Building electrification shall be incorporated into project design with no natural gas connections. (Building Permit) During formation of the HOA, the HOA bylaws shall be drafted to include provision of a bike share program and mechanism for coordinating shared bicycle use between residents. (Occupancy Permit) <p><i>Energy Efficiency</i></p> <ul style="list-style-type: none"> All houses shall be designed to exceed the Title 24 standards by a minimum of 20 to 30 percent. Title 24 regulates energy uses including space heating and cooling, hot water heating, and ventilation. Therefore, potential options to meet the improvement goal could include, but not be limited to, high-efficiency HVAC systems, efficient hot water heaters (e.g., tankless), and insulation requirements that exceed Title 24 standards. (Building Permit). High efficiency lighting shall be installed and achieve at least a 20 percent reduction in power rating by using either high efficiency fixtures and/or bulbs (Building Permit). Energy efficient appliances shall be installed and shall comply with EPA Energy Star requirements (Occupancy Permit). 						

**Mitigation Monitoring and Reporting Program
 Fairview at Northgate Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<ul style="list-style-type: none"> ● PG&E Smart Meters shall be installed in all lots/dwelling units (Occupancy Permit). ● Onsite renewable energy (photovoltaic cells, solar water heating, or other design techniques) shall be installed to reduce energy use by 15 percent, in addition to State required reductions (Building Permit). ● Low-carbon construction materials (such as materials that are locally-harvested, sustainably grown, made from rapidly renewable materials, biodegradable, or free of toxins) shall be used. (Building Permit) ● Energy Star Roof materials shall be used. (Building Permit) ● Electrical outlets shall be installed on building exteriors. (Building Permit) ● Bicycle lockers and bicycle parking shall be installed at a bus stop at the southern entrance of the project site. (Building Permit) <p><i>Water Conservation and Efficiency</i></p> <ul style="list-style-type: none"> ● Individual homes shall be constructed with an engineered grey water system that complies with Chapter 16 of the California Plumbing Code (Building Permit). ● Water-efficient irrigation systems shall be installed (Building Permit). ● Water-efficient fixtures shall be installed (e.g., low-flow faucets, toilets, showers) (Building Permit). <p><i>Solid Waste</i></p> <ul style="list-style-type: none"> ● At least 65 percent of solid waste shall be diverted to be recycled. Requirements for recycling shall be included in the project Covenants, Conditions, and Restrictions (CC&Rs) to ensure the project's solid waste collection contractor provides containers for recyclables (Building Permit). 						

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
HAZARDS AND HAZARDOUS MATERIALS						
<p>MM 5.8-1. Prior to the issuance of a building permit, all required fuel-reduction work associated with construction of the onsite roadway network, the wastewater treatment plant and associated infrastructure facilities shall be completed by the project applicant to the satisfaction of the Shasta County Fire Department. Monitoring of fire prescription activities within Resource Management Areas 1 through 4 shall be the sole responsibility of the Tierra Robles Community Services District (TRCSD) and shall occur as each private residential lot is developed and monitored to ensure substantial compliance with fire fuel management prescriptions and site development guidelines as identified in the Tierra Robles Wildland Fuel/Vegetation Management Plan, Shasta County Fire Safety Standards, and California Public Resources Code Section 4291, Defensible Space. Ongoing maintenance activities within Resource Management Area 5 shall be the sole responsibility of the TRCSD. The TRCSD shall provide annual fire fuel monitoring and compliance reports to the Shasta County Fire Department documenting conformity with fire fuel prescription activities and methods, including reporting of any enforcement actions taken to fulfill the requirements of the above referenced guidelines and standards. The specific reporting methods to be used to ensure compliance shall be determined by the TRCSD and approved by the Shasta County Fire Department prior to issuance of a building permit that would allow construction of the first onsite residence.</p>	Prior to the issuance of building permits	Pre-Construction	Shasta County Fire Department; Shasta County Resource Management, Building Division; Tierra Robles Community Services District			
HYDROLOGY AND WATER QUALITY						
<p>MM 5.9-4. A requirement shall be placed on Lot #140 that any structure finish floor elevation will be one foot minimum above the 100-year floodplain elevation at that location of the Clough Creek drainage. At Lot #140, the floodplain is approximately 607.1 feet and therefore any structure finish floor elevation shall be required to be at or above 608.1 feet. Verification is subject to County Building Division at plan check.</p>	Prior to the sale of lot #140; prior to the issuance of grading permit on Lot #140	Pre-Construction (plan check)	Shasta County Resource Management, Building Division			

Mitigation Monitoring and Reporting Program Fairview at Northgate Project

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
NOISE						
<p>MM 5.11-1. In addition to permitted hours of operation, project grading and construction plans shall note the following noise control measures to be implemented by the project contractor throughout the duration of onsite construction activities. The plans shall be subject to the review and concurrence of the Shasta County Department of Resource Management that the project complies with the following:</p> <ul style="list-style-type: none"> Fixed construction equipment such as compressors and generators shall be placed the greatest possible distance from sensitive receptors, but no closer than 200 feet from residential structures. All impact tools shall be shrouded or shielded, and all intake and exhaust ports on power construction equipment shall be muffled or shielded. 	Prior to the issuance of any grading permit	Pre-Construction	Shasta County Resource Management, Building Division; Shasta County Resource Management, Planning Division			
TRAFFIC AND TRANSPORTATION						
<p>MM 5.16-1: In accordance with the City of Redding <i>Traffic Impact Analysis Guidelines</i> (January 2009), the project applicant shall construct the following improvements in the corporate limits of the City of Redding prior to issuance of a building permit that would allow construction of the first residence:</p> <ul style="list-style-type: none"> <i>Airport Road & SR-44 WB Ramps (Intersection #10).</i> Construct traffic signal or a single/multi-lane roundabout. Traffic signal construction at this location shall also be coordinated with existing traffic signals at <i>Old Oregon Trail & Old 44 Drive (Intersection #9)</i> and <i>Airport Road & SR-44 EB Ramps (Intersection #11).</i> 	Prior to issuance of a building permit of the first residence	Pre-Construction	Shasta County Resource Management, Planning Division; Shasta County Public Works; City of Redding Public Works Department, Traffic Division;			

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Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>MM 5.16-2. Prior to issuance of a building permit that would allow construction of the first residence, the project applicant shall install the following intersection warning signs to the satisfaction of the Shasta County Public Works Department:</p> <ul style="list-style-type: none"> • Install Caltrans standard W2 intersection warning signs with W16-8P advance street name plaques at Lassen View Drive, Beryl Drive, Sunny Oaks Drive, Wesley Drive, Robledo Road, Oak Meadow Road, Oak Tree Lane, and Coloma Drive. 	Prior to issuance of a building permit of the first residence	Pre-Construction	Shasta County Public Works			
<p>MM 5.16-3: <i>Old Alturas Road & Old Oregon Trail (Intersection #8).</i> Prior to recordation of a final map for each phase identified on the tentative subdivision map, the project applicant shall pay the proportionate share of the project's pro-rated share of the cost of constructing a single/multi-lane roundabout (13 percent of \$2,562,000, or \$333,060, based on an engineer's cost estimate of the improvements prepared by the Shasta County Public Works Department). The proportionate share is \$2,006 per residential lot. Payments for phases two through six shall be adjusted annually on May 1 based on the change in the Building Cost Index provided by the <i>Engineering News-Record</i> for the prior calendar year.</p>	Prior to recordation of a final map or issuance of a building permit (whichever occurs first)	Pre-Construction	Shasta County Public Works			
<p>MM 5.16-4: <i>Boyle Road & Deschutes Road (Intersection #13).</i> Prior to recordation of a final map or issuance of a building permit (whichever occurs first), the project applicant shall pay the pro-rated cost share in the amount of \$605 representing 11 percent of the cost of upgrading the existing two-way-stop-controlled intersection to all-way-stop-controlled intersection. The fee amount is based on an engineer's cost estimate of the improvements prepared by the Shasta County Public Works Department.</p>	Prior to recordation of a final map or issuance of a building permit (whichever occurs first)	Pre-Construction	Shasta County Public Works			
<p>MM 5.16-5: <i>Deschutes Road & Cedro Lane (Intersection #15).</i> Prior to recordation of a final map or issuance of a building permit (whichever occurs first), the project applicant shall pay the pro-rated cost share in the amount of \$38,350 representing 5 percent of the cost of constructing a traffic signal. The fee amount is based on an engineer's</p>	Prior to recordation of a final map or issuance of a building permit (whichever occurs first)	Pre-Construction	Shasta County Public Works			

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Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
cost estimate of the improvements prepared by the Shasta County Public Works Department.						
UTILITIES AND SERVICE SYSTEMS						
MM 5.17-4a: Prior to issuance of a building permit, the project applicant shall provide written verification to the Shasta County Department of Resource Management of facility compliance with applicable water efficiency design standards required by the California Uniform Building Code.	Prior to issuance of a building permit of the first residence	Pre-Construction	Shasta County Resource Management, Planning Division; Shasta County Resource Management, Building Division			
MM 5.17-4b: Concurrent with the establishment of the Tierra Robles Community Services District or Tierra Robles Homeowners Association, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 90 percent of the project's prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the U.S. Bureau of Reclamation (USBR) that it will receive less than a 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination has been announced by USBR as of April 15th of each year. The augmenting water supplies shall be made available to BVWD through the Agreement with BVWD consistent with the methodology of USBR's. Central Valley Project Municipal and Industrial Storage Policy, Guidelines and Procedures until such time as BVWD has received three successive water years of full (Unconstrained) CVP water allocations following buildout and completion of all phases of the development and newly created water demands. For any shortage condition that occurs after three years of full CVP allocation following buildout, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by	Prior to issuance of a building permit of the first residence; Concurrent with the establishment of the Tierra Robles Community Services District	Pre-Construction	Shasta County Resource Management, Planning Division; Shasta County Resource Management, Building Division; Bella Vista Water District			

**Mitigation Monitoring and Reporting Program
 Fairview at Northgate Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement.						

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14.0 DRAFT EIR COMMENTS AND RESPONSES

14.1 INTRODUCTION AND PURPOSE

As defined by §15050 of the California Environmental Quality Act Guidelines (CEQA), the Shasta County Department of Resource Management is serving as “Lead Agency” for preparation of the Environmental Impact Report (EIR) for the proposed Tierra Robles Planned Development (Z10-002 / TM 1996) (herein referenced as the proposed project). The County’s responses to comments on the Draft EIR for the proposed project represents a good-faith, reasoned effort to address the environmental issues identified by the comments. As discussed in §15088(a) of the State *CEQA Guidelines*, the Lead Agency is not required to respond to all comments on the Draft EIR, but only to those comments that *raise environmental issues*.

The Final EIR presents the environmental information and analyses that have been prepared for the proposed project, including comments received addressing the adequacy of the Draft EIR and Partial Recirculated Draft EIR, and responses to those comments. In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR and Partial Recirculated Draft EIR. This document and the Mitigation and Monitoring Program (MMP) will be used by the Planning Commission and Board of Supervisors in the decision-making process for the proposed project.

14.2 ENVIRONMENTAL REVIEW PROCESS

2012 SCOPING

As required by CEQA *State Guidelines* §15082, the County issued a Notice of Preparation (NOP) on October 26, 2012 that summarized the proposed project, stated its intention to prepare an EIR, and requested comments from interested parties. The NOP also included notice of the County’s public scoping meeting that was held on November 8, 2012 at the North Cow Creek Elementary School in Palo Cedro, California. The meeting was held with the specific intent of affording interested individuals, groups, and public agencies a forum in which to orally present input directly to the Lead Agency, to assist in further refining the intended scope and focus of the EIR as described in the NOP and Initial Study. The NOP was filed with the State Clearinghouse on October 25, 2012 (SCH# 2012102051), which initiated the 30-day public scoping period. The review period for the NOP ended on November 26, 2012.

Fifty-four (54) comment letters were submitted by private individuals during the scoping process, and approximately forty-seven (47) individuals presented oral comments during the November 8, 2012 scoping meeting. In addition to private individuals, five (5) government agencies and two (2) private organizations submitted written and/or oral comments.

2016 SCOPING

A revised Initial Study and NOP was circulated for an additional 30-day comment period between February 19, 2016 and March 25, 2016. All written comments received during the public comment period for the NOP were also reviewed during preparation of the Draft EIR. Forty-one (41) comment letters were submitted by private individuals during the NOP comment period. In addition to private individuals, four (4) government agencies and one (2) private organizations submitted written comments.

DRAFT EIR

The purpose of the public review of the Draft EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the State *CEQA Guidelines* states the following regarding standards from which adequacy is judged:

“An EIR should be prepared with sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible.”

Pursuant to the State *CEQA Guidelines*, an effect is not considered significant in the absence of substantial evidence; therefore, comments should be accompanied by factual support. Section 15204(c) of the State *CEQA Guidelines* states:

“Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to §15064 an effect shall not be considered significant in the absence of substantial evidence.”

Comments regarding the proposed project’s ultimate appropriateness for the site or comments that do not directly raise an environmental issue are referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. Accordingly, a response is provided noting when a particular statement, general commentary, expression, or opinion does not warrant a detailed response under CEQA.

The Draft EIR for the proposed Tierra Robles Planned Development was circulated for public review beginning on October 24, 2017 and ending on December 29, 2017. Ninety (90) written responses (i.e., comment letters and email correspondence) were received on the Draft EIR.

PARTIAL RECIRCULATED DRAFT EIR

Changes to the regulatory environment related to Air Quality, Greenhouse Gases and Climate Change, Energy Consumption, and Transportation and Circulation occurred subsequent to the DEIR being released for public review, resulting in the need to recirculate those sections of the DEIR. In addition, revisions to the analysis in the Utilities and Service Systems and Traffic and Circulation sections were needed. Lastly, due to recent legislative changes to CEQA, a new Wildfire section was included in the RDEIR.

The RDEIR was circulated for public review on December 18, 2020, with the review period ending on February 2, 2021. Copies of the RDEIR were made available for review at the Shasta County Department of Resource Management, Anderson Branch Library, Redding Branch Library, and on the Shasta County website.

COMMENTS RECEIVED ON THE DRAFT EIR AND PARTIAL RECIRCULATED DRAFT EIR

Section 15088 of the State *CEQA Guidelines* requires that the Lead Agency evaluate comments on environmental issues received from persons and agencies that reviewed the Draft EIR and prepare written responses addressing each of the comments received. The comments and responses contained in this section and the Draft EIR and Partial Recirculated Draft EIR together comprises the Final EIR. Any

additional County recommendations or requirements during the certification will make up the final components of the Final EIR. The following is an excerpt from the State *CEQA Guidelines* §15132:

“The Final EIR shall consist of:

- (a) The Draft EIR or a version of the draft.*
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.*
- (c) A list of persons, organizations and public agencies commenting on the Draft EIR.*
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
- (e) Any other information added by the Lead Agency.”*

14.3 DRAFT EIR COMMENTS

A list of agencies, organizations, and interested persons who have commented on the content and adequacy of the Draft EIR is provided below. A copy of each numbered comment letter and a lettered response to each comment on the DEIR is provided in Section 14.4 of Volume 3A, DRAFT EIR RESPONSES TO COMMENTS. Comments and responses to the RDEIR are contained in Section 15.3 of Volume 3B.

COMMENT LETTERS / CORRESPONDENCE

State Agencies

- Letter 1 Governor’s Office of Planning and Research – January 2, 2018
- Letter 2 Central Valley Regional Water Quality Control Board – November 1, 2017
- Letter 3 California Department of Fish and Wildlife – December 26, 2017
- Letter 4 California Highway Patrol – November 28, 2017

Local Agencies/Tribal Agencies

- Letter 5 Columbia Elementary School District – October 31, 2017
- Letter 6 Shasta County Local Agency Formation Commission – December 7, 2017
- Letter 7 Bella Vista Water District – December 22, 2017
- Letter 8 Wintu Tribes of Northern California December 29, 2017

Commenting Persons

- Letter 9 Public Interest Law Project – December 28, 2017
- Letter 10 Wintu Audubon Society – December 28, 2017
- Letter 11 California Oaks – December 29, 2017
- Letter 12 California Native Plant Society, December 27, 2017
- Letter 13 Robert J. Grosch – October 25, 2017
- Letter 14 Karen and Tom Taylor – October 27, 2017
- Letter 15 Dr. and Mrs. Thomas K. Gandy – November 5, 2017
- Letter 16 Phillip and Kay Gibson – November 6, 2017
- Letter 17 Robert J. Grosch – November 6, 2017
- Letter 18 Brad Seiser – November 10, 2017
- Letter 19 Hank and Elizabeth Slowik – November 11, 2017

- Letter 20 Gunther and Jean Sturm – November 11, 2017
- Letter 21 Leonard and Paula Incristo – November 11, 2017
- Letter 22 Yana Patton – November 13, 2017
- Letter 23 John Whitmer – November 13, 2017
- Letter 24 Leslie Golden – November 13, 2017
- Letter 25 Brad Seiser – November 13, 2017
- Letter 26 Brad Seiser – November 14, 2017
- Letter 27 Brad Seiser – November 15, 2017
- Letter 28 Brad Seiser – November 15, 2017
- Letter 29 Karen Taylor – November 15, 2017
- Letter 30 Tom Taylor – November 15, 2017
- Letter 31 Brad Seiser – November 17, 2017
- Letter 32 Jeannette Baugh (November 22, 2017)
- Letter 33 Christopher L. Stiles of Remy, Moose, Manley, LLP – November 22, 2017
- Letter 34 Brad Seiser – November 29, 2017
- Letter 35 Philip G. Marquis – December 2, 2017
- Letter 36 Renee Ottzman – December 3, 2017
- Letter 37 Mary Severson – December 4, 2017
- Letter 38 Anita Brady – December 6, 2017
- Letter 39 Nathan Hayler – December 6, 2017
- Letter 40 Sue and Randy Brix – December 7, 2017
- Letter 41 Dewayne and Marcia Ellenwood – December 7, 2017
- Letter 42 Brad Seiser – December 7, 2017
- Letter 43 Michael Papillo – December 7, 2017
- Letter 44 Bobbi Pollett – December 7, 2017
- Letter 45 Susan – December 7, 2007
- Letter 46 Stephanie Isaac – December 7, 2017
- Letter 47 Gary and Anne Schoenberger – December 10, 2017
- Letter 48 James and Tresa Griffith – December 10, 2017
- Letter 49 Philip G. Marquis – December 11, 2017
- Letter 50 Gregory Marshall – December 13, 2017
- Letter 51 Scott Grant – December 14, 2017
- Letter 52 Stanley W. Hamrick – December 15, 2017
- Letter 53 Sue Harbert – December 17, 2017
- Letter 54 Jacqueline Matthews – December 21, 2017
- Letter 55 Maggie Freeman – December 22, 2017
- Letter 56 Rick Thompson – December 22, 2017
- Letter 57 Christie Smith – December 22, 2017
- Letter 58 Rebecca Final – December 26, 2017)
- Letter 59 Steve & Diane Davis - December 26, 2017
- Letter 60 Mr. & Mrs. Ronald Cibard - December 22, 2017
- Letter 61 George and Janice Smith - December 26, 2017
- Letter 62 Amy Allen – December 27, 2017
- Letter 63 Linda Welch – December 27, 2017
- Letter 64 Kathy Creasey – December 27, 2017
- Letter 65 Barbee and Brad Seiser – December 27, 2017
- Letter 66 Thomasina Maneely – December 28, 2017
- Letter 67 Robert and Joan Tornai – December 28, 2017
- Letter 68 James and Tresa Griffith – December 28, 2017

- Letter 69 James and Tresa Griffith – December 28, 2017
- Letter 70 Ed Walters – December 28, 2017
- Letter 71 Kathy and Steve Callan – December 29, 2017
- Letter 72 Ann Mobley – December 27, 2017
- Letter 73 Glenn and Sara Hoxie – December 28, 2017
- Letter 74 Andrew Creassy – December 28, 2017
- Letter 75 Nancy Main – December 29, 2017
- Letter 76 Terri Thompson - December 26, 2017
- Letter 77 Gary and Angela French – December 28, 2017
- Letter 78 Glenn and Sara Hoxie – December 28, 2017
- Letter 79 Irene and Jason Salter – December 29, 2017
- Letter 80 Carol and David Waters – December 29, 2017
- Letter 81 John Whitmer – December 28, 2017
- Letter 82 Leah Mecchi – December 29, 2017
- Letter 83 Tom and Becki Semb – December 29, 2017
- Letter 84 Leslie Golden – December 29, 2017
- Letter 85 Eleanor Townsend – December 29, 2017
- Letter 86 Ron and Gina Knowles – December 27, 2017
- Letter 87 Michael R. Shapiro – December 29, 2017
- Letter 88 Brad Seiser – December 29, 2017

Applicant Comments

- Letter 89 Wildland Resource Managers – December 28, 2017
- Letter 90 S2-J2 Engineering – December 29, 2017

14.4 DRAFT EIR RESPONSES TO COMMENTS

MASTER RESPONSES TO COMMENTS

Master responses to comments raised in multiple comment letters on the Draft EIR have been prepared to address comments related to general issues that are common throughout several comment letters. The intent of a master response is to provide a comprehensive response to an issue so that all aspects of the issue are addressed in a coordinated, organized manner in one location. This reduces repetition of responses. When an individual comment raises an issue discussed in a master response, the response to the individual comment includes a cross reference to the appropriate master response. For example, if a comment identifies a question concerning an extension to the public review period, the response will include the statement, “refer to **Master Response-1.**”

Numerous comments covered similar issues, particularly with regards to adequate access to the Draft EIR and related materials, project zoning, density, community character, and water supply availability. In order to reduce repetitive responses, this document includes a “*Master Responses to Comments*” specifically focusing on the above noted concerns raised through the Draft EIR public review.

WRITTEN AND VERBAL COMMENTS

Written and verbal comments received on the Draft EIR during the 45-day public review period are also addressed in their entirety in this section. Each comment has been assigned a reference code. The responses to reference code comments follow each letter. A response is provided for each comment raising significant environmental issues, as received by the County during the Draft EIR 45-day public review period. Where appropriate, the commenter may be referenced back to the Master Responses to Comments noted above.

MASTER RESPONSES TO COMMENTS

MASTER RESPONSE-1. REQUEST TO EXTEND PUBLIC COMMENT PERIOD

Several commenters have stated the public input process was not sufficient due to technical difficulties in accessing the Draft EIR and associated technical appendices. For this reason, these commenters have requested that the comment period of the Draft EIR be extended.

Availability and Access to Draft EIR

The Draft EIR for the proposed project was prepared and circulated for a 45-day public review period beginning on October 24, 2017. The County noticed the document's availability in accordance with the State *CEQA Guidelines* and circulated a Notice of Availability to surrounding property owners. In addition, noticing for the proposed project was published in the Redding Record Searchlight (October 24, 2017), a newspaper of general circulation, posted with the Shasta County Clerk (October 24, 2017), and posted at both the Shasta County Library Branches in Redding and Anderson (October 24, 2017).

The County made reasonable efforts to provide the community with multiple options to access the Draft EIR. Hard copies of the Draft EIR were available for public review or purchase at the public counter of the Shasta County Department of Resource Management, Planning Division, at 1855 Placer Street, Suite 103, Redding, California 96001, during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday). Public access to this facility is provided in accordance with the American with Disabilities Act (ADA). Electronic copies of the Draft EIR and technical appendices were made available on the County's website online at: http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx. Hard copy, including electronic versions of the Draft EIR in Portable Document Format (PDF), were also made available at the Shasta County Library located at 1100 Parkview Avenue, Redding, California and the Shasta County Library, Anderson Branch located at 3200 West Center, Anderson, CA 96007.

Section 15201 of the State *CEQA Guidelines* notes that agencies should make documents available of the Lead Agency's website; however, does not mandate online posting. As a matter of practice, the Shasta County Department of Resource Management posts environmental clearance documentation on its website and as noted above provided the public with noticed online access to the Tierra Robles Draft EIR and technical appendices on October 24, 2017. However, after circulation began, Staff was made aware that the online version of the Draft EIR had inadvertently omitted referenced graphical exhibits or "Figures." It should be noted that this inadvertent omission of chapter Figures was limited to the online version of the Draft EIR only, with distributed hard copy and CD versions containing all referenced Figures. Upon receiving notice of this omission, Staff immediately rectified the problem and uploaded the completed Draft EIR chapters the same day. Refer to *County Corrective Actions*, below, for additional detail.

One commenter also noted that a physical copy of the Draft EIR appendices was not readily available at the Shasta County Library in Redding and noted additional technical difficulties accessing the electronic copy of appendices that accompanied the Draft EIR. It should be noted that consistent with the NOA, the technical analysis and documentation, including information relative to the proposed Tierra Robles Community Services District (Appendix 15.2) and Biological Resources Documentation (Appendix 15.4), were available in hard copy format for public viewing along with the Draft EIR beginning on October 24, 2017, at the Department of Resource Management located at the address noted above. The County subsequently submitted a hard copy of the technical appendix to the Shasta County Library immediately upon notification of this inadvertent oversight and notified the commenter. Refer to *County Corrective Actions*, below, for additional detail.

Other commenters noted difficulties in opening online versions of the project appendices on home computers and at the County Library due to large file sizes. In addition, it was noted that a portion of the appendix (specifically Appendix 15.2 and 15.4) were too large to open for several internet providers. In direct response to this, Staff made CD copies of the Draft EIR and technical appendices available free of charge for those who were experiencing online technical difficulties. This was noticed on the County's website in addition to individual notifications sent to those individuals that submitted a comment or concern on the matter. As noted above, the complete document, including appendices, has been available at the Department of Resource Management public counter in paper form and on compact disc from the beginning of the public review period.

County Corrective Actions

Upon receiving notification of complications accessing the Draft EIR, County staff immediately employed several corrective actions to resolve difficulties in retrieving the information. It should be noted that these actions are not as a result of failure to comply with §15105 of the State *CEQA Guidelines* related to public review and distribution, rather, reflect a good-faith effort by the County to provide alternative access to the Draft EIR for those who raised concerns.

- Upon notification of missing Draft EIR figures, updated Draft EIR Chapters were uploaded to the County's website the same day.
- Upon notification of a hard copy of the Technical Appendices (Section 15.0) being absent at the Shasta County Library in Redding being absent, County staff delivered a copy of Section 15.0 the same day.
- The County's website containing the Draft EIR and related materials was updated to include the following statement:

****PLEASE NOTE: Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.*

- County staff also responded via email to individual commenters that raised a concern regarding the availability of information with the above statement and again stating the availability of the Draft EIR and related materials at the public counter of the Shasta County Department of Resource Management, Planning Division, at 1855 Placer Street, Suite 103, Redding, California 96001, during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

State CEQA Guidelines Section 15105 - Unusual Circumstances

Pursuant to the CEQA statute and the regulations implementing CEQA (State *CEQA Guidelines*), the public review period for a Draft EIR must not be fewer than 45 days, or longer than 60 days, except under unusual circumstances (Pub. Res. Code §21091(a); 14 Cal. Code Regs. §15105(a)). The State *CEQA Guidelines* also indicate that a Lead Agency, in this case Shasta County, is under no legal obligation to grant an extension of the public review period; and that the decision to do so is at the discretion of the Lead Agency. The State *CEQA Guidelines* provide, however, that if an extension is granted, in no event may the public review period run beyond 60 days absent "unusual circumstances." (14 Cal. Code Regs. §15105(a)). There is no case law compelling a Lead Agency to extend the comment period upon request, or otherwise limiting the

Lead Agency's discretion in deciding whether to grant an extension. Likewise, there is no case law defining what "unusual circumstances" might justify a longer review period.

Planning staff has followed all procedures and has exceeded the legal requirements with regard to public and agency notice and scoping meetings prior to preparing the EIR, consultation with agencies and individuals during EIR preparation, and providing public and agency notice of the availability of the Draft EIR for review. Complete documents, including all figures and exhibits, and all appendices, have been available to the public from the beginning of the public review period (October 24, 2017). As noted above, the State *CEQA Guidelines* does not prescribe how or where the Draft EIR must be made available, only that it shall be available for public and agency review and that adequate notice of that availability be provided. It does not require that the lead agency post the Draft EIR on their website, or make electronic copies available, or provide CDs, or distribute copies to the library; however, the County, in good faith, has provided the Draft EIR in all noted formats to provide the greatest availability and convenience to the public.

Planning Staff evaluated requests for an extension of the public review period and concluded that an extension of the public review period to December 29, 2017 was appropriate. Staff will continue to accept all comments on the Draft EIR and project throughout the entire project environmental review and application process, until the close of the public hearing before the Board of Supervisors. All comments will be included in the record for the project. The general comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project.

MASTER RESPONSE-2. ZONING AND DENSITY

Numerous comments received during the public review period raise concerns regarding the density of the Proposed Project in relationship to the surrounding residential area, the consistency of the proposed project with the applicable planning policies, the adequacy of the EIR discussion of land use impacts and the potential for future development to occur at the density of the proposed project. The following Master Response address comments received relative to land use and planning (Section 5.10 of the Draft EIR).

Background

Section 5.10, LAND USE AND PLANNING, of the Draft EIR evaluated the proposed project in terms of whether it would 1) physically divide an established community; 2) conflict with any adopted plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect; and 3) conflict with any applicable habitat conservation plan or natural community conservation plan. As part of this evaluation, the EIR preparers 1) reviewed applicable planning documents, including the Shasta County *General Plan* (2004), and *Shasta County Code* Title 15 (Subdivision Regulations) and Title 17 (Zoning); 2) consulted with Shasta County Department of Resource Management staff regarding policy interpretation; and 3) examined the surrounding area to determine whether the proposed project would be compatible with land uses in the immediate project vicinity.

The analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County *General Plan* (2004), and *Shasta County Code* Title 15 (Subdivision Regulations) and Title 17 (Zoning). As identified in the Draft EIR, the proposed project would require Zone Amendment to apply the Planned Development (PD) zone district to the existing Rural Residential (R-R), with a minimum lot area of three to five acres (R-R-BA-3 and R-R-BA-5) and Unclassified (U) zoning districts. The proposed design is intended to maintain a semi-rural appearance given the siting of proposed building envelopes, the extent of open space preservation (approximately 74.2%), and the overall density of the development (1 dwelling unit per 4.4 gross acres). The proposed parcels range in size from 1.38 acres to 6.81 acres with the smallest lots (1.3 acres to 2 acres) sited internal to the subdivision. The proposed project would be required to comply with *Shasta County Code*, Title 17 (Zoning), which is designed to ensure land use compatibility and orderly development. Regulations for setbacks, density, allowed land use, and other elements of development projects serve to reduce incompatibility that might otherwise accompany unplanned development. As a result, the Draft EIR determined that while the proposed project is consistent with applicable *General Plan* policies and the project would not result in a significant and unavoidable land use impact (refer to Table 5.10-2, CONSISTENCY ANALYSIS WITH SHASTA COUNTY GENERAL PLAN OBJECTIVES AND POLICIES FOR LAND USE AND PLANNING, Draft EIR page 5.10-15).

Proposed Zoning and Density

Several comments received during the public review period raise concerns regarding the density of the proposed project in relationship to the surrounding residential area. These comments state the opinion that the scale of the proposed project is incompatible with the character of the area, and would result in significant impacts to the surrounding neighborhood. These comments also suggest that because the proposed zoning would be incompatible with the surrounding area, the only development that should occur on the site should be under the existing designations (i.e., minimum lot area of three to five acres (R-R-BA-3 and R-R-BA-5) and Unclassified (U) zoning districts).

As noted in Table 5.10-1, EXISTING GENERAL PLAN AND ZONING LAND USE ASSUMPTIONS (Draft EIR page 5.10-3) the site's ultimate development potential under existing County zone classifications would conservatively yield 188 residential units, approximately 11 percent more than the proposed project, or 1 dwelling unit per 3.7 gross acres. Comments regarding development under the existing zoning designation are specific to the merits of the proposed project and do not directly raise an environmental issue that warrants further consideration under CEQA. These comments are referred to decision-makers for further consideration as part of the deliberative process, and no further response is necessary.

As noted, the Draft EIR found that the overall density of the proposed project is not substantially inconsistent with densities within the surrounding area, however, proposed project does not conform to the grid like pattern of residential lots within the surrounding area. The proposed design is intended to maintain a semi-rural appearance given the siting of proposed building envelopes, the extent of open space preservation (approximately 74.2%), and the overall density of the development (1 dwelling unit per 4.4 gross acres). Draft EIR Figure 5.10-1 illustrates the proposed project relative to the existing surrounding neighborhood. This figure and the discussion in the Draft EIR support the conclusion that the overall scale and intensity of the project is substantially consistent with other densities in the surrounding area.

Alternative Zoning and Density Evaluations

The EIR fully analyzed the increased density of the proposed project and identified the level of physical impacts to the surrounding residential neighborhood based upon the increased development. The EIR analyzed impacts to views, the increase in project generated traffic, increased noise, fugitive dust and other construction related emissions, and the removal of vegetation including mature trees. These impacts were evaluated within the context of the Draft EIR in the applicable topical CEQA section (i.e., Aesthetics, Biological Resources, Cultural Resources, etc.). Project specific mitigation measures were also developed to minimize the extent of these impacts to a *less than significant* level wherever feasible. As noted in the Draft EIR, the proposed project would have the following *significant and unavoidable* environmental impacts: Agricultural Resources (refer to Section 5.2); Air Quality (refer to Section 5.3); Biological Resources (refer to Section 5.4); Greenhouse Gases and Climate Change (refer to Section 5.7); and Traffic and Circulation (refer to Section 5.16).

The Draft EIR included an evaluation of alternatives that included a wide range of densities that could avoid or substantially lessen environmental impacts of the proposed project related to the environmental categories listed above (refer to Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT). As noted in Section 7.0, the following alternatives to the proposed project were initially considered but determined not to be viable and eliminated from further consideration: 1) Alternative Site; 2) Annexation to Community Service Area No. 8; 3) Development in Accordance with Existing General Plan Land Use and Zoning Classifications; 4) Clustered 3-Acre Parcels; and 5) Wastewater Dispersal Alternative. Refer to Section 7.0 of the Draft EIR for discussion of each rejected alternative.

Alternatives that would avoid or substantially lessen any of the significant effects of the project and that would feasibly attain most of the basic project objectives were evaluated in detail. These alternatives included the following: 1) No Project; 2) No Project / Development in Accordance with Existing Zoning; 3) Non-Clustered Large Lot; and 4) Reduced Density (25 percent reduction). It should be noted that these alternatives and several of the rejected alternatives were suggested by the public during the 2012 and 2016 scoping sessions.

As noted above, the Draft EIR did evaluate a development concept under the existing zoning classifications onsite. Under this alternative, the total number of residential dwelling units were anticipated to be reduced from 166 to 80 representing a reduction of 86 units, or approximately 51 percent. However, the 325.6 acres of Unclassified (U) zoning would remain available for other types of unspecified future use that is consistent with the Shasta County *General Plan*, and said development may also result in impacts. Under this alternative, the efficient and orderly integration planning of future land uses as well as the significant preservation of open space would not be achieved to the degree as the proposed project. While many environmental categories would be slightly reduced under this alternative, significant and unavoidable impacts related to agricultural and biological resources would remain *significant and unavoidable*. As a result, this alternative was ultimately determined not to be environmentally superior to the proposed project (refer to Draft EIR page 7-26).

Some commenters noted several existing large areas (80 to 160 acres) north of the site and other large tracts of land larger than 10 acres to the south and the proposed project is inconsistent with these areas. While the several parcels to the north and south of the project site vary in size, the overall project density of one dwelling unit per 4.4 acres is not considered inconsistent with existing properties to the east, southeast, and west, nor inconsistent with the larger areas noted by the commenters. It should be noted that over 70 existing parcels between 1 and 6 acres are present west of the referenced large-acre undeveloped parcels to the immediate north of the project and over 20 existing parcels between 2 and 6 acres surround the larger parcels to the south. Unique to the proposed project is the large 154.9-acre open space preservation area proposed on the east side of the property. This parcel would serve to provide continuity with several of the larger parcels to the north, while maintaining a large open space preserve for environmental stewardship. It should be noted that the project proposes a total open space preservation of 192.7 acres onsite that will be maintained in perpetuity in accordance with Mitigation Measure (MM) 5.2-2.

As previously noted above under *Proposed Zoning and Density*, comments identifying the scale of the proposed project as incompatible with the character of the area and suggesting that the only development should be under the existing zoning designations are referred to decision-makers as opinions on the project.

Inducement of High Density Developments

A number of comments further contend that the proposed project's land use amendment, if approved, may be used to justify other high-density developments within the area. This contention is inconsistent with the requirements of CEQA. In the event that future high-density development is proposed within this area of unincorporated Shasta County, the environmental impacts and merits of that future project will be evaluated at that time, as required by CEQA. It is speculative to state that the proposed project would be used as justification for promoting high-density development in the area. CEQA analysis is limited to what is known or reasonably foreseeable, assuming further rezoning is speculative and not a part of the analysis included in the Draft EIR.

MASTER RESPONSE-3. WATER SUPPLY AVAILABILITY AND RELIABILITY

Several comments, opinions and questions of common concern have been submitted regarding water supply and availability within Bella Vista Water District (BVWD). The following Master Response address comments received relative to water supply (Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR).

Demand Projections follow Statutory Requirements:

The proposed project is similar to other rural residential dwellings within BVWD, given the lot sizes ranging from 1.38 to 6.8 acres; however, each lot within the project site has stipulated development envelopes that restrict irrigable landscape to less than 5,000 square feet, and homes will be built to the latest California Building Code requirements, including being equipped with low and ultra-low water use appliances and fixtures. This landscape restriction, coupled with efficient appliances and fixtures, results in an estimated water use for the proposed lots mimicking new residential developments within the more urban areas of BVWD. Other than the footprint of the residence and hardscapes (e.g. driveways and patios), the remainder of the lot will not have any water demand and will be preserved as native vegetation within the Resource Management Areas (RMAs); refer to **Master Response-4** regarding RMAs.

A significant assumption for the project's water demand is restricted landscape irrigation demand as determined by the Model Water Efficient Landscape Ordinance (MWELO) within the 5,000 square feet of landscape area. BVWD has already identified that a condition of approval for the project must include County certification of MWELO compliance (refer to requirement 1g in BVWD Letter to Shasta County dated March 24, 2016 provided in Appendix 15.1, NOTICE OF PREPARATION, of the Draft EIR). The County recognizes this requirement and intends to include such provisions as a condition of approval, should the project be approved.

Furthermore, the proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County Local Agency Formation Commission (LAFCo). The TRCSD would be used as a means to oversee, implement and enforce compliance with the State MWELO or County ordinance requirements (if more restrictive than the State MWELO). It will be incumbent on the TRCSD to make all property owners aware of all covenants and conditions regarding use of all properties within the Tierra Robles project area; refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT.

As detailed in Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR, the proposed project's water demand is estimated by separately determining indoor and outdoor use factors for each parcel. Indoor estimates are based upon an assumed average daily per-capita use of 55 gallons for each day of the year. With an average occupancy of 2.5 people, each home would be estimated to use 137.5 gallons per day, or nearly 51,000 gallons per year. The use of 55 gallons per-capita per day (gpcd) complies with the California Water Code § 10608.20(b)(2)(A) which directs this value to be used for estimating residential indoor uses.

As most recently codified, the California Water Code has amended the residential indoor standard to drop below 55 gpcd. The new statutory requirements reduce the average value to 52.5 gpcd as of 2025, and potentially to 50 gpcd as of 2030, as required by California Water Code §10609.4(a), chaptered on May 31, 2018. It is possible that, even given currently available residential water use fixtures and appliances, indoor per-capita demands could be even lower than those estimated using 55 gpcd.

Outdoor demand estimates are also based upon statutory requirements detailed in the California Water Code, including the use of local temperature and climate factors affecting landscape water use (e.g. as detailed in Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR, the landscape demands used an evapotranspiration value designated for use in the Redding region). The TRCSD will be tasked with enforcing compliance with these restrictions.

Existing BVWD Residential Use:

Several comments compared the proposed project's estimated per-parcel water use (also known as water demand) to existing demands served by BVWD, attempting to demonstrate that the water use estimates are understated. However, many of these comments compared the proposed project's estimated water use to existing rural residences or to BVWD's targeted average gpcd as detailed in its recently adopted UWMP. Because of the landscape restrictions placed on each parcel, a more appropriate comparison of per-dwelling unit water use for the proposed project is an average BVWD urban residential within higher density developments (e.g. an 8,000-square-foot lot with 5,000 square feet of MWELo-compliant landscaping, 2,000 square feet of home foundation footprint, and 1,000 square feet of driveway, patio and other hardscape area). BVWD does not publish data at this detail in their UWMP. Rather, BVWD provides two categories that may relate to the project: residential and rural. The BVWD residential classification includes single- and multi-family residences, and all ages and densities of single family homes. The rural category is undefined as to parcel sizes, typical uses, and other water-use affecting factors. For instance, most rural parcels served by BVWD do not have any restriction on landscape area or use, thus demand can vary significantly on a parcel by parcel basis.

BVWD provides a total population served, which can be divided into the total residential and rural use to develop an average (such data is available in appendices to the UWMP). However, such an average does not provide any basis for comparing to the demand estimates for a new project as it represents an average across many different existing residential and rural users – with no refinement to adjust for density, age of home, occupancy, total irrigated landscape area, or other water uses.

In other projects around the Sacramento and San Joaquin Valleys, Tully & Young has been able to use recent meter data for new homes and has generally confirmed the estimates for future homes are consistent with newer homes subject to the various California Water Code statutory restrictions.

Existing Customer Shortages will not be Exacerbated:

Existing users will not see water use reductions any sooner or to any greater degree than currently experiencing as a result of the project. Bella Vista Water District (BVWD) water supply depends on its long-term Central Valley Project (CVP) contract to purchase water from the USBR, as well as existing groundwater wells within BVWD's service area. As discussed by BVWD, BVWD faces dry-year water supply challenges and is actively working to improve conditions.

As shown in Table 5.17-3 (Draft EIR page 5.17-5), the BVWD anticipates a water surplus between 7,847 and 9,204 acre-feet per year (AFY) through year 2040 during normal rainfall years. During a multiple-dry year period, CVP contract water can be reduced by 50 percent or more for municipal and industrial uses and agricultural water can be reduced to zero percent. Table 5.17-5, SUPPLY AND DEMAND COMPARISON – MULTIPLE-DRY YEAR, (Draft EIR page 5.17-5), available water supplies are projected to be insufficient to meet the water demands under a multiple-dry year period. Therefore, as detailed in the Draft EIR, Mitigation Measure MM 5.17-4b is intended to address shortage conditions for the project. However, existing shortage conditions due to a variety of conditions affecting CVP supplies will continue as noted. Once reaching full demand for a specific period (see MM 5.17-4b), the future homeowners at the proposed project will also be subject to the same shortages faced by existing customers. But, due to the

structure of BVWD's CVP contract, the demands of the proposed project will not exacerbate the shortage conditions faced by existing users. For instance, if BVWD CVP water supplies are reduced to 50%, the quantity is determined as 50% of the demand during the past three years where the CVP water supply allocation was 100%. If the project's demand were already served within those three prior years, the overall total supply delivered to BVWD would be higher than without the project. Thus, the 50% reduction would apply to the new, higher historic value. BVWD would then implement its Water Shortage Contingency Plan and deliver water to the existing customers (which would include the new project at that point) in a manner that would be the same to today's existing customers whether the project was built or not. The magnitude and frequency of CVP shortages on existing customers will be the same with or without the additional demands of the proposed project.

As required by MM 5.17-4b, the applicant must provide an alternative supply to serve the project's demands during shortages for the period until three years of 100% CVP allocation have occurred. The alternative water supply must be acceptable to BVWD, including addressing any reliability concerns and providing appropriate financing such that BVWD's current customers are not impacted. The details of an alternative water supply and the structure of an agreement with BVWD will be negotiated between BVWD and the applicant, to the satisfaction of the County as the responsible party overseeing mitigation measure implementation. Implementation of Mitigation Measure (MM) 5.17-4b requires the project applicant to identify and implement an agreement to augment BVWD dry-year water supplies prior to commencement of project construction. This measure ensures that actual physical development does not occur until such time as there is adequate water to serve it.

To make water available for transfer either on a temporary or permanent basis, a willing seller may take an action to legally make water available by reducing the consumptive use through idling cropland, pumping of groundwater, or other allowed methodology. In the case of the proposed project, the required water would be secured by the project applicant to temporarily offset project-related dry-year allocations, although the transaction would be contractually between BVWD and a selling entity. The purchased water would be limited to serve the needs of the proposed project only and would not be available to support any new demand in BVWD's service area.

The BVWD would act as the Lead Agency over this future transaction and water supply provided to BVWD under any future transfer agreement must demonstrate long-term availability (i.e., reliability of the water source). This Agreement and the subsequent water supplied to BVWD would ensure that project-related dry-year water demands would not exacerbate water supply shortfalls within BVWD's service area.

MASTER RESPONSE-4. RESOURCE MANAGEMENT AREAS

Several comments, opinions and questions of common concern have been submitted regarding the size and function of the Resource Management Areas (RMAs). The following Master Response address comments received relative to the RMAs (Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR).

Task and approach

The approach to the proposed project was to find a way to implement a housing development within oak woodland and grassland ecosystems while maintaining and enhancing the natural resources of those areas. As the technical study analysis and Draft EIR progressed, it soon became evident that the 715 acres of the project area had several distinctive natural communities that would require separate management prescriptions if the resources were to be maintained and enhanced. As identified in the Tierra Robles Biological Review (refer to Appendix 15.4), these ecosystems manifested themselves in four unique vegetation associations grown over diversified soil types. These four association are described in Section 5.4, BIOLOGICAL RESOURCES, and Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR, as follows (refer to Appendix 15.4, Report titled "Chatham Ranch Biological Evaluation," of the Draft EIR, specifically Figure 2):

- 1) Annual grassland: 88.1 acres
- 2) Blue oak woodlands: 474.3 acres
- 3) Blue oak/Interior live oak woodland: 138.77 acres
- 4) Interior live oak: 20.01

As discussed in the Draft EIR, in order to provide on-site mitigation and to manage these vegetative associations, the project site was divided into five RMAs. Four of the RMAs generally conform to the location of the vegetation associations. The fifth RMA is comprised of what is called "Open Space Areas" (OSA) within the four vegetation associations; OSAs are essentially non-developed areas.

For each of the five RMA areas, a set of management guidelines was developed with two primary objectives. First, within the oak woodland area, in order to enhance the oak stand vigor and mast (canopy) production, timber stand improvement (TSI) thinning would be used to remove suppressed trees to reduce competition for sunlight, available moisture, and nutrients. The effect of this work will be healthier trees with more robust crowns, thereby facilitating increased wildlife habitat values. The second objective is to reduce fire fuel loading to comply with the California Department of Forestry and Fire Protection/Shasta County Fire Department requirements (refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR, specifically, Tierra Robles Wildland Fuel/Vegetation Management Plan). This will be done by reducing fine fuel (grass) height and the removal of mid-story shrub vegetation from some areas to reduce fire intensity and rate of spread.

Privately owned RMA areas

For each of the 166 proposed parcels, a building envelope has been designated in which a residence may be constructed. The remainder of each parcel is to remain open and managed in accordance with the RMA guidelines as appropriate for the location of each individual parcel. For example, if parcel 1 is located in RMA 2, then the parcel will be managed in accordance with the RMA 2 guidelines; if the parcel is located in RMA 1 then it will be managed in accordance with RMA 1 guidelines, and so forth. Management guidelines are detailed in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR, specifically, the Tierra Robles Oak Woodland Management Plan.

RMA boundaries were drawn along parcel lines that most closely matched the vegetation association where the parcel was located. For example, if 90% of a parcel was grassland (RMA 1) and 10% was oak woodland (RMA 2), the parcel was considered as being in the grassland vegetation association and the management guidelines for the annual grasslands (RMA 1) would apply to the parcel. It is the responsibility of the landowner to comply with the management prescriptions of the RMA in which his property is located, and the Tierra Robles Community Services District (TRCSD) to ensure that the property owner is complying with the prescriptions.

Open Space RMA areas

The OSAs comprise 192.7 acres, or 26.9%, of the total project area. The OSAs are located in two separate locations on the project site. The first OSA is located in the eastern portion of the project site and consists of what is called the East Creek drainage. This OSA has a diversity of vegetation including annual grasslands, oak woodlands and wetland plants associated with the stream itself. East Creek runs north to south and the area provides a natural travel corridor for wildlife.

The second OSA is located within the northwest portion of the project site in association with the Clough Creek stream system. This OSA contains Clough Creek itself and diversity of vegetation including wetland plants, annual grassland and oak woodlands. The combination of available water and diversity of vegetation combine to make it a valuable wildlife habitat and functions as a natural travel corridor for wildlife (refer to Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, and Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR).

Although no development is planned for any OSA, they need to be managed to enhance oak resources and to reduce fire fuel loading. In order to do this, specific management prescriptions were written for the East Creek and the Clough Creek OSAs. Implementation of these prescriptions will be the responsibility of the TRCSD (refer to Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION). Figure 8 of the Tierra Robles Oak Woodland Management Plan, in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR illustrates the location of the five RMA's with respect to the stream courses and parcels. Management guidelines are detailed in the Tierra Robles Oak Woodland Management Plan, Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR.

STATE AGENCIES

Letter 1 – Governor’s Office of Planning and Research (January 2, 2018)



EDMUND G. BROWN JR.
GOVERNOR

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



KEN ALEX
DIRECTOR

January 2, 2018

RECEIVED

JAN 5 2018

Kent Hector
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

County of Shasta
Building Division

Subject: Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development
SCH#: 2012102051

Dear Kent Hector:

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 December 29, 2017, 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,

Scott Morgan
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

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Document Details Report
State Clearinghouse Data Base

SCH# 2012102051
Project Title Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development
Lead Agency Shasta County

Type EIR Draft EIR
Description Note: Extended Per Lead

The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5-acre min (RR-BA-5), Rural Residential 3-acre min, and Unclassified to a Planned Development zone district establishing a conceptual development plan covering the entire site; and a Tract Map to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size. The project proposes the formation of the Tierra Robles Community Services District as a means to provide operation and maintenance of the wastewater treatment system, maintenance of improved streets within the subdivision, management of open spaces, including preservation and fire management operations, and maintenance of drainage improvements. The ultimate approval of the TRCSD would be subject to separate application and approval from the Shasta County Local Agency Formation Commission.

The planned development proposes the following design features: (1) grey water diverter system; (2) inclusion of solar design in new homes which reduces annual energy usage by 15% or more; (3) variation of housing design and setbacks with not more than 5% of the same building footprint or building design; (4) class I public bikeways within the project site and pedestrian trails. The proposed project would include 192.7 acres of open space, which contain sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

1-a

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

**Document Details Report
 State Clearinghouse Data Base**

Lead Agency Contact

Name Kent Hector
Agency Shasta County Department of Resource Management
Phone 530-225-5532 **Fax**
email
Address 1855 Placer Street, Sulle 103

City Redding **State** CA **Zip** 96001

Project Location

County Shasta
City
Region
Lat / Long 40° 35' 36" N / 122° 16' 01" W
Cross Streets Boyle Road / Porta Dego Way
Parcel No. 061-210-001, 061-240-001, 078-060-036, 078-060-039, and 078-250-002
Township 32 N **Range** 3, 4 W **Section** 19,30, **Base** MDBM

Proximity to:

Highways SR-299
Airports
Railways
Waterways Clough Creek
Schools No. Cow Creek Elem, Bella Vista Elem
Land Use Ag - Grazing
 RR-BA-5
 RR-BA-3
 U/RA

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

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 1; Department of Conservation; Department of Parks and Recreation; State Water Resources Control Board, Division of Drinking Water; State Water Resources Control Board, Divlson of Financial Assistance; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Bd., Region 5 (Redding); California Highway Patrol; Caltrans, District 2; Delta Stewardship Council; California Energy Commission; Native American Heritage Commission; Public Utilities Commission

Date Received 10/24/2017 **Start of Review** 10/24/2017 **End of Review** 12/29/2017

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

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



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December 26, 2017

Governor's Office of Planning & Research

Kim Hunter, Division Manager
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

DEC 27 2017

STATE CLEARINGHOUSE

Subject: Review of the Draft Environmental Impact Report for the Tierra Robles Planned Development, State Clearinghouse Number 2012102051, Clough Creek, Shasta County

Dear Ms. Hunter:

The California Department of Fish and Wildlife (Department) has reviewed the Draft Environmental Impact Report (DEIR) dated October 2017, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

Project Description

The Project as described in the DEIR "consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size, and six open space parcels totaling 192.7 acres."

Comments and Recommendations

The Department reviewed the DEIR as well as the attached appendices. The Department appreciates the DEIR discussion of many of our comments and recommendations from our Notice of Preparation comment letter dated March 24, 2016.

Conserving California's Wildlife Since 1870

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Kim Hunter, Division Manager
Shasta County Department of Resource Management
December 26, 2017
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The Department has the following comments and recommendations as they pertain to biological resources.

Oak Woodland Vegetation Community

The Project as proposed will permanently impact 146.2 acres of blue oak woodland and indirectly impact 300.4 acres of blue oak woodland by build-out of the Project, for a total impact of 446.6 acres. To mitigate this significant impact, the Project applicant proposes to mitigate at a 2:1 ratio for oak woodland through offsite purchase of a conservation easement and mitigation credits. The Project applicant proposes to purchase 137.8 acres of offsite blue oak woodland conservation easement and apply 304.2 acres of mitigation credits for preservation and enhancement of the Resource Management Areas (RMA) within the Project footprint to fulfill the remaining acreage needed to satisfy the mitigation requirements.

Currently, 638.3 acres of blue oak woodland exists on the Project site. The Project applicant is proposing to offset a subset of the required blue oak mitigation by taking credit for the preservation of the RMAs (1.25:1) and for providing enhancement (fuel modification as described in the DEIR and summarized below in perpetuity (1.1:1). The Department disagrees with the rationale for the mitigation credits. Although these RMA areas will have California oak trees within them, the ecological processes of an oak woodland will not remain intact. The areas will be park-like and aesthetically pleasing, but the value to wildlife and overall biodiversity will decrease. The RMAs proposed are too small and fragmented to be considered mitigation. The bulk of the RMAs are small, fragmented locations consisting of homeowners' backyards, introducing noise, light, increased domestic animal and recreational impacts to the RMAs. These impacts, in addition to the perpetual fuel modification practices, further reduce their value as mitigation. Habitat that occurs in less fragmented, contiguous blocks would be preferable as mitigation to habitat in the RMAs that is fragmented or isolated by urban lands. Roads, even two-lane asphalt, represent permanent barriers to small mammals and many herpetofauna. When looking at the design of the RMAs, clustering the homes to one side and having one large open space connected to other open space via a corridor should be considered if mitigation credits are proposed within these areas.

The Department maintains that a 3:1 ratio for the permanent and "enhanced" blue oak woodland mitigation is more appropriate for the Project if the current crediting system is used. A survey of other projects in other areas of California shows that Lead Agencies routinely apply 3:1 up to 20:1 mitigation ratios for oak woodland impacts.

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Kim Hunter, Division Manager
Shasta County Department of Resource Management
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A 2:1 replacement ratio does not adequately replace the habitat value lost as a result of removing the oak woodland habitat and the continual management of the remaining oak trees in the RMAs.

The "Assessment of Proposed Blue Oak Mitigation Measures Necessary to Meet CEQA and Shasta County Requirements for the Tierra Robles Sub-Division Project" dated October 2016 states the timber stand improvement techniques "will meet the CEQA threshold for mitigation by not only retaining but enhancing the overall tree canopy on the site." This approach, described in the Tierra Robles Oak Management Plan is silviculture based and focuses on growing healthy trees. This approach does not take into consideration the overall woodland habitat, which is being heavily modified by fuel modification practices. The Oak Management Plan describes the "reduction of heavy fuels on the site" as a major oak management objective. The plan goes on to describe the ideal oak stand, which includes the following: mature trees generally spaced 15 feet or more apart; seedlings interspersed within the stand; seedlings present; clusters of trees and shrubs approximately 15 feet by 15 feet; lower limbs of oaks limbed up 8 feet; understory height reduced to less than 4 inches; and standing snags and down logs retained unless there is a safety hazard to the public. This constitutes an aesthetically pleasing oak stand such as in a park, but is not the same as preserved open space oak woodland that provides functional habitat for native species. Fully functional oak woodland will not be preserved onsite with fuel modification in every resource management zone, 166 houses plus secondary structures being built, infrastructure to support those houses, an increase in edge effects, lighting, noise, and human disturbance. Generalist wildlife and plant species will survive but the biodiversity will be greatly decreased and the use by wildlife will ultimately decrease due to an increase in edge effects, lighting, noise, and human disturbance. In addition, due to the small size of many of RMAs and their proximity to houses, there will likely be increased wildlife issues and negative interactions related to species such as coyotes, raccoons, and bobcats that may not be compatible with landowners. Interactions such as these further add to the argument that habitat is not truly being preserved.

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As stated above, the California Department of Forestry and Fire Protection (CAL FIRE) has identified the entire Project as being in a "Very High Fire Severity Zone." The RMAs, infrastructure, and building envelopes are all required by CAL FIRE to have fuel modification. The presence of urban development next to natural areas increases the likelihood of fires in the wildland-urban interface. To reduce the likelihood of fire, CAL FIRE prescribes specific prescriptions to reduce fuel loading based on the topography and vegetation present. Although some of the oak woodland vegetation will remain, it will always be managed or suppressed for fuel modification. According to the *Tierra Robles Wildland Fuel/Vegetation Management Plan* dated July 2015, each prescription "could be applied uniformly

Kim Hunter, Division Manager
 Shasta County Department of Resource Management
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to the lots within that RMA." Depending upon the specific RMA, prescriptions include maintaining grass height at or below 4 or 6 inches, limbing oaks up to 8 feet, retaining only a fraction of various size classes for trees and shrubs, removal of shrubs to increase spacing, and removal of dead and down brush and limbs. Throughout the DEIR, it is stated that much of the oak woodland has been left in place and therefore the management of the oaks should count as mitigation. Though the Department supports habitat retention within development, with the effects of housing, recreation, and both vegetation management plans, the Department believes areas within the RMAs will have reduced habitat values and should be assigned a partial credit for mitigation, such as 0.75/1. The Department appreciates that certain RMAs will not be developed with houses, but these areas are subject to the same impacts from fuels reduction and recreation described above. The Department recommends eliminating the "25 percent loss of oak woodland habitat values within the RMAs" and increasing the amount of proposed offsite mitigation for the loss of 484.2 acres of blue oak woodland. In addition, the Department does not agree that "enhancement," which in this case is fuel modification, should be considered mitigation. The Department recommends that the eastern open space preserve (154.90 acres) receive preservation credits at 0.75:1 for a total of 115.58 acres of preservation credits. The recommended mitigation for impacts to oak woodlands would be as follows:

Impacts total:	484.2 acres @ 3:1 = 1452.6 acres
Preservation credits total:	154.1 @ 0.75:1 = 115.58 acres
Offsite mitigation credit total:	137.8 @ 1:1 = 137.8 acres
Total Oak Woodland Mitigation Required:	1199.22 acres

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Vegetation Prescriptions

The Oak Woodland Management Plan and the Wildland Fire Vegetation Management Plan are inconsistent regarding habitat conservation and fuel modification. The Department recommends developing a strategy for fuel modification in consultation with the Department and CAL FIRE as the strategies presented in both plans address only fuel modification and enhancing trees, not maintaining oak woodland function, and the diversity of species within the Project. For example, in the Oak Management Plan, it says the grasses will be maintained at 4 inches but the Fire Vegetation Plan states 6 inches. Neither height is appropriate for some of the grassland areas that should be considered prairie (as described below) as they consist predominantly of annuals, geophytes, and forbs, and a reduced number of actual grass species. These annuals can grow taller than 6 inches and if you are constantly managing them to less than that, they will not be able to flower and set seed. Development of a strategy that allows for natural annual regeneration will increase the likelihood that they will persist over time.

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On page 32 of the Oak Management Plan it states:

"This plan has taken an ecosystem approach to the management of the oak woodland and by proxy, the habitats found within the Tierra Robles project area. Habitat requirements of selected wildlife species, such as bats, raccoons, skunks, raptors, various amphibians and reptile species will, by association with the oak woodlands, be maintained and enhanced through time. Though subdivision development is not often considered as a positive impact to wildlife habitat values, there are some positive elements. For example, with the build-out of the subdivision there will be the introduction of more varieties of plant species as homeowners landscape their yards, having the effect of increased diversity of vegetative habitats within the present oak woodlands. The irrigation of these yards will have the effect of more dispersed and continual sources of water through the summer months."

The Department is not clear how landscaping and increased water enhances existing oak woodland habitat. The increased diversity of non-native vegetation may help some year-round species but should not be viewed as enhancing oak woodland habitat and may in fact lead to more non-natives within the RMAs. In addition, any expected benefits from the landscaping and additional water will likely be offset by increased use of herbicides, fertilizers, and domesticated animals such as cats and dogs. Continual summer irrigation can kill native vegetation especially oaks, which are adapted to a Mediterranean climate, change the species composition, and increase the amount of non-natives.

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Biological Resources

Existing Biological Communities

This section of the DEIR describes the annual grassland, seasonal stream, riparian, wetland and oak woodland vegetation communities present onsite. The annual grassland is described by listing a number of non-native grasses and one native grass; however, several native grasses, geophytes, and native forbs were found onsite according to Table 5.4-1. Native grassland communities typically include perennial bunchgrasses, but some native grasses are annuals. Native grassland communities are extremely rare due to the proliferation of agricultural activities and the invasion of naturalized annual and perennial grasses (Stromberg et al. 2007; Fremontia 2011). Many of the botanical species found on the Project actually describe a forb-dominated prairie (Fremontia 2011) rather than a grass dominated community. Because Project vegetation mapping did not estimate dominant plant cover, it is not currently possible to classify herbaceous dominated communities on the Project site. Because many of these prairie communities are

Kim Hunter, Division Manager
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of conservation concern (Fremontia 2011), they should be better described and impacts should be analyzed. The Department recommends that herbaceous communities currently lumped together as "*annual grassland*" are mapped separately and each vegetation type described in detail, in accordance with the Manual of California Vegetation (2009). Substantial impacts to native grasslands and rare prairie community types would need to be mitigated.

On page 5.4-5, annual grasslands are described as only having marginal habitat for wildlife species. The Department is unclear as to why the grassland provides a moderate value to wildlife. In addition to the annual grasslands, it appears that seasonal streams and riparian also only provide "moderate" values for wildlife, but on page 5.4-40 in the mitigation credit calculation, "*the stream corridors provide some of the highest wildlife habitat values on the site.*" Wetlands only appear to "*provide some value to wildlife species.*" These assumptions should be better articulated and clarified.

On page 5.4-6, it is stated that riparian habitat was not mapped "*due to the minimal extent of the riparian vegetation onsite.*" All vegetation communities existing onsite should have been mapped, acreage disclosed, and whether or not the vegetation community was impacted by the Project or not.

Special Status Plant Species

In a DEIR, it is typical to describe if there were any extenuating circumstances during the course of conducting surveys. Having read the majority of the document, the Department does not see a discussion on the drought, which is when ENPLAN conducted the most recent botanical and wildlife surveys. The Department recommends including a description of the effects of the drought on the surveys and the impacts it could have had on the ability to identify all species on the Project site.

It states on page 5.4-28: "*The field surveys were undertaken in general accordance with CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.*" The Department is unclear on what it means to undertake field surveys in general accordance with our 2009 protocols. The DEIR should describe in what way the surveys were not consistent with the protocol. If there are specific reasons the protocol could not be followed for the 2012 surveys, they should be stated in the DEIR. The DEIR and the attached botanical surveys only specify the days that the surveys were conducted. The Department would like to see the actual survey results for the 2012 botanical surveys, which would include the number of acres surveyed per day and by whom, which reference sites were visited to ensure that the special status species would have been seen at the time the surveys took

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place, and the qualifications of the surveyor(s). The Department is concerned that the information gathered on rare plants is not sufficient to fully disclose the nature and extent of impacts. Only focused surveys for slender Orcutt grass were conducted but not for the other special status plant species. Further, a preliminary review of the California Natural Diversity Database (CNDDDB) found three additional species that were not in Table 5.4-4: Henderson's bentgrass (*Agrostis hendersonii*)(Rare Plant Rank 3.2 with an Elemental Rank of G2Q/S2¹); dubious pea (*Lathyrus sulphureus* var. *argillaceus*)(Rare Plant Rank 3 with an Elemental Rank of G5T1T2/S1S2); and woolly meadowfoam (*Limnanthes floccosa* ssp. *floccosa*)(Rare Plant Rank 4.2 with an Elemental Rank of G4T4/S3). The Department recommends conducting a focused plant survey for all of the special status plant species during the appropriate blooming time and following the Department's 2009 protocols. Reference sites shall be utilized to determine the detectability of the special status plant species.

On page 5.4-6, under the Wetlands subheading, it says a seep was located in the eastern portion of the site. Table 5.4-4 describes the habitat for Bellinger's meadowfoam (*Limnanthes floccosa* ssp. *bellingermana*) as occurring "around meadows, seeps, damp stony flats, and in cismontane woodland below 3,600 feet in elevation in Shasta County." It then goes on to say there is no suitable habitat in the Project area for this species. It is not discussed in either botanical report or within the DEIR if a focused survey for this California Rare Plant Rank 1B.2 was conducted. The Department recommends surveying for this species following the Department's 2009 protocols during the appropriate blooming period.

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On page 5.4-24, in Table 5.4-4, the DEIR discusses oval-leaved viburnum. In the last column it says: "In California, oval-leaved viburnum is an introduced weed. Review of CNDDDB records found that oval-leaved viburnum has been reported within 10 miles of the project area. However, CDFW does not consider oval-leaved viburnum to be a special-status species. No further evaluation of this species is warranted." Oval-leaved viburnum, (*Viburnum ellipticum*) is a California native species and according to the Jepson manual, Calflora, California Native Plant Society, and published scientific literature is not an introduced weed. The Department considers this species to have special status and it is listed in our *Special Vascular Plants, Bryophytes, and Lichens List* as well as being included in the CNDDDB. This species is listed as a California Rare Plant Rank 2B.3 meaning that the plant is rare, threatened, or endangered in California, but more common elsewhere. With this ranking, the importance lies in protecting the geographic range of widespread species. Protecting the diversity of California's flora will help maintain evolutionary processes and genetic diversity within the species. This ranking meets the definitions of CESA and is eligible for State listing. Impacts to the species or its habitat, if present onsite, need to be analyzed in the DEIR. The species meets the definition of Rare or Endangered under CEQA Guidelines sections 15125 (c)

¹ Definitions of the Elemental Ranking can be found at the following websites:
<http://explorer.natureserve.org/granks.htm> and <https://wildlife.ca.gov/Conservation/Plants/Info>

Kim Hunter, Division Manager
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December 26, 2017
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and section 15380. The Department recommends surveying for this species following the Department's 2009 protocols during the appropriate blooming period.

Invasive or Noxious Weed Species

Invasive species have been identified onsite. Invasive or noxious weed species can be inadvertently transported by vehicles, equipment, and people. On page 5.4-42, it states that the construction contractor is required "to thoroughly wash all equipment at a commercial wash facility prior to entering the County (if the equipment has most recently been used within the County, cleaning would not be required)." The Department recommends the contractor wash all equipment before and after use with every project to help prevent the spread of invasive and noxious weeds between projects within Shasta County.

Special Status Wildlife Species

Western Spadefoot Toad (*Spea hammondi*)

Western spadefoot toad is a Priority 1 Species of Special Concern, which are taxa that are likely to experience severe future declines and/or extirpation without immediate conservation actions. The Department asserts that this species meets the criteria of a rare, threatened, or endangered species pursuant to CEQA Guidelines section 15380. Therefore, impacts to this species are potentially significant. Surveys for this species by a biologist familiar with its life history were not conducted. This species is known to occur less than 5 miles away and suitable habitat exists onsite for this species. This species does not necessarily breed every year and is dependent upon adequate rainfall – both the timing and duration are important cues for the western spadefoot to come out of dormancy. Both daytime and nighttime surveys are required. The information provided in the DEIR and appendices does not state the actual timing of the nighttime surveys, the temperature of the water, humidity, and air temperature for the surveys conducted on March 26 and April 2, 2015. Since this survey was conducted during the drought, the western spadefoot may have been in its underground burrow at that time. The species could also have been finished breeding and would have possibly been found in the oak woodland areas. The Department believes these surveys were incomplete and inconclusive. The Department recommends proper surveys for this species be conducted by a qualified biologist familiar with this species' life history requirements. If western spadefoot toad is shown to be present, the EIR should include avoidance and mitigation.

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Bat Surveys

Although not listed in the special status species table, pallid bats (*Antrozous pallidus*), a California Species of Special Concern, are known to occur in oak woodlands. Given the amount of oak woodland habitat available onsite and known water sources, there is a high probability the species could occur onsite. This species may meet the

Kim Hunter, Division Manager
Shasta County Department of Resource Management
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requirement of section 15380 of the CEQA Guidelines, and therefore impacts may be significant. There is not enough information provided in the DEIR to determine potential significant impacts to bat species as no formal or protocol survey was conducted to determine presence. The Department recommends conducting surveys during the appropriate time of year, by a qualified bat biologist. The EIR should include an analysis and proposed avoidance and mitigation.

Western Pond Turtle (*Emys marmorata*)

Western pond turtle is a Priority 3 Species of Special Concern, which are taxa that are clearly at risk but likely are not experiencing a substantial and immediate threat of extirpation. According to the Biological Review dated July 2015 (revised August 2016) and prepared by Wildland Resource Managers, two wildlife surveys were conducted for western pond turtle: March 26 and April 2, 2015. The western pond turtles could have still been overwintering. The Project site has suitable habitat for the western pond turtle; therefore, the Department recommends that western pond turtle be surveyed prior to the start of construction by a qualified biologist during a time when the species would be most detectable, and avoidance measures included to move this species into suitable adjacent habitat.

Wildlife Movement Corridors

There is not enough information in the DEIR for the Department to determine if there is a significant impact to wildlife movement corridors. It does not appear a wildlife movement study was conducted. As this project will impact a large area of habitat that lies in between other development, the Department recommends completing a Wildlife Movement Study to evaluate potential impacts to wildlife movement from the proposed project.

Lighting and Noise

The Department recognizes the effects that artificial lighting and noise has on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that lighting fixtures associated with the Project be downward facing, fully-shielded, and designed and installed to minimize photo-pollution.

Mitigation Measures

Mitigation Measure 5.4-1a should have a sentence that says: "*Prior to the removal of any vegetation, the applicant shall establish an offsite conservation easement in consultation with the Department.*" The second paragraph of the same mitigation measure should say: "*A conservation-oriented third-party entity acceptable to Shasta*

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Kim Hunter, Division Manager
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County and approved by the State shall hold the conservation easement and shall be responsible for ongoing monitoring and management of the site in accordance with the management plan." The last paragraph shall say, "Monitoring reports shall be submitted to Shasta County and the California Department of Fish and Wildlife at least once every three years."

Mitigation Measure 5.4-1g should wait to be finalized until a bat survey by a qualified bat biologist can be conducted.

Mitigation Lands and Conservation Easements

All entities that will hold land are required to go through the Department's due diligence process in order to hold lands. The information for this process can be found at: <https://wildlife.ca.gov/Conservation/Planning/Endowments>.


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Lake or Streambed Alteration Agreement

It is stated in the DEIR that no impacts to drainages or wetlands will occur. However, in the event that changes, FGC section 1602 requires any entity to notify CDFW before beginning any activity that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake.

If you have any questions, please contact Amy Henderson, Environmental Scientist, at (530) 225-2779, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,



Curt Babcock
Habitat Conservation Program Manager

cc: Kim Hunter
Shasta County Department of Resource Management
khunter@co.shasta.ca.us

State Clearinghouse
state.clearinghouse@opr.ca.gov

Amy Henderson
California Department of Fish and Wildlife
Amy.Henderson@wildlife.ca.gov

Kim Hunter, Division Manager
Shasta County Department of Resource Management
December 26, 2017
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References

- California Department of Fish and Wildlife, Natural Diversity Database. October 2017. Special Vascular Plants, Bryophytes, and Lichens List. Quarterly publication. 127 pp.
- Holstein, Glen. "Prairies and Grasslands: What's in a Name?" *Fremontia: A Journal of the California Native Plant Society*, vol. 39, no. 2, May 2011, pp. 1–11.
- Stromberg, Mark R., et al. *California grasslands: ecology and management*. University of California Press, 2007.

1-a

State of California—Transportation Agency

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

2503 Cascade Boulevard
Redding, CA 96003
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12/19/17
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November 28, 2017

Governor's Office of Planning & Research

File No.: 135.15251

NOV 29 2017

STATE CLEARINGHOUSE

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Subject: **SCH# 2012102051**

The California Highway Patrol (CHP), Redding Area, was recently requested to review environmental impact documents related to the proposed Tierra Robles Planned Development Project, bordered primarily by Old Alturas Road, Boyle Road, and Deschutes Road, between the communities of Palo Cedro, California, and Bella Vista, California.

The CHP services and has primary jurisdiction for traffic enforcement in the unincorporated area of Shasta County, within the proposed project location. Primary law enforcement services would be provided by the Shasta County Sheriff's Office.

After reviewing the Draft Environmental Impact Report (EIR), the CHP shares in the concern for potentially significant transportation/traffic impacts created by the project. Specifically, the increased traffic volumes created at the intersections of Old Oregon Trail/Old Alturas Road, Deschutes Road/ Old Highway 44, Boyle Road/Deschutes Road, and Deschutes Road/Lassen View Drive should be carefully evaluated for congestion management, as well as emergency access to and from the project location.

Thank you for bringing this project to our attention. Should you have any questions, please contact me at (530) 225-0500.

Sincerely,

S. R. FREDRICK, Lieutenant
Acting Commander
Redding Area

cc: CHP Northern Division

1-a

Safety, Service, and Security



An Internationally Accredited Agency

State of California

Transportation Agency

M e m o r a n d u m

Date: November 8, 2017

To: Redding Area (135)

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Special Projects Section


File No.: 063.A09293.A14630.Noc.Doc

Subject: ENVIRONMENTAL DOCUMENT REVIEW AND RESPONSE
SCH# 2012102051

Special Projects Section (SPS) recently received the referenced "Notice of Completion" environmental impact document from the State Clearinghouse.

Due to the project's geographical proximity to the Redding Area, please use the attached checklist to assess its potential impact to local Area operations and public safety. If it is determined that departmental input is advisable, your written comments referencing the above State Clearinghouse (SCH) number must be mailed to the State Clearinghouse at 1400 Tenth Street, Room 121, Sacramento, CA 95814. Your written comments must be received by SCH no later than **December 7, 2017**. If the due date to SCH cannot be met, please send comments directly to the lead agency (refer to the Notice of Completion) no later than three working days after the original due date - by **December 12, 2017**. For reference, additional information can be found in General Order 41.2, Environmental Impact Documents.

For project tracking purposes, SPS must be notified of Redding Area's assessment of the project (including negative reports). Please e-mail a copy of Area's response to Associate Governmental Program Analyst Leah Mora at LeMora@chp.ca.gov. For questions or concerns, please contact Ms. Mora at (916) 843-3382.


S. F. BARSANTI, SSM III
Commander

Attachments: Checklist
Project File

cc: Northern Division

Safety, Service, and Security
CHP 51 (Rev. 03-11) CPl 018



An Internationally Accredited Agency

1-a

For Hand Delivery/Street Address: 1400 Tenille Street, Sacramento, CA 95814

Project Title: Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development

Lead Agency: Shasta County, Department of Resource Management Contact Person: Ken Hector, Senior Planner

Mailing Address: 1833 Placer Street, Suite 103 Phone: (530) 225-5512

City: Redding Zip: 96001 County: Shasta

Project Location: County: Shasta City/Nearest Community: Palo Cedro & Bella Vista

Cross Streets: Boyle Road / Potts Dege Way Zip Code: 96073

Lot / Lons: 40° 35' 26" N / 122° 16' 01" W Total Acres: Approximately 715

Assessor's Parcel No.: 061-210-001, 061-240-001, 078-060-036, 078-060-039, and 078-250-002

Sections: Portions of Section 19, 20 Twp.: 22 North Range: 4 West Base: MDBM

Portions of Section 24, 25 Twp.: 22 North Range: 4 West Base: MDBM

Within 2 Miles: State Hwy #: SR-299 Waterways: Crough Creek

Airports: _____ Railways: _____ Schools: North Cove Creek Elem
Bella Vista Elem

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Joint Document

Early Cons Supplemental/Amendment Draft EIS Final Document

Neg Dec Other: _____ (Prior SCH No.) _____ (Draft EIS) _____ (PONS)

Mit Neg Dec _____

DATE: OCT 23 2017

Local Action Type:

General Plan Update Specific Plan Rezone Annexation

General Plan Amendment Master Plan Prezone Redevelopment

General Plan Element Planned Unit Development Use Permit Coastal Permit

Community Plan Site Plan Land Division (Subdivision, etc.) Other: CSD

Development Type:

Residential: Units 166 Acres 715 Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

Aesthetics/Visual Fiscal Recreation/Parks Vegetation

Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality

Air Quality Forest Land/Plan Hazard Sewage Capacity Water Supply/Groundwater

Archeological/Historical Geology/Seismic Soil Erosion/Compaction/Grading Wetland/Riparian

Biological Resources Minerals Solid Waste Wildlife

Coastal Zone Noise Toxic/Hazardous Growth Inducing

Drainage/Absorption Population/Housing Balance Traffic/Circulation Land Use

Economic/Job Public Services/Facilities Cumulative Effects

Other _____

Present Land Use/Zoning/General Plan Designation:

Rural Residential 3-acre minimum (RR-BA-3), Rural Residential 5-acre minimum (RR-BA-5), and Unclassified (U)

Project Description:

The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 3-acre minimum (RR-BA-3), Rural Residential 5-acre minimum (RR-BA-5), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site, and a Tract Map (TM 1996) to divide the 715-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size. The project proposes the formation of the Tierra Robles Community Services District (TRCSD) as a means to provide operation and maintenance of the wastewater treatment system, maintenance of improved streets within the subdivision, management of open spaces, including preservation and fire management operations, and maintenance of drainage improvements. The ultimate approval of the TRCSD would be subject to separate application and approval from the Shasta County Local Agency Formation Commission (LAFCO).

The Planned Development proposes the following design features: (1) Grey water diverter system; (2) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (3) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (4) Class I public bikeways within the project site and pedestrian trails. The proposed project would include 192.7 acres of open space, which contains sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes (>30% slope) adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

State Clearinghouse Contact: (916) 445-0613 SG

State Review Design: 10-24-2017

SCH COMPLIANCE: 12-07-2017

Project Sent to the following State Agencies

<input checked="" type="checkbox"/> Resources	Cal EPA
<input type="checkbox"/> Boating & Waterways	ARB: Airport & Freight
<input checked="" type="checkbox"/> Central Valley Flood Prot.	ARB: Transportation Projects
<input type="checkbox"/> Coastal Comm.	ARB: Major Industrial/Energy
<input type="checkbox"/> Colorado Rvr Bd	Resources, Recycl. & Recovery
<input checked="" type="checkbox"/> Conservation	<input checked="" type="checkbox"/> SWRCB: Div. of Drinking Water
<input checked="" type="checkbox"/> CDFW # <u>1</u>	<input checked="" type="checkbox"/> SWRCB: Div. Drinking Water
<input type="checkbox"/> Cal Fire	<input checked="" type="checkbox"/> SWRCB: Div. Financial Assist.
<input type="checkbox"/> Historic Preservation	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input checked="" type="checkbox"/> Parks & Rec	<input checked="" type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Bay Cons & Dev Comm.	<input checked="" type="checkbox"/> Reg. WQCB # <u>SR</u>
<input type="checkbox"/> DWR	<input checked="" type="checkbox"/> Toxic Sub. Chl-CTC
	Vib/Adm Corrections
	Independent Comm.
CalSTA	Delta Protection Comm.
<input checked="" type="checkbox"/> Aeronautics	<input checked="" type="checkbox"/> Delta Stewardship Council
<input checked="" type="checkbox"/> CHP	<input checked="" type="checkbox"/> Energy Commission
<input checked="" type="checkbox"/> Caltrans # <u>2</u>	<input checked="" type="checkbox"/> NAHC
<input type="checkbox"/> Trans Planning	<input checked="" type="checkbox"/> Public Utilities Comm.
Other	<input checked="" type="checkbox"/> Santa Monica Bay Restoration
<input type="checkbox"/> Education	<input type="checkbox"/> State Lands Comm.
<input type="checkbox"/> OES	<input type="checkbox"/> Tahoe Rgl Plan Agency
<input type="checkbox"/> Food & Agriculture	<input type="checkbox"/> Conservancy
<input type="checkbox"/> HCD	Other: _____
<input type="checkbox"/> State/Consumer Svcs	
<input type="checkbox"/> General Services	

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: 2012102051

Please forward late comments directly to the Lead Agency

AQM/D/PCD 31

(Resources: 10/24)

1-a

**ENVIRONMENTAL IMPACT REPORT
 EVALUATION/RESPONSE CHECKLIST
 FOR AREA/SECTION**

Reference: Highway Patrol Manual 41.1
 Transportation Planning Manual
 Chapter 6: Environmental Impact Documents

	Action	Reference HPM 41.1 Chapter 6
<input checked="" type="checkbox"/>	Review memorandum for the due date(s).	12/7
<input checked="" type="checkbox"/>	Determine if the proposed project might impact local operations and/or public safety. Examples include: housing developments, large commercial projects, large recreational developments or expansions, landfill or quarry operations, hazardous materials storage and/or dump sites, highway construction/improvement projects, new schools, airport improvements, annexations/incorporations, off-highway vehicle facilities, and Indian gaming facilities.	Pages 3-4
<input checked="" type="checkbox"/>	Review environmental impact documents to identify issues or concerns with possible impact to departmental operations (i.e., increased response times, enforcement, emergency services, service calls, telecommunications, public safety).	TRAFFIC IMPACTS
Responses		
<input checked="" type="checkbox"/>	<u>If comments are advisable:</u>	
<input checked="" type="checkbox"/>	Correspondence should focus primarily on <u>traffic safety, congestion</u> , or other impacts to the CHP's mission; however, Areas shall not indicate to the lead agency that additional personnel, facilities, vehicles, etc., are a means to mitigate departmental service issues.	Page 6
<input checked="" type="checkbox"/>	Ensure the State Clearinghouse number (SCH#) is included in all correspondence.	
<input checked="" type="checkbox"/>	Comments shall be provided directly to the State Clearinghouse at 1400 Tenth Street, Room 121, Sacramento, CA 95814, or the lead agency as deemed appropriate, no later than the designated due date. Provide a copy to Special Projects Section (SPS) via electronic mail (e-mail).	
<input checked="" type="checkbox"/>	For project tracking purposes, SPS must be notified of Area/Section's assessment of the project. After mailing your comments to the SCH or lead agency, send a <u>scanned copy via e-mail to SPS.</u>	
<input checked="" type="checkbox"/>	<u>If no impact is determined:</u>	
<input checked="" type="checkbox"/>	Via e-mail, please respond "no impact to _____ Area's local operations and/or public safety by SCH# _____ was identified," by the designated SCH due date to the SPS analyst listed on the Environmental Document Review and Response memorandum. Ensure the SCH# is included.	

1-a

Response to Letter 1 – Governor’s Office of Planning and Research

Response 1-a: The participation of the State Clearinghouse in the public review of this document is appreciated. The commenter states that the Governor’s Office of Planning and Research (OPR) State Clearinghouse distributed the Draft EIR for selected agencies to review, in accordance with the requirements of the California Environmental Quality Act (CEQA). Comment letters were received from the California Department of Fish and Wildlife (CDFW, December 29, 2017) and Department of California Highway Patrol (CHP, November 28, 2017) and are attached to this comment letter.

Responses to the CDFW letter (Letter 3) are provided in **Responses 3-a** through **3-v** and responses to the CHP letter (Letter 4) are provided in **Responses 4-a** through **4-c**. No further response is required and no changes to the Draft EIR have been made as a result of this comment. All comments received from State agencies, and responses thereto, will be provided to the Shasta County Planning Commissions and Board of Supervisors for consideration.

Letter 2 – Central Valley Regional Water Quality Control Board (November 1, 2017)



RECEIVED
NOV 3 2017
County of Shasta
Building Division



Central Valley Regional Water Quality Control Board

1 November 2017

Kent Hector, AICP
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001-1759

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR TIERRA ROBLES PLANNED DEVELOPMENT, ZONE AMENDMENT 10-002, TRACT MAP 1996, SHASTA COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 26 October 2017 we received your request for comments on the Draft Environmental Impact Report for the Tierra Robles Planned Development located in Shasta County.

Shasta Red, LLC is proposing to divide a 715.4-acre property into 166 residential parcels and six open space parcels including an internal 6.07-mile road system, two bridges, and an on-site wastewater collection, treatment and dispersal system.

Based on our review of the information submitted for the proposed project, we have the following comments:

Clean Water Act (CWA) Section 401, Water Quality Certification

The Central Valley Water Board has regulatory authority over wetlands and waterways under both the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling wetlands, etc. 401 Certifications are issued in combination with CWA Section 404 Permits issued by the Army Corps of Engineers. The proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and 401 Water Quality Certification must be obtained prior to site disturbance.

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf

Isolated wetlands and other waters not covered by the Federal Clean Water Act

Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act (e.g., isolated wetlands, vernal

KARL E. LONOLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER

364 Hrollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley



2-a

2-b

2-c

Mr. Kent Hector
Shasta County Planning Division

- 2 -

1 November 2017

pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has the potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

2-c
Cont.

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. The requirements to submit a report of waste discharge may be met using the same application form, found at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Stream, Wetland, and Riparian Setbacks and Buffer Zones

To ensure the protection of the Beneficial Uses of waters of the State, we recommend that Shasta County establish and incorporate appropriate setbacks and buffers as protective measures for any on-site stream habitat, wetlands, riparian areas, and species of special concern. Buffer width is important as a measure of pollutant removal effectiveness, and to maintain wildlife. Wider buffers offer increased detention times, infiltration rates, and diversity of soil, vegetation, and wildlife. Buffers should be sized to protect both water quality and wildlife habitat needs.

2-d

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Tierra Robles Planned Development Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website: http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml

2-e

Sewage Collection, Treatment, and Disposal

The current project design includes a community sewage collection, treatment and disposal system. Due to the size of the system a permit (referred to as Waste Discharge Requirements, or WDRs) from the Central Valley Water Board will be required. A complete application for WDRs (referred to as a Report of Waste Discharge, or ROWD) must be submitted at least 140 days prior to discharging waste. The applicant should contact Central Valley Water Board staff to discuss this process.

2-f

On 23 April 2009, the Central Valley Water Board adopted Resolution No. R5-2009-0028 in support of regionalization of wastewater management opportunities and solutions. This resolution requires applicants for State wastewater discharge permits to evaluate and consider regionalization opportunities, rather than isolated, individual wastewater systems. As such, any application for a State wastewater discharge permit for the proposed Tierra Robles Planned Development Project would need to include a full evaluation and feasibility analysis of wastewater regionalization opportunities and efforts. This analysis should include any options to connect to existing municipal wastewater sewer systems within the vicinity of the proposed project.

2-g

Mr. Kent Hector
Shasta County Planning Division

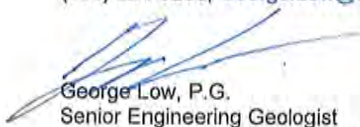
- 3 -

1 November 2017

While the Central Valley Water Board has no opinion on the merits of the proposed Tierra Robles planned development, we strongly support any efforts to regionalize wastewater services throughout Shasta County. Regionalization of wastewater services helps to end the proliferation of small community treatment plants that are very costly to operate and have a high incidence of noncompliance with our regulatory permits. Established municipalities, operating regional wastewater systems, generally have the financial stability, knowledge, and infrastructure in place to properly maintain and operate such systems, as opposed to allowing another isolated onsite wastewater system to be installed. Regional wastewater systems help to protect, enhance, and preserve water resources.

Central Valley Water Board staff recommends that the Shasta Local Agency Formation Commission (LAFCO) and Shasta County work together to limit the development of new small community treatment plants that are not served by municipalities, due to difficulties in maintaining the long term financial stability and regulatory compliance of these types of systems. We offer our assistance and support to work with the County, LAFCO, and the Developers to implement a solution that meets the needs of all.

If you have any questions or comments regarding this matter, please contact me at (530) 224-3208, George.Low@waterboards.ca.gov, or the footer address.



George Low, P.G.
Senior Engineering Geologist
Waste Discharge Requirements Unit

GL: db

cc: Shasta Red, LLC, Beverly Hills
Mr. Steve Nelson, S₂ ~ J₂ Engineering, Inc., Cottonwood
Kimerly-Horn and Associates, Inc., Sacramento
Shasta County Environmental Health, Redding
Shasta Local Agency Formation Commission, Redding

2-g

Response to Letter 2 – Central Valley Regional Water Quality Control Board

Response 2-a: The participation of the Central Valley Regional Water Quality Control Board (CVRWQCB) in the public review of this document is appreciated. The CVRWQCB provided introductory remarks to the comment letter. No environmental issues or concerns were raised in this summary paragraph; therefore, no further response is necessary.

Response 2-b: The CVRWQCB notes that the proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State and steps must be taken to first avoid and minimize impacts to these waters and then mitigate for impacts. The CVRWQCB further states that a Clean Water Act (CWA) Section 404 Permit and a Section 401 Water Quality Certification must be obtained prior to site disturbance. The commenter is referred to Section 5.4, BIOLOGICAL RESOURCES, and Section 5.9, HYDROLOGY AND WATER QUALITY, of the Draft EIR, for a detailed analysis of biological resources and regulatory requirements, including short-term and long-term water quality control measures.

Jurisdictional delineation studies were prepared by qualified professional biologists for the proposed project site (refer to Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR). Appendix 15.4 contains the following biological resource documents that address CWA Section 401 Water Quality Certifications and other resource agency permit requirements:

- Wildland Resource Managers. *Wetland Delineation for Chatham Ranch*. December 2008.
- Wildland Resource Managers. *Chatham Ranch Wetland Delineation Addendum*. May 2011.
- Wildland Resource Managers. *Chatham Ranch Biological Evaluation*. January 2005.
- Wildland Resource Managers. *Biological Review for Geringer’s Capitol “Tierra Robles Ranch.”* August 2016.

As discussed on page 5.4-37 of the Draft EIR, the proposed project has been designed to avoid waters of the U.S and wetlands, and thus, would not result in the permanent fill of these features. The proposed roadway network would result in the crossing of Clough Creek at two locations with bridge piers located outside the limits of the riparian zone along the stream channel. Other smaller crossings of natural onsite drainages will require shorter precast concrete structures and have been designed to avoid the need for permanent or temporary fill of the drainages (refer to Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION). Potential indirect impacts to jurisdictional waters would be reduced through compliance with conditions of the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (refer to Section 5.9, HYDROLOGY AND WATER QUALITY). No change to the Draft EIR is required.

Response 2-c: The commenter states that some wetlands and waters are considered “geographically isolated” and thus are not within the jurisdiction of the Clean Water Act and that discharge or fill into these waters may require waste discharge permits from the CVRWQCB.

Refer to **Response 2-b**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No change to the Draft EIR is required.

Response 2-d: The commenter recommends that the County establish and incorporate appropriate setbacks and buffers as protective measures for any onsite stream habitat, wetlands, riparian areas, and species of special concern.

The commenter is referred to Section 3.0, PROJECT DESCRIPTION, Section 5.4, BIOLOGICAL RESOURCES, and Appendix 15.2, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR for information regarding the project's unique planning efforts in avoiding impacts to the above-mentioned resources. The following provides for a summary of project specific design elements that serve to achieve the CVRWQCB stated recommendation regarding setbacks:

The proposed project site was subdivided into five Resource Management Areas (RMA's) representing distinct and identifiable habitat types (refer to Section 3.0, PROJECT DESCRIPTION). Detailed development and management restrictions were developed for each RMA and are evaluated in detail in Section 5.4, BIOLOGICAL RESOURCES, and Section 5.8, HAZARDS AND HAZARDOUS MATERIALS, and Section 5.9, HYDROLOGY AND WATER QUALITY, of the draft EIR. Full RMA descriptions, fire fuel prescription methods, and other development restrictions are contained in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR.

As noted in Section 3.0, PROJECT DESCRIPTION, a RMA has been established within each residential lot to create setbacks from property lines, stream channels and/or critical natural resources. These setback areas would remain undisturbed and would be managed by the private land owner under direction of the Tierra Robles Community Services District (TRCSD) as specified in the Tierra Robles Wildland Fuel/Vegetation Management Plan (TRWF/VMP). The total area of resource management is 333.9 acres or 46.9% of the total project site. In addition, the project proposes 192.7 acres or 26.9% of the total project area as managed Open Space to ensure the undeveloped areas of the property continue as a means of fire protection and environmental preservation throughout the life of the project.

In addition to the above RMA's and in an effort to provide specific guidance for future lot development, an individual parcel "Lot Book" page has been created and reflects the unique characteristic for each lot with the goal of providing long-term resource protection, including the management and maintenance resources and avoidance of onsite drainages and streams as directed by the TRWF/VMP. The designated building envelope for each individual lot would allow for the area to be cleared and graded for the construction of one single family residence and desired accessory buildings. The Lot Book is included in its entirety in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT. These individual lot development requirements in addition to the management prescriptions of onsite RMA's and permanent open space areas would serve to maintain appropriate setbacks and minimize impacts to sensitive onsite resources. No change to the Draft EIR is required.

Response 2-e: Comment noted. The County recognizes the State Water Resources Control Board's (SWRCB) responsibility for implementing the Clean Water Act and continues to comply with the statewide General Permit (Water Quality Order No. R5-2016-0040) for construction activities within the State. The County further notes and recognizes that a State General Construction Activity Storm Water Permit (CGP) is implemented and enforced by the Regional Water Quality Control Boards (RWQCBs) statewide and the CVRWQCB is responsible for administering the CGP process for projects in Shasta County. The CGP applies to construction activity that disturbs one acre or more, and requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to minimize the discharge of pollutants from construction sites to the maximum extent practicable. The proposed project will be conditioned to design and construct all site facilities in accordance with *Shasta County Code* Chapter 12.12 and the statewide General Permit (Water Quality Order No. R5-2016-0040). No change to the Draft EIR is necessary.

Response 2-f: The CVRWQCB notes that the proposed community sewage collection, treatment and disposal system requires issuance of a Waste Discharge Requirements (WDR) permit and completion of a Report of Waste Discharge (ROWD) must be submitted at least 140 days prior to discharging waste.

The proposed treatment system would be designed to meet the reuse requirements for discharge of Title 22 Disinfected Secondary Effluent as well as the CVRWQCB's Waste Discharge Requirements. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No change to the Draft EIR is necessary.

Response 2-g: The commenter provides information on Resolution No. R5-2009-0028 and states that any application for a wastewater discharge permit will need to include a full evaluation and feasibility analysis of wastewater regionalization opportunities, including any options to connect to existing municipal wastewater sewer systems. The commenter strongly supports any efforts to regionalize wastewater services and recommends that Shasta County Local Agency Formation Commission (LAFCo) and Shasta County work together to limit the development of small community treatment plants.

The requested information regarding the feasibility of wastewater regionalization opportunities associated with this proposed project will be provided to the CVRWQCB concurrent with the WDR application and ROWD described above under **Response 2-f**. It should be noted that between 2010 and 2012 the project applicant extensively studied an option to annex the project site into County Service Area (CSA) No. 8 for sewage and treatment disposal. Refer to Appendix 15.1, NOTICE OF PREPARATION, which includes the project's *Public Scoping Report* that specifically discusses this early project concept.

Annexation to CSA No. 8 would have required the construction of approximately 3.4-miles of new force main sewer line offsite within the Boyle Road and Deschutes Road rights-of-ways from the southern portion of the proposed project to an existing CSA No. 8 manhole located near the intersection of Old 44 Drive and Deschutes Road in Palo Cedro. The new sewer collection system would collect the sewage from the individual parcels and ultimately transmit it to a wet well and pump house located at the southern portion of the proposed project site. From the wet well and pump house, it would be sent by force

main to a connection point within the existing gravity sewer line system in the north portion of CSA No. 8. It would then be transmitted through the existing infrastructure to the treatment facility and ponds at the CSA No. 8 treatment facility (refer to Draft EIR page 7-5 and Figure 7-2, 2011 PROPOSED ANNEXATION BOUNDARY AND OFFSITE UTILITIES IMPROVEMENTS, in Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT).

The concept of connecting to CSA No. 8 through over 3 miles of new pipeline infrastructure did not include the formation of a CSD as proposed by the project. The proposed project's CSD has been specifically developed to oversee and implement the plans and facilities which are a critical aspect of the proposed project and include the following: Tierra Robles Oak Woodland Management Plan; Tierra Robles Wildland Fuel/Vegetation Management Plan; Open Space Management; Resource Management Area management and oversight; Tierra Robles Design Guidelines; road maintenance; Storm Drain Maintenance; and Waste Water Collection, Treatment and Dispersal Facilities. Absent formation of a CSD similar to the proposed project, the same level of resource management and environmental stewardship would not be achieved with annexing the project to CSA No. 8 (refer to Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT).

When compared to the proposed project, impacts related to air quality (construction) and offsite biological impacts (two creek crossings) as a result of the 3.4-miles of pipeline construction to CSA No. 8, and increased wastewater delivery and treatment at CSA No. 8's existing treatment facility would be greater.

Annexation to CSA No. 8 under this concept would require a separate application and approval from the Shasta County LAFCo. Given the distance of the project from CSA No. 8 and the noncontiguous nature of the boundary modification request, it was unlikely that the annexation would have been ultimately supported. As such the applicant withdrew this concept and revised the proposed project based on a localized community collection and treatment system. The County will continue to work collaboratively with the CVRWQCB and Shasta County LAFCo on efforts to regionalize wastewater services throughout Shasta County. No change to the Draft EIR is necessary.

Letter 3 – California Department of Fish and Wildlife (December 26, 2017)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



December 26, 2017

Kim Hunter, Division Manager
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Review of the Draft Environmental Impact Report for the Tierra Robles Planned Development, State Clearinghouse Number 2012102051, Clough Creek, Shasta County

Dear Ms. Hunter:

The California Department of Fish and Wildlife (Department) has reviewed the Draft Environmental Impact Report (DEIR) dated October 2017, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

3-a

Project Description

The Project as described in the DEIR "consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size, and six open space parcels totaling 192.7 acres."

Comments and Recommendations

The Department reviewed the DEIR as well as the attached appendices. The Department appreciates the DEIR discussion of many of our comments and recommendations from our Notice of Preparation comment letter dated March 24, 2016.

Conserving California's Wildlife Since 1870

Kim Hunter, Division Manager
Shasta County Department of Resource Management
December 26, 2017
Page 2

The Department has the following comments and recommendations as they pertain to biological resources.

3-a
Cont.

Oak Woodland Vegetation Community

The Project as proposed will permanently impact 146.2 acres of blue oak woodland and indirectly impact 300.4 acres of blue oak woodland by build-out of the Project, for a total impact of 446.6 acres. To mitigate this significant impact, the Project applicant proposes to mitigate at a 2:1 ratio for oak woodland through offsite purchase of a conservation easement and mitigation credits. The Project applicant proposes to purchase 137.8 acres of offsite blue oak woodland conservation easement and apply 304.2 acres of mitigation credits for preservation and enhancement of the Resource Management Areas (RMA) within the Project footprint to fulfill the remaining acreage needed to satisfy the mitigation requirements.

Currently, 638.3 acres of blue oak woodland exists on the Project site. The Project applicant is proposing to offset a subset of the required blue oak mitigation by taking credit for the preservation of the RMAs (1.25:1) and for providing enhancement (fuel modification as described in the DEIR and summarized below in perpetuity (1.1:1)). The Department disagrees with the rationale for the mitigation credits. Although these RMA areas will have California oak trees within them, the ecological processes of an oak woodland will not remain intact. The areas will be park-like and aesthetically pleasing, but the value to wildlife and overall biodiversity will decrease. The RMAs proposed are too small and fragmented to be considered mitigation. The bulk of the RMAs are small, fragmented locations consisting of homeowners' backyards, introducing noise, light, increased domestic animal and recreational impacts to the RMAs. These impacts, in addition to the perpetual fuel modification practices, further reduce their value as mitigation. Habitat that occurs in less fragmented, contiguous blocks would be preferable as mitigation to habitat in the RMAs that is fragmented or isolated by urban lands. Roads, even two-lane asphalt, represent permanent barriers to small mammals and many herpetofauna. When looking at the design of the RMAs, clustering the homes to one side and having one large open space connected to other open space via a corridor should be considered if mitigation credits are proposed within these areas.

3-b

The Department maintains that a 3:1 ratio for the permanent and "enhanced" blue oak woodland mitigation is more appropriate for the Project if the current crediting system is used. A survey of other projects in other areas of California shows that Lead Agencies routinely apply 3:1 up to 20:1 mitigation ratios for oak woodland impacts.

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A 2:1 replacement ratio does not adequately replace the habitat value lost as a result of removing the oak woodland habitat and the continual management of the remaining oak trees in the RMAs.

3-b
Cont.

The "Assessment of Proposed Blue Oak Mitigation Measures Necessary to Meet CEQA and Shasta County Requirements for the Tierra Robles Sub-Division Project" dated October 2016 states the timber stand improvement techniques "will meet the CEQA threshold for mitigation by not only retaining but enhancing the overall tree canopy on the site." This approach, described in the Tierra Robles Oak Management Plan is silviculture based and focuses on growing healthy trees. This approach does not take into consideration the overall woodland habitat, which is being heavily modified by fuel modification practices. The Oak Management Plan describes the "reduction of heavy fuels on the site" as a major oak management objective. The plan goes on to describe the ideal oak stand, which includes the following: mature trees generally spaced 15 feet or more apart; seedlings interspersed within the stand; seedlings present; clusters of trees and shrubs approximately 15 feet by 15 feet; lower limbs of oaks limbed up 8 feet; understory height reduced to less than 4 inches; and standing snags and down logs retained unless there is a safety hazard to the public. This constitutes an aesthetically pleasing oak stand such as in a park, but is not the same as preserved open space oak woodland that provides functional habitat for native species. Fully functional oak woodland will not be preserved onsite with fuel modification in every resource management zone, 166 houses plus secondary structures being built, infrastructure to support those houses, an increase in edge effects, lighting, noise, and human disturbance. Generalist wildlife and plant species will survive but the biodiversity will be greatly decreased and the use by wildlife will ultimately decrease due to an increase in edge effects, lighting, noise, and human disturbance. In addition, due to the small size of many of RMAs and their proximity to houses, there will likely be increased wildlife issues and negative interactions related to species such as coyotes, raccoons, and bobcats that may not be compatible with landowners. Interactions such as these further add to the argument that habitat is not truly being preserved.

3-c

As stated above, the California Department of Forestry and Fire Protection (CAL FIRE) has identified the entire Project as being in a "Very High Fire Severity Zone." The RMAs, infrastructure, and building envelopes are all required by CAL FIRE to have fuel modification. The presence of urban development next to natural areas increases the likelihood of fires in the wildland-urban interface. To reduce the likelihood of fire, CAL FIRE prescribes specific prescriptions to reduce fuel loading based on the topography and vegetation present. Although some of the oak woodland vegetation will remain, it will always be managed or suppressed for fuel modification. According to the *Tierra Robles Wildland Fuel/Vegetation Management* Plan dated July 2015, each prescription "could be applied uniformly

3-d

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to the lots within that RMA." Depending upon the specific RMA, prescriptions include maintaining grass height at or below 4 or 6 inches, limbing oaks up to 8 feet, retaining only a fraction of various size classes for trees and shrubs, removal of shrubs to increase spacing, and removal of dead and down brush and limbs. Throughout the DEIR, it is stated that much of the oak woodland has been left in place and therefore the management of the oaks should count as mitigation. Though the Department supports habitat retention within development, with the effects of housing, recreation, and both vegetation management plans, the Department believes areas within the RMAs will have reduced habitat values and should be assigned a partial credit for mitigation, such as 0.75/1. The Department appreciates that certain RMAs will not be developed with houses, but these areas are subject to the same impacts from fuels reduction and recreation described above. The Department recommends eliminating the "25 percent loss of oak woodland habitat values within the RMAs" and increasing the amount of proposed offsite mitigation for the loss of 484.2 acres of blue oak woodland. In addition, the Department does not agree that "enhancement," which in this case is fuel modification, should be considered mitigation. The Department recommends that the eastern open space preserve (154.90 acres) receive preservation credits at 0.75:1 for a total of 115.58 acres of preservation credits. The recommended mitigation for impacts to oak woodlands would be as follows:

3-d
 Cont.

Impacts total:	484.2 acres @ 3:1 = 1452.6 acres
Preservation credits total:	154.1 @ 0.75:1 = 115.58 acres
Offsite mitigation credit total:	137.8 @ 1:1 = 137.8 acres
Total Oak Woodland Mitigation Required:	1199.22 acres

Vegetation Prescriptions

The Oak Woodland Management Plan and the Wildland Fire Vegetation Management Plan are inconsistent regarding habitat conservation and fuel modification. The Department recommends developing a strategy for fuel modification in consultation with the Department and CAL FIRE as the strategies presented in both plans address only fuel modification and enhancing trees, not maintaining oak woodland function, and the diversity of species within the Project. For example, in the Oak Management Plan, it says the grasses will be maintained at 4 inches but the Fire Vegetation Plan states 6 inches. Neither height is appropriate for some of the grassland areas that should be considered prairie (as described below) as they consist predominantly of annuals, geophytes, and forbs, and a reduced number of actual grass species. These annuals can grow taller than 6 inches and if you are constantly managing them to less than that, they will not be able to flower and set seed. Development of a strategy that allows for natural annual regeneration will increase the likelihood that they will persist over time.

3-e

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On page 32 of the Oak Management Plan it states:

"This plan has taken an ecosystem approach to the management of the oak woodland and by proxy, the habitats found within the Tierra Robles project area. Habitat requirements of selected wildlife species, such as bats, raccoons, skunks, raptors, various amphibians and reptile species will, by association with the oak woodlands, be maintained and enhanced through time. Though subdivision development is not often considered as a positive impact to wildlife habitat values, there are some positive elements. For example, with the build-out of the subdivision there will be the introduction of more varieties of plant species as homeowners landscape their yards, having the effect of increased diversity of vegetative habitats within the present oak woodlands. The irrigation of these yards will have the effect of more dispersed and continual sources of water through the summer months."

3-e
Cont.

The Department is not clear how landscaping and increased water enhances existing oak woodland habitat. The increased diversity of non-native vegetation may help some year-round species but should not be viewed as enhancing oak woodland habitat and may in fact lead to more non-natives within the RMAs. In addition, any expected benefits from the landscaping and additional water will likely be offset by increased use of herbicides, fertilizers, and domesticated animals such as cats and dogs. Continual summer irrigation can kill native vegetation especially oaks, which are adapted to a Mediterranean climate, change the species composition, and increase the amount of non-natives.

Biological Resources

Existing Biological Communities

This section of the DEIR describes the annual grassland, seasonal stream, riparian, wetland and oak woodland vegetation communities present onsite. The annual grassland is described by listing a number of non-native grasses and one native grass; however, several native grasses, geophytes, and native forbs were found onsite according to Table 5.4-1. Native grassland communities typically include perennial bunchgrasses, but some native grasses are annuals. Native grassland communities are extremely rare due to the proliferation of agricultural activities and the invasion of naturalized annual and perennial grasses (Stromberg et al. 2007; Fremontia 2011). Many of the botanical species found on the Project actually describe a forb-dominated prairie (Fremontia 2011) rather than a grass dominated community. Because Project vegetation mapping did not estimate dominant plant cover, it is not currently possible to classify herbaceous dominated communities on the Project site. Because many of these prairie communities are

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of conservation concern (Fremontia 2011), they should be better described and impacts should be analyzed. The Department recommends that herbaceous communities currently lumped together as "annual grassland" are mapped separately and each vegetation type described in detail, in accordance with the Manual of California Vegetation (2009). Substantial impacts to native grasslands and rare prairie community types would need to be mitigated.

3-f
Cont.

On page 5.4-5, annual grasslands are described as only having marginal habitat for wildlife species. The Department is unclear as to why the grassland provides a moderate value to wildlife. In addition to the annual grasslands, it appears that seasonal streams and riparian also only provide "moderate" values for wildlife, but on page 5.4-40 in the mitigation credit calculation, "the stream corridors provide some of the highest wildlife habitat values on the site." Wetlands only appear to "provide some value to wildlife species." These assumptions should be better articulated and clarified.

3-g

On page 5.4-6, it is stated that riparian habitat was not mapped "due to the minimal extent of the riparian vegetation onsite." All vegetation communities existing onsite should have been mapped, acreage disclosed, and whether or not the vegetation community was impacted by the Project or not.

3-h

Special Status Plant Species

In a DEIR, it is typical to describe if there were any extenuating circumstances during the course of conducting surveys. Having read the majority of the document, the Department does not see a discussion on the drought, which is when ENPLAN conducted the most recent botanical and wildlife surveys. The Department recommends including a description of the effects of the drought on the surveys and the impacts it could have had on the ability to identify all species on the Project site.

3-i

It states on page 5.4-28: "The field surveys were undertaken in general accordance with CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities." The Department is unclear on what it means to undertake field surveys in general accordance with our 2009 protocols. The DEIR should describe in what way the surveys were not consistent with the protocol. If there are specific reasons the protocol could not be followed for the 2012 surveys, they should be stated in the DEIR. The DEIR and the attached botanical surveys only specify the days that the surveys were conducted. The Department would like to see the actual survey results for the 2012 botanical surveys, which would include the number of acres surveyed per day and by whom, which reference sites were visited to ensure that the special status species would have been seen at the time the surveys took

3-j

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place, and the qualifications of the surveyor(s). The Department is concerned that the information gathered on rare plants is not sufficient to fully disclose the nature and extent of impacts. Only focused surveys for slender Orcutt grass were conducted but not for the other special status plant species. Further, a preliminary review of the California Natural Diversity Database (CNDDDB) found three additional species that were not in Table 5.4-4: Henderson's bentgrass (*Agrostis hendersonii*)(Rare Plant Rank 3.2 with an Elemental Rank of G2Q/S2¹); dubious pea (*Lathyrus sulphureus* var. *argillaceus*)(Rare Plant Rank 3 with an Elemental Rank of G5T1T2/S1S2); and woolly meadowfoam (*Limnanthes floccosa* ssp. *floccosa*)(Rare Plant Rank 4.2 with an Elemental Rank of G4T4/S3). The Department recommends conducting a focused plant survey for all of the special status plant species during the appropriate blooming time and following the Department's 2009 protocols. Reference sites shall be utilized to determine the detectability of the special status plant species.

3-j
Cont.

On page 5.4-6, under the Wetlands subheading, it says a seep was located in the eastern portion of the site. Table 5.4-4 describes the habitat for Bellinger's meadowfoam (*Limnanthes floccosa* ssp. *bellingiana*) as occurring "around meadows, seeps, damp stony flats, and in cismontane woodland below 3,600 feet in elevation in Shasta County." It then goes on to say there is no suitable habitat in the Project area for this species. It is not discussed in either botanical report or within the DEIR if a focused survey for this California Rare Plant Rank 1B.2 was conducted. The Department recommends surveying for this species following the Department's 2009 protocols during the appropriate blooming period.

3-k

On page 5.4-24, in Table 5.4-4, the DEIR discusses oval-leaved viburnum. In the last column it says: "In California, oval-leaved viburnum is an introduced weed. Review of CNDDDB records found that oval-leaved viburnum has been reported within 10 miles of the project area. However, CDFW does not consider oval-leaved viburnum to be a special-status species. No further evaluation of this species is warranted." Oval-leaved viburnum, (*Viburnum ellipticum*) is a California native species and according to the Jepson manual, Calflora, California Native Plant Society, and published scientific literature is not an introduced weed. The Department considers this species to have special status and it is listed in our *Special Vascular Plants, Bryophytes, and Lichens List* as well as being included in the CNDDDB. This species is listed as a California Rare Plant Rank 2B.3 meaning that the plant is rare, threatened, or endangered in California, but more common elsewhere. With this ranking, the importance lies in protecting the geographic range of widespread species. Protecting the diversity of California's flora will help maintain evolutionary processes and genetic diversity within the species. This ranking meets the definitions of CESA and is eligible for State listing. Impacts to the species or its habitat, if present onsite, need to be analyzed in the DEIR. The species meets the definition of Rare or Endangered under CEQA Guidelines sections 15125 (c)

3-l

¹ Definitions of the Elemental Ranking can be found at the following websites:
<http://explorer.natureserve.org/granks.htm> and <https://wildlife.ca.gov/Conservation/Plants/Info>

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and section 15380. The Department recommends surveying for this species following the Department's 2009 protocols during the appropriate blooming period.

3-l
Con t.

Invasive or Noxious Weed Species

Invasive species have been identified onsite. Invasive or noxious weed species can be inadvertently transported by vehicles, equipment, and people. On page 5.4-42, it states that the construction contractor is required "to thoroughly wash all equipment at a commercial wash facility prior to entering the County (if the equipment has most recently been used within the County, cleaning would not be required)." The Department recommends the contractor wash all equipment before and after use with every project to help prevent the spread of invasive and noxious weeds between projects within Shasta County.

3-m

Special Status Wildlife Species

Western Spadefoot Toad (*Spea hammondi*)

Western spadefoot toad is a Priority 1 Species of Special Concern, which are taxa that are likely to experience severe future declines and/or extirpation without immediate conservation actions. The Department asserts that this species meets the criteria of a rare, threatened, or endangered species pursuant to CEQA Guidelines section 15380. Therefore, impacts to this species are potentially significant. Surveys for this species by a biologist familiar with its life history were not conducted. This species is known to occur less than 5 miles away and suitable habitat exists onsite for this species. This species does not necessarily breed every year and is dependent upon adequate rainfall – both the timing and duration are important cues for the western spadefoot to come out of dormancy. Both daytime and nighttime surveys are required. The information provided in the DEIR and appendices does not state the actual timing of the nighttime surveys, the temperature of the water, humidity, and air temperature for the surveys conducted on March 26 and April 2, 2015. Since this survey was conducted during the drought, the western spadefoot may have been in its underground burrow at that time. The species could also have been finished breeding and would have possibly been found in the oak woodland areas. The Department believes these surveys were incomplete and inconclusive. The Department recommends proper surveys for this species be conducted by a qualified biologist familiar with this species' life history requirements. If western spadefoot toad is shown to be present, the EIR should include avoidance and mitigation.

3-n

Bat Surveys

Although not listed in the special status species table, pallid bats (*Antrozous pallidus*), a California Species of Special Concern, are known to occur in oak woodlands. Given the amount of oak woodland habitat available onsite and known water sources, there is a high probability the species could occur onsite. This species may meet the

3-o

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requirement of section 15380 of the CEQA Guidelines, and therefore impacts may be significant. There is not enough information provided in the DEIR to determine potential significant impacts to bat species as no formal or protocol survey was conducted to determine presence. The Department recommends conducting surveys during the appropriate time of year, by a qualified bat biologist. The EIR should include an analysis and proposed avoidance and mitigation.

3-o
 Cont.

Western Pond Turtle (*Emys marmorata*)

Western pond turtle is a Priority 3 Species of Special Concern, which are taxa that are clearly at risk but likely are not experiencing a substantial and immediate threat of extirpation. According to the Biological Review dated July 2015 (revised August 2016) and prepared by Wildland Resource Managers, two wildlife surveys were conducted for western pond turtle: March 26 and April 2, 2015. The western pond turtles could have still been overwintering. The Project site has suitable habitat for the western pond turtle; therefore, the Department recommends that western pond turtle be surveyed prior to the start of construction by a qualified biologist during a time when the species would be most detectable, and avoidance measures included to move this species into suitable adjacent habitat.

3-p

Wildlife Movement Corridors

There is not enough information in the DEIR for the Department to determine if there is a significant impact to wildlife movement corridors. It does not appear a wildlife movement study was conducted. As this project will impact a large area of habitat that lies in between other development, the Department recommends completing a Wildlife Movement Study to evaluate potential impacts to wildlife movement from the proposed project.

3-q

Lighting and Noise

The Department recognizes the effects that artificial lighting and noise has on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that lighting fixtures associated with the Project be downward facing, fully-shielded, and designed and installed to minimize photo-pollution.

3-r

Mitigation Measures

Mitigation Measure 5.4-1a should have a sentence that says: "*Prior to the removal of any vegetation, the applicant shall establish an offsite conservation easement in consultation with the Department.*" The second paragraph of the same mitigation measure should say: "*A conservation-oriented third-party entity acceptable to Shasta*

3-s

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County and approved by the State shall hold the conservation easement and shall be responsible for ongoing monitoring and management of the site in accordance with the management plan." The last paragraph shall say, "Monitoring reports shall be submitted to Shasta County and the California Department of Fish and Wildlife at least once every three years."

3-s
Cont.

Mitigation Measure 5.4-1g should wait to be finalized until a bat survey by a qualified bat biologist can be conducted.

3-t

Mitigation Lands and Conservation Easements

All entities that will hold land are required to go through the Department's due diligence process in order to hold lands. The information for this process can be found at: <https://wildlife.ca.gov/Conservation/Planning/Endowments>.

3-u

Lake or Streambed Alteration Agreement

It is stated in the DEIR that no impacts to drainages or wetlands will occur. However, in the event that changes, FGC section 1602 requires any entity to notify CDFW before beginning any activity that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake.

3-v

If you have any questions, please contact Amy Henderson, Environmental Scientist, at (530) 225-2779, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,



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Response to Letter 3 -- California Department of Fish and Wildlife

Response 3-a: The participation of the California Department of Fish and Wildlife (CDFW) in the public review of this document is appreciated. The commenter summarizes the role of CDFW, the CEQA process, and the Project Description from Section 3.0 PROJECT DESCRIPTION of the Draft EIR, and notes that the Draft EIR addresses comments and recommendations that CDFW provided on the Notice of Preparation (NOP). The commenter feels that there are remaining questions regarding impact analyses and the listed mitigation measures.

The Lead Agency has prepared **Responses 3-b** through **3-v**, below, to specifically address the commenter's concerns. The comments are noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 3-b: The commenter maintains that the RMAs are too small, and while they would provide oak trees, the ecological processes of an oak woodland would not stay intact. In addition, the commenter states that a 3:1 ratios for the permanent and enhanced blue oak woodland mitigation, if the current crediting system is used.

The Lead Agency analyzed impacts to biological resources in Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, and 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR.

With respect to the management and function of the RMAs, please refer to Master Response-4, above. The Tierra Robles Oak Management Plan, provided in Appendix 15.2 of the Draft EIR, was developed by a team that included a PhD blue oak resource scientist, a registered professional forester and a certified wildlife biologist. This Oak Management Plan was developed with the purpose of integrating a housing development within the oak woodlands while retaining the ecological process of the oak woodlands. To do this, oak management prescriptions were developed to enhance the quality of the oak woodland through increasing the crown development, stand vigor and fire fuel reduction, while retaining diversity of stand structure and vegetative understory. The project's design placed roads and residential unit envelopes in locations that minimized the impacts to the oak woodland resources (refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, for further detail). Roads and residential unit envelopes were placed at locations to minimize, to the greatest extent possible, the impact to the oak woodland resource. As a result, more than 85% of the oak woodland resource will remain intact. Through the resource management prescriptions, the oak woodland will be enhanced as compared to the present condition.

The project area is composed of four vegetative associations as identified in the Draft EIR Section 5.4, BIOLOGICAL RESOURCES, and further described in the Tierra Robles Biological Reviews (refer to Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR). To effectively manage these associations to retain their biological diversity, management prescriptions needed to be developed for each association. To do this, the project area was divided into five Resource Management Areas (RMAs), four of which

were the vegetative associations and the fifth being the open space areas (Refer to TR Wildland Fuel/Vegetation Management Plan, pg.10 and Figure 8, pg. 11A; Appendix 15.2 of the Draft EIR). RMA sizes were dependent upon the size of the vegetation association, the smallest of which was 43.89 acres and the largest being 318.97 acres. Each RMA is contiguous within itself and not fragmented; collectively, the five RMAs included all areas within the project site with the exception of the road and house pad footprints.

With respect to the impacts and mitigation measures identified within the Draft EIR, while the commenter requests additional mitigation for oak woodland and provides a “routine range” of mitigation ratios, the commenter does not provide any justification as to why this project would be subject to higher mitigation ratios or larger RMAs. Implementation of the project would comply with all existing laws related to the protection of biological resources, including oak woodlands. There is no law in the State, in the governing documents of Shasta County or from within policy documents of State agencies that mandates and prescribes an appropriate amount of mitigation for Oak Woodlands resulting from the impacts of development. Pursuant to State *CEQA Guidelines* 15041, “a lead agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the ‘nexus’ and ‘rough proportionality’ standards established by case law.” The Lead Agency has exercised its judgement on appropriate mitigation measures after determining that a loss of Oak Woodlands will result from the implementation of the project. Pursuant to CEQA Statute 21083.4, discretion given to the Lead Agency is as follows:

“...a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a county determines that there may be a significant effect to oak woodlands, the county shall require one or more of the following oak woodlands mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands:

- (1) Conserve oak woodlands, through the use of conservation easements.
- (2) (A) Plant an appropriate number of trees, including maintaining plantings and replacing dead or diseased trees.
(B) The requirement to maintain trees pursuant to this paragraph terminates seven years after the trees are planted.
(C) Mitigation pursuant to this paragraph shall not fulfill more than one-half of the mitigation requirement for the project.
(D) The requirements imposed pursuant to this paragraph also may be used to restore former oak woodlands.
- (3) Contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, for the purpose of purchasing oak woodlands conservation easements, as specified under paragraph (1) of subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board. A project applicant that contributes funds under this paragraph shall not

receive a grant from the Oak Woodlands Conservation Fund as part of the mitigation for the project.

(4) Other mitigation measures developed by the county.”

The County, as Lead Agency, has assessed the impacts of the proposed project and exercised its discretion in calculating an appropriate amount of mitigation and provided mitigation requirements accordingly (pursuant to CEQA Statute Section 20183.4) and included them within the DEIR. The County has not abused its discretion granted by CEQA and a thoughtful and deliberate discussion of a calculation (for mitigation) has been provided in the DEIR, Section 5.4, BIOLOGICAL RESOURCES.

Response 3-c: The commenter maintains that fully functional oak woodlands will not be preserved onsite and that the project will result in an increase in edge effects, lighting, noise, and human disturbance. In addition, the commenter reiterates that the RMA size is too small and that the Oak Management Plan does not take into consideration the overall woodland habitat.

The Lead Agency analyzed 18 resource topics within the Draft EIR, including impacts related to light, biological resources, and noise, as provided in Section 5.1, AESTHETICS AND VISUAL RESOURCES, Section 5.4, BIOLOGICAL RESOURCES, and Section 5.11, NOISE, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, and Appendix 15.7, NOISE DATA, of the Draft EIR.

Please refer to **Master Response-4** and **Response 3-b**, regarding the size of the RMAs and maintaining intact oak woodland. Every effort was made by the project applicant to design the project site in order to minimize impacts to biological resources. The management prescriptions for each RMA utilize proven forest timber stand (TSI) practices to enhance the function (stand vigor and health and associated wildlife utilization) of the oak stands. It is anticipated and expected that through time, the function of the oak woodlands would increase, not decrease, as evidenced by the results of such TSI work throughout the western forest ecosystems and the eastern oak woodlands. As analyzed in the Draft EIR, the project design and the implementation of mitigation measures would reduce impacts related to biological resources, to a less than significant level.

Response 3-d: The commenter believes that the project and RMAs will have reduced habitat values and that CAL FIRE and RMA fuel reduction prescriptions will result in a continuously managed oak woodland. Thus, recommends that the eastern open space preserve receive preservation credits at 0.75:1, and provides the total mitigation recommended for oak trees at 1,199.22 acres.

The Lead Agency analyzed impacts to biological resources in Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES

COMMUNITY SERVICES DISTRICT, and 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR.

With respect to the management and function of the RMAs, please refer to **Master Response-4** and **Responses 3-b** and **3-c**, above. With respect to the project impacts and mitigation measures, please refer to **Response 3-b**, above. With respect to habitat value and functional oak woodlands, please refer to **Response 3-c**, above.

Every effort was made by the project applicant to design the project site in order to minimize impacts to biological resources. The Tierra Robles Oak Management Plan, provided in Appendix 15.2 of the Draft EIR, was developed by a team that included a PhD blue oak resource scientist, a registered professional forester and a certified wildlife biologist. The management prescriptions for each RMA utilize proven TSI practices to enhance the function (stand vigor and health and associated wildlife utilization) of the oak stands. The management prescriptions for the five RMAs are unique and designed to enhance the oak stand character in terms of improved stand vigor, crown development, and mast production. The fuel reduction practices have two objectives: first to remove the danger of catastrophic fire and second to reduce competition with the oak resource. The Tierra Robles Wildland Fuel/Vegetation Management Plan specifies the retention of mid-story brush species of specific size and location to provide habitat diversity while at the same time minimizing the fuel loading. As analyzed in the Draft EIR, the project design and the implementation of mitigation measures, the Oak Management Plan, and the Wildland Fuel/Vegetation Management Plan would reduce impacts related to biological resources, to a less than significant level.

Response 3-e: The commenter states that neither the Oak Woodland Management Plan nor the Wildland Fire Vegetation Management Plan address maintaining oak woodland function and diversity of species. The commenter recommends developing a strategy in consultation with the CDFW and CAL FIRE. Additionally, the commenter is not clear on how landscaping and increased water enhances existing oak woodland habitat, as discussed on page 32 of the Tierra Robles Oak Management Plan (Appendix 15.2 of the Draft EIR).

With respect to addressing the Tierra Robles Oak Management Plan and the Tierra Robles Wildland Fuel/Vegetation Management Plan and maintaining functional oak woodland and diversity of species, please refer to **Responses 3-b, 3-c, and 3-d**. The management prescriptions for each RMA utilize proven TSI practices to enhance the function (stand vigor and health and associated wildlife utilization) of the oak stands. The management prescriptions for the five RMAs are unique and designed to enhance the oak stand character in terms of improved stand vigor, crown development, and mast production. The fuel reduction practices have two objectives: first to remove the danger of catastrophic fire and second to reduce competition with the oak resource. The Tierra Robles Wildland Fuel/Vegetation Management Plan specifies the retention of mid-story brush species of specific size and location to provide habitat diversity while at the same time minimizing the fuel loading. As analyzed in the Draft EIR, the project design and the implementation of mitigation measures, the Oak Management Plan, and the Wildland Fuel/Vegetation Management Plan would reduce impacts related to biological resources, to a less than significant level.

With respect to developing a strategy in consultation with local and State agencies, the fuel management prescriptions present in the Tierra Robles Wildland Fuel/Vegetation Management Plan were developed using the California Public Resources Code, Section 4291-4299 guidelines as well as the U.S. Department of Agriculture (USDA) fire models for different vegetation communities and input from Shasta County Fire Warden per letter to the Director of the Shasta County Department of Resource Management. As stated in **Master Response-4**, **Response 3-b**, and **Response 3-c**, above, the Tierra Robles Oak Management Plan, provided in Appendix 15.2 of the Draft EIR, was developed by a team that included a PhD blue oak resource scientist, a registered professional forester and a certified wildlife biologist. As stated in Section 5.4, BIOLOGICAL RESOURCES, on page 5.4-31 of the Draft EIR, consultation with Shasta County and CDFW occurred regarding oak woodland analysis during the preparation of the Draft EIR. In addition, CDFW received notices of availability and the opportunity to respond to the Notices of Preparation (2012 and 2016) and the Draft EIR (2017).

With respect to landscaping and irrigation water, the project is designed so that the building envelopes are located in areas where the presence of the oak trees are limited. Associated landscape irrigation would therefore be in areas where oaks are least affected. The increased irrigation and introduction of landscape vegetation would add vegetative diversity which would result in foraging and nesting opportunities.

Response 3-f: The commenter states that herbaceous communities within the project site should be mapped separately and each vegetation type described in detail in accordance with the Manual of California Vegetation (2009). Substantial impacts to native grasslands and rare prairie types need to be mitigated.

As stated in Section 5.4.2, METHODOLOGY, of the Draft EIR, page 5.4-28, the field surveys were undertaken in general accordance with the CDFW's *Protocols for surveying and evaluating impacts to special status native plant populations and natural communities*. In addition, field surveys were conducted during the blooming period (late May to early June) for slender Orcutt grass. All plant species observed are documented in Table 5.4-1, PLANT SPECIES OBSERVED, beginning on page 5.4-7 of the Draft EIR. As discussed further in Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, the grassland areas on the project site are typical of north state annual grassland as described by Kie in Meyers and Laudenslayer (1988) and are comprised of native and non-native species.

The Draft EIR analyzes the project impacts to the annual grasslands. As discussed on page 5.4-38 of the Draft EIR, annual grasslands are not considered a sensitive natural community by CDFW, and mitigation for the conversion of annual grasslands is typically not warranted. The annual grassland located within the project site is heavily disturbed by past and on-going seasonal livestock grazing. This has resulted in a low diversity of plant species, high proportion of introduced plant species, and a limited amount of vegetative cover. Therefore, the onsite grassland offers no unique habitat values. The Draft EIR further states that the proposed protection of nearly half of the annual grassland in the residential RMAs (42 acres) will provide sufficient mitigation and impacts are less than significant. No further mitigation is required.

Response 3-g: The commenter requests that the assumptions on habitat value be better articulated and clarified.

Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, provides the basis for Section 5.4, BIOLOGICAL RESOURCES. Therefore, the text within the EIR has been revised to clarify the project site's existing habitat and habitat value, as well as to better align with the information provided in Appendix 15.4 (also refer to ES2, ERRATA TO THE DRAFT EIR).

Page 5.4-5 Revisions are as follows:

The grassland areas can have values ~~has moderate values~~ for wildlife species. The grassland provides habitat for a variety of mammals such as black-tailed deer, coyote, mice, gophers, and moles. Reptiles expected to utilize the grassland may include gopher snakes, rattlesnakes, and kingsnakes. The grassland may also provide potential nesting habitat for ground-nesting migratory birds such as killdeer and California quail, which were observed on the site during the field inspections. Pacific treefrogs were observed in pools associated with Clough Creek on the site.

Page 5.4-6 has been revise as follows:

Although no salmonids were observed during the field surveys, Clough Creek and the unnamed seasonal stream in the eastern portion of the site provide potential rearing/spawning habitat for salmonids during spring and early summer when flows are adequate and water temperatures are below 77°F. Additionally, the streams support a variety of freshwater invertebrates, and the shallow waters and the relatively short duration of ponding provide marginally suitable breeding habitat for Pacific tree frogs and western toads. These streams also provide potential habitat for western pond turtles during spring and early summer. Standing pools in the unnamed seasonal stream that drains the eastern portion of the project site were inhabited by bluegill and mosquitofish. Common garter snakes may forage for frogs and toads along the seasonal streams; waterfowl may forage for invertebrates. In addition, the presence of water within these drainages for most of the year and the greater diversity of vegetative composition are natural attractions for wildlife. Though not quantified during the field surveys, deer, turkey, raccoon, fox, bobcat, ducks and various song bird species were observed within these drainages in greater numbers than the upland oak woodlands. ~~The streams have moderate values to wildlife given the variety of species that may be present.~~

Page 5.4-6 has been revise as follows:

Wetlands on the project site include wet swales located in the central and southern portions of the site, two seasonal ponds (associated with Clough Creek and the unnamed stream that flows from north to southeast across the eastern side of the project site), and a seep located in the eastern portion of the site. These water features can provide some value to wildlife species given their large-ranging size (the largest is 11,543 square feet) and increased ponding duration. The wet swales support ostracods and caddisflies, and provides marginal breeding habitat for frogs. Similar to the wet swales, the ponds on the site have very low value to wildlife species given their very small size, shallow depth, and brief duration of ponding. The ponds provide marginal breeding habitat for frogs.

Response 3-h: The commenter states that on page 5.4-6 of the Draft EIR, there is language stating that the riparian habitat was not mapped. The commenter requests that all vegetation

communities existing onsite should be mapped, acreages disclosed, and impacts evaluated.

As discussed in further detail in Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR, within Clough Creek drainage, there is no significant riparian vegetation associated with this stream; however, there are clumps of isolated willow bushes scattered along the stream in various locations. The same is true for East Creek drainage. These occurrences of individual plants are isolated and do not constitute a riparian habitat as defined by CDFW. Thus, the stream side vegetation is not considered a riparian habitat type and they were not mapped as such.

Response 3-i: The commenter states that the biological surveys were conducted during the drought and therefore the Draft EIR should include a description of the effects of the drought on the surveys.

As mentioned in Section 5.17, UTILITIES AND SERVICE SYSTEMS, beginning in January 2014, Governor Jerry Brown issued a series of Executive Orders regarding the drought. As discussed in the Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR and further discussed in Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR, the original botanical survey of the project site was conducted in April 2005. Subsequent surveys were conducted in 2008, 2009, 2011, 2012, and 2015. The original 2005 survey was conducted prior to the onset of the drought, while subsequent surveys were conducted during the course of the drought, which is estimated to be approximately 2011.¹ Between 2005 and 2015, each year had unique weather patterns of sufficient diversity to facilitate a complete determination of the floral conditions of the project area. Therefore, a discussion specific to the limitations of the botanical surveys as a result of the drought is not needed.

Response 3-j: The commenter requests additional information regarding the botanical surveys and the qualifications of the surveyors. In addition, the commenter recommends conducting a focused plant survey for all of the special status plant species during the appropriate blooming time and following the Department's 2009 protocols.

Regarding surveyor qualifications, Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR, contains the biological technical studies, which include the names of the main authors of each study. The main authors include, but are not limited to, certified wildlife biologist(s), forest research ecologist(s), registered professional forester(s), and wetland delineation specialist(s).

Regarding the botanical surveys, please refer to **Response 3-i**, regarding the number of surveys and the timing of the surveys. As discussed in further detail in Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, a complete biological survey was conducted by establishing 200-foot transects through the eight vegetative communities found on the project site. Each transect consisted of 10-meter plots spaced 20 feet apart. All plant species within the plots were identified. In addition, any other plants found outside of the plots were also identified and recorded. During the course of the biological surveys,

¹ California Drought information, executive orders, and timelines are provided by the State of California and can be accessed at <http://drought.ca.gov/>.

including the wetland delineations, every drainage and upland area was examined numerous times on foot, horseback, and ATV. State *CEQA Guidelines* Section 15149(b) states that "... The EIR serves as a public disclosure document explaining the effects of the proposed project on the environment, alternatives to the project, and ways to minimize adverse effects and to increase beneficial effects." The County, as Lead Agency, determined that the surveys completed by Wildland Resource Managers and ENPLAN are sufficient to describe the biological resources, including flora, on-site and meet CEQA and other regulatory requirements.

Response 3-k: The commenter recommends surveying for Bellinger’s meadowfoam during the appropriate blooming period because it can occur around seeps, and a seep is located in the eastern portion of the project site.

As stated in Table 5.4-4, POTENTIALLY IMPACTED SPECIAL-STATUS SPECIES IN THE PROJECT AREA, of the Draft EIR, Bellinger’s meadowfoam was not observed during the botanical surveys and is not expected to be present within the project site. One special-status plant species, Red Bluff dwarf rush, was observed in the project study area during a 2012 field evaluation. No other special-status plant species are expected to be present within the project site. In addition, as shown in Figure 3-6, PROPOSED TENTATIVE MAP, the seep in question would not be impacted, as it is within designated open space. Additionally, wetland features on the project site will be protected under either open space or RMAs and setbacks. Therefore, potential habitat for Bellinger’s meadowfoam will remain intact. Refer to **Responses 3-i** and **3-j** for further detail regarding botanical surveys.

Response 3-l: The commenter states that oval-leaved viburnum is listed as a California Rare Plant Rank 2B.3, meaning that the plant is rare, threatened, or endangered in California, but more common elsewhere. Thus, the oval-leaved viburnum meets the definition of Rare or Endangered under State *CEQA Guidelines* Section 15125(c) and Section 15380. The commenter recommends surveying for this species following the Department’s 2009 protocols during the appropriate blooming period.

Table 5.4-4, POTENTIALLY IMPACTED SPECIAL-STATUS SPECIES IN THE PROJECT AREA, of the Draft EIR, has been revised to identify oval-leaved viburnum as a California native plant species. Table 5.4-4 identifies oval-leaved viburnum as a California Rare Plant Rank 2B.3. Changes to the text in Table 5.4-4 on page 5.4-24 of the Draft EIR are as follows (refer to ES2, ERRATA TO THE DRAFT EIR TEXT):

Oval-leaved viburnum	<i>Viburnum ellipticum</i>	2B.3	Oval-leaved viburnum is a perennial deciduous shrub that occurs in chaparral, cismontane woodland, and lower montane coniferous forests. The species often occurs on north-facing slopes covered by dense brush. Oval-leaved viburnum is found between 700 and 4,600 feet in elevation. The flowering period is May and June.	In California, oval-leaved viburnum is <u>considered a California native species</u> an introduced weed . Review of CNDDB records found that oval-leaved viburnum has been reported within 10 miles of the project area. However, CDFW does not consider oval-leaved viburnum to be a special status species. No further evaluation of this species is warranted. <u>Oval-leaved viburnum was not observed during the botanical surveys and is not expected to be present.</u>
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As discussed in **Responses 3-i, 3-j, and 3-k**, above, during the course of the biological surveys, including the wetland delineations, every drainage and upland area was examined numerous times on foot, horseback, and ATV. All plant species within the 10-meter plots were identified. In addition, any other plants found outside of the plots were also identified and recorded. Oval-leaved viburnum, if present, would have been identified. As mentioned above, one special-status plant species, Red Bluff dwarf rush, was observed in the project study area during a 2012 field evaluation. No other special-status plant species are expected to be present within the project site.

Response 3-m: The commenter recommends that the contractor wash all equipment before and after use with every project to help prevent the spread of invasive and noxious weeds between projects within Shasta County.

Page 5.4-42 has been revised as follows (refer to ES2, ERRATA TO THE DRAFT EIR TEXT):

Weed Species. A number of introduced weed species are present in the study area. The proposed project could potentially introduce additional weed species into the study area or facilitate the spread of unique weed species to other locations. The potential for introduction and spread of weeds can be avoided/minimized by using only certified weed-free erosion control materials, mulch, and seed; precluding the use of rice straw in riparian areas; limiting any import or export of fill to material known to be weed free; and requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the County and the project site ~~(if the equipment has most recently been used within the County, cleaning would not be required)~~, and requiring the contractor to thoroughly wash all equipment upon completion of its onsite use. With implementation of **MM 5.4-1d** impacts with respect to weed species would be *less than significant*.

MM 5.4-1d has been revised as follows (refer to ES2, ERRATA TO THE DRAFT EIR TEXT):

MM 5.4-1d: Grading plans prepared by the project applicant shall note the following construction specifications designed to avoid the introduction and spread of weeds:

- Using only certified weed-free erosion control materials, mulch, and seed.
- Precluding the use of rice straw in riparian areas.
- Limiting any import or export of fill material to material known to be weed free.
- Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the County and the project site. ~~If the equipment has most recently been used within the County, cleaning is not required.~~
- Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility immediately upon termination of its use at the project site.

- The project contractor shall continuously comply with the above stated measures throughout the duration of onsite and offsite construction activities.

Response 3-n: The commenter states that the western spadefoot toad is a rare, threatened, and endangered species pursuant to State *CEQA Guidelines* Section 15380. The commenter believes that the surveys conducted for western spadefoot road were incomplete and inconclusive. The commenter recommends proper surveys for this species be conducted by a qualified biologist familiar with this species' life history requirements. If western spadefoot toad is present, the EIR should be revised to include avoidance and mitigation measures.

The Draft EIR Section 5.4, BIOLOGICAL RESOURCES, provides discussions on special-status species, including existing conditions, survey results and survey methods, and analysis of project impacts. Section 5.4 of the Draft EIR is based on the biological resources studies provided in Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, as well as resource management reports provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT.

Field surveys were conducted in conformance with existing protocols for species of interest to identify any plant communities, listed plant species, listed wildlife species, and wildlife habitat present on the proposed biological resource study area. Data sources examined for the literature review and known species occurrence, as related to special-status wildlife species, included the California Natural Diversity Database (CNDDDB), California Department of Fish and Wildlife (CDFW) Special-Status Animals list and BIOS database, United States Fish and Wildlife Service (USFWS) records, and the National Marine Fisheries Service (NMFS).

As discussed on page 5.4-18 of the Draft EIR, the USFWS official species list identified eight federally listed animal species as potentially being affect by work in the project area. Review of the CNDDDB records found that no special-status animal species or animal species proposed for listing have been reported within the project study area. Seventeen (17) special-status animal species and 10 non-status species are known to occur within 10 miles of the project area. The 17 special-status animal species known to occur within 10 miles of the project site includes the western spadefoot.

Table 5.4-4, POTENTIALLY IMPACTED SPECIAL-STATUS SPECIES IN THE PROJECT AREA, discusses the western spadefoot status, general habitat, and the potential to occur in the project area; refer to page 5.4-23 of the Draft EIR. Further, as discussed in Draft EIR Section 5.4, BIOLOGICAL RESOURCES, and Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, the initial wildlife surveys were conducted in 2005, with subsequent surveys in 2012, 2016, and 2017. During the 2016 surveys, Wildland Resource Managers conducted six site visits in 2016 in an attempt to locate any toads. Vernal swales and other streams were walked in the morning and late evening hours as the toads were looked and listened for. These visits were done during a very wet spring with abundant surface water on the site. No toads were detected. The onsite aquatic habitats remained ponded for a length of time considered normal for similar shallow habitats in the Redding area. The results of these surveys provide a reliable basis for concluding that western spadefoot toads are not utilizing the onsite aquatic features as breeding habitat. As

discussed in **Response 3-j**, the County, as Lead Agency, determined that the surveys completed by Wildland Resource Managers and ENPLAN are sufficient to describe the biological resources on-site and meet CEQA and other regulatory requirements.

Response 3-o: The commenter states that the pallid bat is known to occur in oak woodlands and thus recommends conducting proper surveys by a qualified biologist. If pallid bat is present, the EIR should be revised to include avoidance and mitigation measures.

Refer to **Response 3-n** regarding general information on field surveys, data sources, and the number of listed species. The 17 special-status animal species known to occur within 10 miles of the project site do not include the pallid bat; however, two other bat species, spotted bat and silver-haired bat, were included in this list.

Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, provides a more detailed discussion on bats, including the pallid bat. Wildland Resource Managers conducted field inspections for bats in June and July 2015 and April and May 2016. Bats were observed in flight, with flight patterns indicative of foraging behavior. While these observations were not in the woodland areas of the project, the tree structure of the larger trees in the woodlands contains bat habitat roosting features such as cavities, defoliating bark and other crevices in the bowls and limbs. These features most often occur in standing snags and tress with a diameter at breast height (dbh) greater than 12 inches and which are in a declining condition.

While pallid bat was not specifically identified in database searches, bats were identified during the 2015 and 2016 bat surveys. Therefore, the Draft EIR impact analysis determined that vegetation removal associate with the implementation of the proposed project could potentially cause physical harm to roosting bats, thus, MM 5.4-1f, MM 5.4-1g, and MM 5.4-1h would reduce potential impacts to roosting bats to less than significant. These mitigation measures are written such that it covers all bat species, which would include pallid bat. These measures include identifying and retaining trees that provide bat roosting habitat, conducting tree removal outside of the bat maternity season (typically March 1 through August 31), and install four-chambered bat houses within the project site.

Response 3-p: The commenter states that western pond turtle could have been overwintering during the spring surveys and recommends conducting proper surveys by a qualified biologist. If western pond turtle is present, the EIR should be revised to include avoidance and mitigation measures.

Refer to **Response 3-n** regarding general information on field surveys, data sources, and the number of listed species. The 17 special-status animal species known to occur within 10 miles of the project site include the western pond turtle.

Table 5.4-4, POTENTIALLY IMPACTED SPECIAL-STATUS SPECIES IN THE PROJECT AREA, discusses the western pond turtle, general habitat, and the potential to occur in the project area; refer to page 5.4-21 of the Draft EIR. Further, as discussed in Draft EIR Section 5.4, BIOLOGICAL RESOURCES, and Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, the initial wildlife surveys were conducted in 2005, with subsequent surveys in 2012, 2015, 2016, and 2017. During the 2015 surveys, the Clough Creek area

was surveyed by walking the length of the stream in March and the East Creek drainage and surrounding area was surveyed by walking the length in April. During the 2016 surveys, Wildland Resource Managers conducted six site visits in 2016. No western pond turtles were observed at any wetland areas within the project site during the surveys. As discussed in **Response 3-j**, the County, as Lead Agency, determined that the surveys completed by Wildland Resource Managers and ENPLAN are sufficient to describe the biological resources on-site and meet CEQA and other regulatory requirements.

The Draft EIR impact analysis acknowledges that there is potential habitat for western pond turtle on the project site. However, the proposed project would not directly affect western pond turtle because the project has been designed to fully avoid all streams. Indirect effects to western pond turtle would occur if sediment or pollutant concentrations are sufficiently high to cause physical impairment of turtles or degradation of turtle habitat. Compliance with conditions of the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities would preclude potential indirect impacts to western pond turtle. No mitigation measures are warranted and impacts were found to be less than significant.

Response 3-q: The commenter recommends completing a Wildlife Movement Study to evaluate potential impacts to wildlife movement from the proposed project.

As shown on Figure 3-6, PROPOSED TENTATIVE MAP, of the Draft EIR, the project would provide approximately 526 acres designated as RMA or open space, which is approximately 73.6% of the project site. As shown in Figure 3-6, these areas allow for wildlife movement throughout the project site, including drainages and well as along upland areas. The RMAs and open space have been designed to link the entire project site to facilitate movement on land by providing contiguous areas of sufficient size (width and cover). These areas would act as movement corridors.

The Draft EIR provides an impact analysis of wildlife movement in Impact 5.4-3, beginning on page 5.4-53. The RMAs within each residential lot has been created to establish setbacks from property lines, stream channels, and/or critical natural resources. These areas would remain undisturbed and would be managed by the probate land owner under direction of the TRCSD. These areas would allow for travel corridors for wildlife. Additionally, the open space preserves, which accounts for more than a quarter of the total acres of the project site, would also remain undeveloped under management of the TRCSD and would allow for wildlife movement. For aquatic species, the project has been designed to fully avoid all streams, thus the project would not impede movement. Terrestrial wildlife would not be significantly affected by the proposed project because the site has been designed to allow for wildlife movement throughout the project site. Therefore, due to the extent of the areas available for wildlife movement (73.6% of the project site), a movement study was not deemed necessary for the purposes of CEQA. Rather, the project can facilitate movement by providing habitat corridors as shown on the project plan.

Response 3-r: The commenter recommends that lighting fixtures associated with the project be downward facing, fully-shielded, and designed and installed to minimize photo-pollution in order to minimize adverse effects of artificial light on wildlife.

The Draft EIR discusses light and glare in Section 5.1, AESTHETICS AND VISUAL RESOURCES, as well as in Section 5.4, BIOLOGICAL RESOURCES. Impacts on wildlife related to nighttime lighting are discussed beginning on page 5.4-47 of the Draft EIR. As stated in Section 5.4, while the proposed project would introduce new light sources, in accordance with the *Design Guidelines* prepared by Shasta Red, LLC for the project, lighting should be carefully used and oriented or shielded to minimize glare. Glare shields are required to eliminate bright spots and glare sources on pool and landscape lighting. Exterior lighting should utilize low-voltage or similar non-glare direct task type fixtures as close to grade as possible. Light fixtures shall be equivalent to “Good Light Fixtures” as defined by the International Dark Sky Association. Side shielding should restrict sideways light to at least 20 degrees below the horizontal plane at the light fixture.

As discussed in Section 5.1, AESTHETICS AND VISUAL RESOURCES, all residential exterior lighting would be required to comply with the *Design Guidelines*, at Section 17.84.050 (Lighting) of the *Shasta County Code*. The *Design Guidelines* and the *Shasta County Code* Section 17.84.050 required new exterior lighting to be oriented and shielded to minimize glare, and avoid light spillage onto adjacent properties. Shielding of light would reduce impacts on nocturnal wildlife species.

Response 3-s: The commenter requests revisions to MM 5.4-1a to include the timing of the conservation easement establishment as well as to clarify responsible agencies.

Mitigation Measure MM 5.4-1a has been revised as follows (refer to ES2, ERRATA TO THE DRAFT EIR TEXT):

MM 5.4-1a: Subject to review and approval by the Shasta County Resource Management Department Director, and prior to the removal of any vegetation, the applicant shall establish an offsite conservation easement covering a minimum of 137.8 acres of blue oak woodland in Shasta County. A detailed management plan guiding long-term preservation of the oak woodland, which may include a regulated intensity of grazing on the site, shall be provided for Shasta County and the California Department of Fish and Wildlife review and acceptance prior to establishment of the easement. The management plan shall identify monitoring and maintenance activities, conservation easement and deed restriction terms, the easement holder, and remedial actions to be taken if the management plan objectives are not met.

A conservation-oriented third-party entity acceptable to Shasta County and the California Department of Fish and Wildlife shall hold the conservation easement and shall be responsible for ongoing monitoring and management of the site in accordance with the management plan.

Monitoring reports shall be submitted to Shasta County and the California Department of Fish and Wildlife at least once every three years; if management problems are identified or other concerns arise, the County may require submittal of more frequent reports (up

to two per year) until the concerns are adequately addressed. Management activities shall be funded through an endowment account established by the project applicant or through fees collected by the Tierra Robles Community Services District.

Response 3-t: The commenter states that MM 5.4-1g should not be finalized until a bat survey by a qualified bat biologist can be conducted.

Please refer to **Response 3-o**, above regarding surveys, impacts, and mitigation measures associated with bats and bat habitat.

Response 3-u: The commenter states that for mitigation lands and conservation easements, all entities that will hold land are required to go through CDFW's due diligence process.

Thank you for your comment. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 3-v: The commenter acknowledges that the Draft EIR states that no impacts to drainages or wetlands would occur. The commenter states that the Fish and Game Code Section 1602 requires any entity to notify CDFW before beginning any activity that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream or lake.

Thank you for your comment. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 4 --- California Highway Patrol (November 28, 2017)

State of California—Transportation Agency

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
2503 Cascade Boulevard
Redding, CA 96003
(530) 225-0500
(800) 735-2929 (T1/TDD)
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November 28, 2017

Governor's Office of Planning & Research

File No.: 135.15251

NOV 29 2017

STATE CLEARINGHOUSE

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Subject: **SCH# 2012102051**

The California Highway Patrol (CHP), Redding Area, was recently requested to review environmental impact documents related to the proposed Tierra Robles Planned Development Project, bordered primarily by Old Alturas Road, Boyle Road, and Deschutes Road, between the communities of Palo Cedro, California, and Bella Vista, California.

4-a

The CHP services and has primary jurisdiction for traffic enforcement in the unincorporated area of Shasta County, within the proposed project location. Primary law enforcement services would be provided by the Shasta County Sheriff's Office.

After reviewing the Draft Environmental Impact Report (EIR), the CHP shares in the concern for potentially significant transportation/traffic impacts created by the project. Specifically, the increased traffic volumes created at the intersections of Old Oregon Trail/Old Alturas Road, Deschutes Road/ Old Highway 44, Boyle Road/Deschutes Road, and Deschutes Road/Lassen View Drive should be carefully evaluated for congestion management, as well as emergency access to and from the project location.

4-b

Thank you for bringing this project to our attention. Should you have any questions, please contact me at (530) 225-0500.

Sincerely,

S. R. FREDRICK, Lieutenant
Acting Commander
Redding Area

cc: CHP Northern Division

Safety, Service, and Security



An Internationally Accredited Agency

State of California

Transportation Agency

M e m o r a n d u m

Date: November 8, 2017

To: Redding Area (135)

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Special Projects Section


File No.: 063.A09293.A14630.Noc.Doc

Subject: ENVIRONMENTAL DOCUMENT REVIEW AND RESPONSE
SCH# 2012102051

Special Projects Section (SPS) recently received the referenced "Notice of Completion" environmental impact document from the State Clearinghouse.

Due to the project's geographical proximity to the Redding Area, please use the attached checklist to assess its potential impact to local Area operations and public safety. If it is determined that departmental input is advisable, your written comments referencing the above State Clearinghouse (SCH) number must be mailed to the State Clearinghouse at 1400 Tenth Street, Room 121, Sacramento, CA 95814. Your written comments must be received by SCH no later than **December 7, 2017**. If the due date to SCH cannot be met, please send comments directly to the lead agency (refer to the Notice of Completion) no later than three working days after the original due date - by **December 12, 2017**. For reference, additional information can be found in General Order 41.2, Environmental Impact Documents.

For project tracking purposes, SPS must be notified of Redding Area's assessment of the project (including negative reports). Please e-mail a copy of Area's response to Associate Governmental Program Analyst Leah Mora at LeMora@chp.ca.gov. For questions or concerns, please contact Ms. Mora at (916) 843-3382.


S. F. BARSANTI, SSM III
Commander

Attachments: Checklist
Project File

cc: Northern Division

Safety, Service, and Security
CHP 51 (Rev. 03-11) CPl 018



An Internationally Accredited Agency

4-c

For Hand Delivery/Street Address: 1400 Tenille Street, Sacramento, CA 95814

Project Title: Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development

Lead Agency: Shasta County, Department of Resource Management Contact Person: Ken Hector, Senior Planner

Mailing Address: 1833 Pacer Street, Suite 103 Phone: (530) 225-5512

City: Redding Zip: 96001 County: Shasta

Project Location: County: Shasta City/Nearest Community: Palo Cedro & Bella Vista

Cross Streets: Boyle Road / Potts Dege Way Zip Code: 96073

Lat / Long: 40° 35' 26" N / 122° 16' 01" W Total Acres: Approximately 715

Assessor's Parcel No.: 061-210-001, 061-240-001, 078-060-036, 078-060-039, and 078-250-002

Section: Portions of Section 19, 20 Twp.: 22 North Range: 4 West Base: MDBM

Portions of Section 24, 25 Twp.: 22 North Range: 4 West Base: MDBM

Within 2 Miles: State Hwy #: SR-299 Waterways: Crough Creek

Airports: _____ Railways: _____ Schools: North Cove Creek Elem
Bella Vista Elem

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Joint Document

Early Cons Supplemental/Amendment Draft EIS Final Document

Neg Dec Other: _____ (Prior SCH No.) _____ (Draft EIS) _____ (PONS)

Mit Neg Dec _____

OCT 23 2017

Local Action Type:

General Plan Update Specific Plan Rezone Annexation

General Plan Amendment Master Plan Prezone Redevelopment

General Plan Element Planned Unit Development Use Permit Coastal Permit

Community Plan Site Plan Land Division (Subdivision, etc.) Other: CSD

Development Type:

Residential: Units 166 Acres 715 Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

Aesthetics/Visual Fiscal Recreation/Parks Vegetation

Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality

Air Quality Forest Land/Plan Hazard Sewage Capacity Water Supply/Groundwater

Archeological/Historical Geology/Seismic Soil Erosion/Compaction/Grading Wetland/Riparian

Biological Resources Minerals Solid Waste Wildlife

Coastal Zone Noise Toxic/Hazardous Growth Inducing

Drainage/Absorption Population/Housing Balance Land Use

Economic/Job Public Services/Facilities Traffic/Circulation Cumulative Effects

Other _____

Present Land Use/Zoning/General Plan Designation:

Agricultural - Grazing/Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U)/Rural Residential 'A' (RA).

Project Description:

The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 3-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site, and a Tract Map (TM 1996) to divide the 715-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size. The project proposes the formation of the Tierra Robles Community Services District (TRCSD) as a means to provide operation and maintenance of the wastewater treatment system, maintenance of improved streets within the subdivision, management of open spaces, including preservation and fire management operations, and maintenance of drainage improvements. The automatic approval of the TRCSD would be subject to separate application and approval from the Shasta County Local Agency Formation Commission (LAFCO).

The Planned Development proposes the following design features: (1) Grey water diverter system; (2) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (3) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (4) Class I public bikeways within the project site and pedestrian trails. The proposed project would include 192.7 acres of open space, which contains sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes (>30% slope) adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

State Clearinghouse Contact: (916) 445-0613 SG

State Review Design: 10-24-2017

SCH COMPLIANCE: 12-07-2017

Project Sent to the following State Agencies

<input checked="" type="checkbox"/> Resources	Cal EPA
<input type="checkbox"/> Boating & Waterways	ARB: Airport & Freight
<input checked="" type="checkbox"/> Central Valley Flood Prot.	ARB: Transportation Projects
<input type="checkbox"/> Coastal Comm.	ARB: Major Industrial/Energy
<input type="checkbox"/> Colorado Rvr Bd	Resources, Recycl. & Recovery
<input checked="" type="checkbox"/> Conservation	<input checked="" type="checkbox"/> SWRCB: Div. of Drinking Water
<input checked="" type="checkbox"/> CDFW # <u>1</u>	<input checked="" type="checkbox"/> SWRCB: Div. Drinking Water
<input type="checkbox"/> Cal Fire	<input checked="" type="checkbox"/> SWRCB: Div. Financial Assist.
<input type="checkbox"/> Historic Preservation	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input checked="" type="checkbox"/> Parks & Rec	<input checked="" type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Bay Cons & Dev Comm.	<input checked="" type="checkbox"/> Reg. WQCB # <u>SR</u>
<input type="checkbox"/> DWR	<input checked="" type="checkbox"/> Toxic Sub. Chl-CTC
	Vib/Adm Corrections
	Independent Comm.
CalSTA	Delta Protection Comm.
<input checked="" type="checkbox"/> Aeronautics	<input checked="" type="checkbox"/> Delta Stewardship Council
<input checked="" type="checkbox"/> CHP	<input checked="" type="checkbox"/> Energy Commission
<input checked="" type="checkbox"/> Caltrans # <u>2</u>	<input checked="" type="checkbox"/> NAHC
<input type="checkbox"/> Trans Planning	<input checked="" type="checkbox"/> Public Utilities Comm.
Other	<input checked="" type="checkbox"/> Santa Monica Bay Restoration
<input type="checkbox"/> Education	<input type="checkbox"/> State Lands Comm.
<input type="checkbox"/> OES	<input type="checkbox"/> Tahoe Rgl Plan Agency
<input type="checkbox"/> Food & Agriculture	<input type="checkbox"/> Conservancy
<input type="checkbox"/> HCD	Other: _____
<input type="checkbox"/> State/Consumer Svcs	
<input type="checkbox"/> General Services	

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: 2012102051

Please forward late comments directly to the Lead Agency

AQM/D/PCD 31

(Resources: 10/24)

4-c

**ENVIRONMENTAL IMPACT REPORT
 EVALUATION/RESPONSE CHECKLIST
 FOR AREA/SECTION**

Reference: Highway Patrol Manual 41.1
 Transportation Planning Manual
 Chapter 6: Environmental Impact Documents

	Action	Reference HPM 41.1 Chapter 6
<input checked="" type="checkbox"/>	Review memorandum for the due date(s).	12/7
<input checked="" type="checkbox"/>	Determine if the proposed project might impact local operations and/or public safety. Examples include: housing developments, large commercial projects, large recreational developments or expansions, landfill or quarry operations, hazardous materials storage and/or dump sites, highway construction/improvement projects, new schools, airport improvements, annexations/incorporations, off-highway vehicle facilities, and Indian gaming facilities.	Pages 3-4
<input checked="" type="checkbox"/>	Review environmental impact documents to identify issues or concerns with possible impact to departmental operations (i.e., increased response times, enforcement, emergency services, service calls, telecommunications, public safety).	TRAFFIC IMPACTS
Responses		
<input checked="" type="checkbox"/>	<u>If comments are advisable:</u>	
<input checked="" type="checkbox"/>	Correspondence should focus primarily on <u>traffic safety, congestion, or other impacts to the CHP's mission; however, Areas shall not indicate to the lead agency that additional personnel, facilities, vehicles, etc., are a means to mitigate departmental service issues.</u>	Page 6
<input checked="" type="checkbox"/>	Ensure the State Clearinghouse number (SCH#) is included in all correspondence.	
<input checked="" type="checkbox"/>	Comments shall be provided directly to the State Clearinghouse at 1400 Tenth Street, Room 121, Sacramento, CA 95814, or the lead agency as deemed appropriate, no later than the designated due date. Provide a copy to Special Projects Section (SPS) via electronic mail (e-mail).	
<input checked="" type="checkbox"/>	For project tracking purposes, SPS must be notified of Area/Section's assessment of the project. After mailing your comments to the SCH or lead agency, send a <u>scanned copy via e-mail to SPS.</u>	
<input checked="" type="checkbox"/>	<u>If no impact is determined:</u>	
<input checked="" type="checkbox"/>	Via e-mail, please respond "no impact to _____ Area's local operations and/or public safety by SCH# _____ was identified," by the designated SCH due date to the SPS analyst listed on the Environmental Document Review and Response memorandum. Ensure the SCH# is included.	

4-c

Response to Letter 4 -- California Highway Patrol

Response 4-a: The commenter provides the project location and states that the CHP serves and has primary jurisdiction over the unincorporated areas of Shasta County, including the proposed project.

Thank you for your comment. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 4-b: The commenter shared in the concern for potentially significant transportation/traffic impacts created by the project. The commenter states that four intersections, Old Oregon Trail/Old Alturas Road, Deschutes Road/Old Highway 44, Boyle Road/Deschutes Road, and Deschutes Road/Lassen View Drive, should be carefully evaluated for congestion management as well as emergency access to and from the project location.

The Draft EIR analyzes 18 environmental resource areas, including traffic and circulation (refer to section 5.16). Details regarding traffic are also provided in Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR. Section 5.16, TRAFFIC AND CIRCULATION, identified three of the intersections of concern as follows:

- Old Alturas Road & Old Oregon Trail (Intersection #8)
- Boyle Road & Deschutes Road (Intersection #13)
- Deschutes Road & Old 44 Drive (Intersection #14)

As discussed in Section 5.16, and evaluated in detail in Appendix 15.9, these three intersections would operate below the threshold LOS under Existing Plus Project conditions and Year 2035 Plus Project Conditions; refer to page 5.16-34 of the Draft EIR.

With respect to the Deschutes Road & Lassen View Drive intersection, it is located between two studied intersections, Boyle Road & Deschutes Road (Intersection #13) and Deschutes Road & Old 44 Drive (Intersection #14). Deschutes Road was analyzed Boyle Road to SR-44 as a roadway segment and mitigation measures are required. Implementation of MM 5.16-2 would reduce impacts for Existing, Existing Plus Project, and Year 2035 Plus Project conditions on Deschutes Road. MM 5.16-2 requires the installation of intersection warning signs with advanced street name plaques at several intersections, including Lassen View Drive.

Response 4-c: This was an attached letter from the Special Projects Section of the CHP to the Redding Area CHP requesting that the Redding Area review the Draft EIR and use a checklist to assess the project's potential impact to local area operations and public safety.

This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

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LOCAL AGENCIES/TRIBAL AGENCIES

Letter 5 – Clay Ross, Superintendent – Columbia Elementary School District (October 31, 2017)

Board of Trustees
Deann Hastings, President
James Lantz, Clerk
Matthew Riley
Walter Albert
Charles Van Hoozen



Columbia School District
Ride First

10140 Old Oregon Trail, Redding, California, 96003
530-223-1915 FAX 530-223-4168

RECEIVED
NOV 3 2017
County of Shasta
Building Department

October 31, 2017

Mr. Kent Hector, AICP, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer St, Su. 103
Redding, Ca. 96001

RE: EIR Tierra Robles

Dear Mr. Hector,

As superintendent of Columbia Elementary School District, I feel it is necessary to respond to the recent Draft EIR released for written and oral comment. I have taken considerable time to review the 2,600+ page Draft EIR and somewhat feel sympathetic to you for all the negative and concerned comments this process has generated. None-the-less, I have chosen to submit my comments and suggestions in writing officially. Although I can see reference to my previous letter of March 2016, I could not seem to locate a copy of it in the Draft EIR. I did note that comments from my letter were cited some 5 times so I appreciate that you read that letter and trust that you will this one as well.

5-a

As a District, we operate four schools: Lion Cubs Preschool, Columbia Elementary (CES), Mountain View Middle (MVMS) and an East Valley Community Day School. Our CBEDs enrollment is 789 students which does not include students in our preschool (48). Additionally, we host a Shasta County Office of Education preschool with 19 students currently and we run our own after school program with approximately 119 students. Both Lion Cubs preschool and our afterschool CARE remain open until 6 pm. Both MVMS and CES host a variety of athletic competitions during the year. During the 16-17 school year, 47% of our students attended via Inter District Agreements (IDA). This means that roughly 363 students attending our schools do so by choice and reside outside of our boundaries; many of whom personally drive their students to and from school. Transportation is neither offered to preschool nor afterschool families.

5-b

I feel it is vital to point this out due to the traffic concerns, regarding the potentially significant impact of the project; "Impact 5.16-5: Implementation of the proposed project could result in increased traffic volumes at study area intersections under Year 2035 cumulative plus project conditions." According to the EIR Executive Summary 2-12, the intersection currently and/or under the No Project condition the intersection operates at an unacceptable LOS F during weekday AM and PM peak hours.

5-c

The mitigation measures identified "MM5.16-3, Old Alturas Road and Old Oregon Trail (Intersection #8). Prior to recordation of a final map or issuance of a building permit (whichever comes first), the

project applicant shall pay the pro-rated cost share representing 13% of the cost of constructing a single/multi-lane roundabout. The fee shall be established based on an engineer's cost estimate of the improvements prepared by the project applicant and approved by the Shasta County Public Works Department."

5-c
Cont.

If I were the superintendent of the North Cow Creek School District, I would have a similar concern about MM 6.16-4 as they do not offer transportation to any of their parents. Each and every student attending the school is transported by parents to and from school.

5-d

"Level of Significance After Mitigation: The improvements identified for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) are not currently part of any current Shasta County improvement plan or fee program. As a result, full implementation as described in MM 5.16-3 and MM 5.16-4 cannot be assured by the project applicant. This is considered to be a cumulatively considerable and significant and unavoidable impact."

5-e

"The Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in MM 5.16-3 and MM 5.16-4, should Shasta County update the fee program to include the Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) intersections. The payment of applicable fair-share costs towards a programmed improvement would result in a cumulatively less than significant impact at each intersection." 5.16-38 EIR

Mr. Hector, I do not know about you, but three words stand out to me in the above referenced material: 1) Unacceptable, 2) Unavoidable, 3) Should. After consulting with Dictionary.com, I will tell you what each of those words mean to me. 1) not worthy of being accepted, not satisfactory, not agreeable and un welcome, not meeting minimum requirements. 2) cannot be avoided. 3) would, might, if.

As I understand it, the Mitigating Measures for these intersections with unacceptable delays, and unavoidable impact, through which hundreds of cars pass during peak times daily change from potentially significant to less than significant based on an if. If the county updates the fee program to generate funding to make up the missing 87% and 89% from the cost associated with the required improvements needed in these intersections. To me, that is a big IF. Additionally, I assume the fees will be tied to actual building permits which mean that the 100% funding will only be reached when building permit #166 is applied for. Who knows how many years after the engineer's cost estimate is no longer applicable.

5-f

Running a school District is a very competitive thing to do and our primary source of funding is generated by enrollment. When unacceptable and unavoidable impacts happen beyond our control, they will have another significant impact on already tight budgets as enrollment decreases yet again due to traffic delays. What is unacceptable to me is the lack of planning and proactiveness with building solutions for the inevitable. I suggest that these roadside improvements be A) required of the County planning to change the fee structure and B) completed prior to 50% of project completion.

5-g

Thank you for your time and the opportunity to provide input. I anxiously await your responses.

Sincerely,



Clay Ross

Superintendent

Columbia Elementary School District

Cc: Kevin Kurtz- Superintendent, North Cow Creek School

Response to Letter 5 – Clay Ross, Superintendent – Columbia Elementary School District

Response 5-a: The commenter provides introductory remarks to the comment letter and references a prior letter submitted on the project in March 2016.

Information provided in the referenced March 2016 letter was in response to the public services information request submitted to the District in an effort to gain insight on existing facilities and operational characteristics of District, as well as an understanding of concerns that this proposed project would have on the District's ability to serve the community. As acknowledged by the commenter, applicable information provided in the District's March 2016 letter was utilized during preparation of the Draft EIR (refer to Draft EIR Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, was incorporated as part of the administrative record, and is attached for reference at the conclusion of this response. No change to the Draft EIR is necessary.

Response 5-b: The commenter offers background and operational context for the school district's four schools.

The comment is appreciated and noted for the record. No further response or change to the Draft EIR is necessary.

Response 5-c: The commenter restates Impact 5.16-5 and correctly cites the Draft EIR Executive Summary on page 2-12 relative to intersection operations under the No Project condition for the intersection of Old Alturas Road and Old Oregon Trail. The commenter further provides a verbatim summary of Mitigation Measure (MM) 5.16-3.

This comment does not raise a significant environmental issue. The commenter is referred to **Response 5-f**, below. No further response or change to the Draft EIR is necessary.

Response 5-d: The commenter expresses an opinion of an agency of which there is no affiliation.

It should be noted that North Cow Creek School District received a copy of the Draft EIR and no comment was received during the 45-day public review period. No further response or change to the Draft EIR is necessary.

Response 5-e: The commenter further provides a verbatim summary of the significance determination provided on page 5.16-38 of the Draft EIR.

This comment does not raise a significant environmental issue. The commenter is referred to **Response 5-f**, below. No further response or change to the Draft EIR is necessary.

Response 5-f: The commenter expresses concern that the intersection mitigation measures are based on if the County updates the fee program. The commenter also assumes that the fees will be tied to building permits so that the fees will not be paid in full until the 166th building permit is received.

Relative the commenter's suggestion on the timing and ultimate funding of improvements identified for the intersections of *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)*, the proposed

project is not responsible for assuring that the fair share contribution mitigation projects will be constructed prior to occupancy or full buildout of the proposed project. Both the project *Traffic Impact Study* (May 2015) and *Supplemental Traffic Impact Analysis* (August 2017) (refer to Appendix 15.9, TRAFFIC IMPACT STUDY) conclude that the improvements will be necessary under *Year 2035* traffic conditions and not due to initial project development. The project *Traffic Impact Analysis* concludes that the proposed project represents 13% and 11%, respectively, of *Year 2035* traffic triggering the need for improvements at these intersections; increases in overall County traffic account for the remaining 87% and 89% share of the improvement costs, respectively. The fair share cost or payment can be based upon the percentage of project traffic at the particular intersection and/or road system.

The Draft EIR appropriately identifies improvements for the intersections of *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)*. However, as stated on Draft EIR page 5.16-38, neither intersection is currently part of the County's existing road impact fee program. As a result, full implementation as described in Mitigation Measure (MM) 5.16-3 and Mitigation Measure (MM) 5.16-4 cannot be assured by the project applicant. The Draft EIR further states that proposed project may contribute to this program, should Shasta County update the fee program to include the *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)* intersections. The payment of applicable fair-share costs towards a programmed improvement would result in a cumulatively *less than significant* impact at each intersection. The County programs use of these funds for traffic improvements on a priority basis through a budgetary process as the improvements become necessary.

Per State *CEQA Guidelines* §15130(a)(3), payment of fees is an equitable and typical method for collecting the necessary funds to implement transportation improvements. The concerns raised in this comment are noted for the record will be provided to the Planning Commission and Board of Supervisors for consideration during the decision-making process for the proposed project. No change to the Draft EIR is required.

Response 5-g: The commenter re-asserts suggestions related to traffic impact fee structure and timing.

Please refer to **Responses 5-c, 5-e, and 5-f**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 5-a Attachment to Letter 5 - March 2016 Letter from Columbia School District

Board of Trustees
Charles Van Hoosen, President
Devon Hastings, Clerk
James Luma
William Rania
Walter Albert



Clay Ross
Superintendent

Columbia School District
Kids First

10140 Old Oregon Trail, Redding, California, 96003
530-223-1915 FAX 530-223-4168

Kimley-Horn and Associates, Inc.
Attn: Bruce Grove
555 Capital Mall Su. 300
Sacramento, Ca, 95814

Re: EIR Response Tierra Robles Planned Development Project

Bruce,

On behalf of the Columbia Elementary School District, I would like to thank you for the opportunity to respond in writing to the proposed project.

- 1. Please list the names and address of all day care centers, elementary, junior high and high schools that the District is responsible for in the project area:* Columbia Elementary School District maintains two schools and a preschool. Columbia Elementary, grades Transitional Kindergarten-fourth grade, and Lion Cub Preschool are both located at 10142 Old Oregon Trail. Mountain View Middle School, grades five-eight, is located at 675 Shasta View Dr. Our District Office is located at 10140 Old Oregon Trail. The District has two school codes for schools not currently open right now; Columbia East Valley Community Day K-6 and 6-8. As of the last time those two programs were operating, they were on the elementary site. Although not our schools, there are two additional preschools located at Shasta College and because they reside in our District boundaries, we are responsible for providing special education related services to those students as well.
- 2. What is the current enrollment of each school in the vicinity of the project, and what is the distance of the school to the project area:* Columbia Elementary and Lion Cub Preschool are approximately 2.8 miles from the proposed project and has a CBEDs enrollment of 415. Mountain View Middle School is roughly 4.4 miles from the proposed project and has a CBEDs enrollment of 341.

3. *Does the District currently use portable or temporary classrooms at any of the school sites? If so, identify the school and number of portable facilities:* Columbia Elementary was built in 1956 and does have portable classrooms on site. Mountain View Middle School was built and opened in 2001 and it has portables on site that were added as well. Columbia Elementary School has a total of 38 portables, (specific information in terms of age is available upon request), two of which are used for the District Office, two are used for restrooms and staff copy room. Mountain View Middle School has a total of 22 portables, (specific information in terms of age is available upon request), three of which are used for a multi-purpose room and one of which is used for restroom/maintenance. In 2014, the District passed a bond in the general election. Currently, plans have been sent to the Department of State Architects for approval. Upon approval, demolition of 17 of the portables on the elementary site will begin in June of 2016. These outdated portables will be replaced with 16 permanent classrooms.
4. *What are the average student generation rates per dwelling unit at each school level? Will new facilities be required?* The current student generation rate per dwelling according to the annual report provided by Jack Schreder & Associates is .5 per dwelling. No new facilities will be required.
5. *Are fees assessed against new development for school-related services? If so, in which amount?* Approximately \$2.02 per square foot in Developer's Fees are assessed against new development for Elementary Schools. High school districts generate a smaller, yet additional fee. The average dwelling size in our District is 1923 sq. ft. Assuming this remains and my calculations in #7 below are correct, this development would generate approximately \$139,800.00 in Developer Fees for our District.
6. *Are there any new schools planned in the project area?* As recent as 2009-2010 school years when enrollment in the District was at or above 1,000 students, a new school site had been in consideration. At this time, no plans exist due to our declining enrollment. With 166 lots generating .5 students per dwelling, our District could easily absorb the 83 potential students within existing facilities.
7. *What issues are important to the District? If you have any particular concerns about the ability of the District to continue to provide adequate levels of day care and/or educational services, what do you recommend to alleviate these concerns?* Based on analysis of District Boundaries and the proposed maps included with this request, It appears that there will be approximately 36 lots that will be within our District Boundaries. These will be the only source of revenue from Developer Fees. While parents in Shasta County are able to receive permission from their District of Residence to attend outside of their neighborhood school, it is impossible to predict where these potential students may in fact enroll. Additionally, it appears that other Districts

affected might be North Cow Creek Elementary and Bella Vista Elementary School Districts. I cannot speculate on their responses. All three of these Districts work together to facilitate the requests of parents for their children to attend our schools.

8. *Do you anticipate that the proposed project would result in the need for physical additions to your agency (ie, construction of new school facilities)?* The planned development does not appear to create a demand for physical additions to our facilities. We recently passed a bond, so the new development would potentially help significantly increase assessed property values which would better allow us to sell bonds in the future.
9. *Is there any other relevant information regarding significant project impacts?* Phase I of our construction project should be completed for the 2017-18 school year. This construction project is located on the Elementary School campus and it will provide permanent classrooms to replace 14 portable classrooms that are in excess of 25 years old.

Letter 6 – Shasta County Local Agency Formation Commission (December 7, 2017)

Les Baugh
County Member

Larry Farr
City Member

Stan Neutze
City Member

Francie Sullivan
City Member Alternate

Irwin Fust
Special District Member

Mary Rickert
County Member Alternate

Brenda Haynes
Special District Member



VACANT
Public Member

David Kehoe
County Member

Patricia A. Clarke
Special District Alternate

Bob Richardson
Public Member Alternate

George Williamson
Executive Officer

James M. Underwood
General Counsel

Kathy Bull
Office Manager

December 7 2017

Kent Hector, Senior Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103,
Redding, CA 96001

Subject: Tierra Robles DEIR comments

Shasta LAFCO is providing Draft EIR comments for the proposed Tierra Robles PD Project including residential Planned Development requiring a Zone Amendment (Z10-002) from RR-BA-5, RR-BA-3 and U to PD, establishing a conceptual development plan covering the entire site; and TR 1996 to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 - 6.81 acres in size, and six open space parcels totaling 192.7 acres.

The project proposes Tierra Robles Community Services District (TRCSD) formation as a means to provide wastewater treatment system operation and maintenance, maintenance of improved subdivision streets, open spaces management, including preservation and fire management operations, and drainage improvements maintenance. Pursuant to GC § 56375, Shasta LAFCO must review proposals that request Community Services Districts (CSD) formation. Documentation in support of Tierra Robles PD plans and facilities oversight and implementation include the following:

- Tierra Robles Design Guidelines;
- Tierra Robles Oak Woodland Management Plan;
- Tierra Robles Wildland Fuel/Vegetation Management Plan,
- Open Space Management, and Resource Management Area Management and Oversight;
- Road and Storm Drain Maintenance; and
- Waste Water Collection, Treatment and Dispersal Facilities.

TRCSD approval is subject to separate application and Shasta LAFCO approval, which makes Shasta LAFCO a responsible agency under the California Environmental Quality Act (CEQA).

CSD's are formed and operated in accordance with California Government Code § 61000 et seq. A CSD is a government agency endowed with a range of powers, which is specifically designed to provide urban or suburban services within unincorporated areas. A CSD is also considered a special district with its own independent powers and authority and may share boundaries with other special districts providing different services.

Shasta LAFCO appreciates the early opportunity to review the range of potential services proposed for the CSD. Our comments are intended to clarify how these services would be managed by a CSD in an application filed with LAFCO.

Comments

1. **Shasta County LAFCO Consistency** (Section 5.10/Page 5.10-14 & Section 6.2 Page 6.4)
Pursuant to GC § 56375, Shasta LAFCO must review CSD formation proposals, the required formation is subject to separate application and Shasta LAFCO approval. A Plan for Services

1255 East Street, Suite 201, Redding, CA 96002
Office: 530.242.1112 ~ Fax: 530.242.1113
exec@shasta.LAFCO.ca.gov

6-a

6-b

SHASTA LAFCO

Page 2 of 4

must be submitted along with the CSD formation application and many of the comments below address Plan for Services content and supporting funding so that the CSD, if formed, understands the revenues needed to offset management, operations, and administrative expenses.

6-b
Cont.

2. **Tierra Robles Design Guidelines; (Section 3.4/Page 3-12)**

The DEIR states that the proposed project is planned as a unique community of custom homes and proposes Design Guidelines to direct future architecture and site layout of individual lots, construction drawings and specifications preparation (Appendix 15.2.1, Design Guidelines). Design Guidelines oversight and enforcement would be the responsibility of TRCSD Tierra Robles Architectural Review Committee (TRARC) in coordination with Shasta County. Modifications are considered on a case-by case basis.

The TRARC is proposed to have three or more members responsible for reviewing building and landscaping plans. In addition the EIR states that there will also be processing of residence designs, home-site drainage plan and easement reviews and verifying trash removal or clean-up. Deposit & processing fees to be billed to contractor and paid during design phase. Clarify how the TRARC will be appointed as (Appendix 15.2.1, p. 3) states that is appointed by the TRCSD and (page 41) states that it is a group of professionals appointed by the landowner. Also, reflect TRARC costs in Fee Schedule.

6-c

3. **Tierra Robles Oak Woodland Management Plan; (Section 3.4/Page 3-14)**

The Tierra Robles Oak Woodland Management Plan (OWMP) provides direction for preserving oak woodland habitat (Appendix 15.2.3, TR Oak Woodland Management). The TRCSD would be responsible for OWMP implementation and approving any OWMP changes. Landowners will conduct OWMP prescribed vegetation management under TRCSD oversight. The DEIR states that TRARC is responsible for reviewing all building and landscape plans to ensure oak trees outside of the established building envelope are not removed. Trees removed over the baseline basal area will be assessed based on size (Appendix 15.2.1, Design Guidelines).

The Draft EIR also describes Offsite Conservation Easements (Section 9.0/Page 9-3) MM 5.4-1a: Subject to review and approval by the Shasta County Resource Management Department Director, the applicant shall establish an offsite conservation easement covering a minimum of 137.8 acres of blue oak woodland in Shasta County. A conservation-oriented third-party entity acceptable to Shasta County shall hold the conservation easement and be responsible for ongoing site monitoring and management. Management activities shall be funded through an endowment account established by the project applicant or through TRCSD fees. Please clarify applicable fee amounts, how assessed and all TRCSD responsibilities for interacting with the proposed conservation-oriented third-party.

The TRCSD would also be responsible for identifying trees that provide bat roosting habitat and keeping bird survey reports on file. Please clarify what expertise the TRCSD would need to implement these services in the Plan for Services and include mitigation measure oversight amounts in Fee Schedule. Please incorporate all OWMP expenses that the CSD may incur into Fee Schedule/CSD Budget so there are adequate TRCSD revenues for this service. Please describe all OWMP expertise needed in the Plan for Services.

6-d

4. **Tierra Robles Wildland Fuel/Vegetation Management Plan, (Section 3.2/Page 3-14)**

The Tierra Robles Wildland Fuel/Vegetation Management Plan (TRWF/VMP) provides direction for flammable vegetation reduction of from around buildings, roadways and driveways in accordance with the California Department of Forestry and Fire Protection/Shasta County Fire Department (CAL FIRE/SCFD) requirements. The proposed project would strategically reduce

6-e

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hazardous fuels (Section 5.8, HAZARDS AND HAZARDOUS MATERIALS, and Appendix 15.2.2). TRWF/VMP management would be a TRCSD responsibility, and this would include managing grazing activities in the project area, monitoring fire prescription activities within RMAs 1-4 as each residential lot is developed, and providing annual fire fuel monitoring to the Shasta County Fire Department. Clarify what specific reporting methods for fire fuel monitoring should be used in the Plan for Services. Include RMA fire prescription monitoring costs in Fee Schedule/CSD Budget.

6-e
 Cont.

5. Open Space Management, (Section 3.4/Page 3-21)

The Open Space managed through an Open Space Management Plan (OSMP) covers 192.7 acres, 26.9% of the total project area. The OSMP would ensure that undeveloped areas continue as a means of fire protection and open space preservation (Appendices 15.2.1 and 15.2.2). The Shasta County Board of Supervisors will review and approve the OSMP prior to final subdivision map approval. The TRCSD would be responsible for OSMP management, including maintaining Resource Management Areas (RMA's) established as open space (Appendix 5.2.3 OWMP). Shasta County is applying mitigation credits towards onsite preserves and open space preservation and enhancement. Please clarify who holds the mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting.

6-f

6. Resource Management Area (RMA) Management and Oversight; (Section 3.4/Page 3-20)

The proposed project site was subdivided into five RMA's representing distinct habitat types. Management guidelines for RMA 1 through RMA 4 cover individual residential lots while RMA-5 is specific to the Open Space parcels as described below. (Appendix 15.2.2 TRWF/VMP & 15.2.3 OWMP).

6-g

According to the EIR, TRCSD would be the enforcing agency to ensure residents implement their part of the fuel management plan, as well as managing the RMA areas outside home owner responsibility. Annual monitoring and reporting will be a TRCSD responsibility as approved by the County. Please clarify in the Plan for Services how this monitoring will be conducted by the TRCSD and any expected costs.

7. Storm Drain and Road Maintenance; (Section 3.4/Page 3-15)

The Preliminary Hydrology Analysis (Section 5.9, HYDROLOGY AND WATER QUALITY & Appendix 15.6), recommends onsite Best Management Practices (BMP) that would be inspected and maintained by TRCSD and distributed to each lot owner as site development planning is started on each lot. TRCSD would be required to review and approve these BMP's. Each lot owner will be required to maintain the individual BMP's, but TRCSD would be tasked with an annual inspection procedure to ensure these facilities are functioning. Clarify TRCSD storm drain inspections responsibilities and annual procedures in the Plan for Services and include in fees for these activities in the Fee Schedule/CSD Budget.

6-h

Approximately 15 roadway segments would be constructed onsite, along with an emergency access easement across Lot No. 81 and Lot No. 98 and a 5.23-acre offsite extension of the proposed new access road to Old Alturas Road (refer to Figure 3-8). A total of 46.48 acres would be dedicated for public roadway right-of-way. The roadway network would include Clough Creek bridge crossings at two locations, each designed as 40-foot span bridges to ensure bridge pier placement outside the stream channel riparian zone limits.

Other smaller crossing of natural onsite drainages will require shorter precast concrete structures. Primary project access would be from Boyle Road at the project site southern end, with a north-south oriented arterial roadway (Tierra Robles Parkway) connecting to Old Alturas

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Road at the project site north end. The internal street network would be designed and constructed to meet applicable local standards, including bridge crossings, water, sewer, electricity, telephone easements, and storm-drain improvements within the road right-of-way.

Please clarify all TRCSD transportation system responsibilities in the Plan of Services, including scheduled inspection and maintenance. Include road maintenance, repair and replacement schedule costs in the CSD Budget.

6-h
Cont.

8. **Waste Water Collection, Treatment and Dispersal Facilities (Section 3.4/Page 3-15)**

The Planned Development will be served by a waste water treatment facility designed and constructed with necessary facilities required to operate at a level of service meeting Regional Water Quality Board (RWQCB) issued Waste Discharge Permit requirements. The facility is proposed to be phased to develop additional treatment modules to facilitate increased loading as development occurs. Dispersal areas are proposed within the road way medians as they are developed with infrastructure also being installed in order to accommodate the additional phases. Proposed wastewater collection, treatment and dispersal system details are described in the Draft EIR and are proposed to be a key TRCSD management responsibility.

The individual lot owner will be responsible for installing the onsite tanks and pump, as specified by TRCSD and the pressure line up to the point of connection to the TRCSD force main. The ongoing maintenance of the facilities on each lot will be the responsibility of the lot owner.

TRCSD would have annual septic tank inspection responsibility and to require home owners to pump tanks. TRCSD would also be responsible for the force main from the connection point at the road right-of-way, operating and maintaining the collection force main to the treatment plant, treatment plant and the dispersal system operation and daily testing requirements. TRCSD would need a qualified operator on staff or contract this service. Please describe these qualifications and staffing levels in the Plan for Services. Include annual septic tank inspection fees, maintenance costs and operational expenses in Fee Schedule/CSD Budget.

6-i

9. **Project Alternative – CSA 8 (Section 7.3/Page 7-4)**

The project applicant previously proposed the annexation of the entire 715.4-acre site into CSA No. 8 for sewage treatment but this alternative did not include the other services proposed as part of the PD. The broader range of services could be accomplished by the CSA reorganizing into a CSD, which would have the authority to provide a higher level of resource management and environmental stewardship and avoid the formation of an additional special district.

6-j

Thank you for considering these comments.



George Williamson AICP
Executive Officer

Response to Letter 6 – Shasta County Local Agency Formation Commission

Response 6-a: The commenters opening paragraph provides background information and Shasta Local Agency Formation Commission (Shasta LAFCO) understanding of the proposed project and restates facts presented in the Draft EIR. The comment also provides a list of some of the documentation presented in support of the proposed project. Shasta LAFCO notes that they are a Responsible Agency under CEQA and outlines the Community Service District (CSD) formation and operation process. The commenter appreciates the opportunity to comment and indicates additional comments regarding clarifying how a CSD would manage services in an application filed with Shasta LAFCO.

The Lead Agency has prepared **Responses 6-b** through **6-j**, below, to specifically address the commenter's concerns. The comment is appreciated and noted for the record. The additional comments indicated above are addressed individually below.

Response 6-b: The commenter states the Shasta LAFCo must review CDS formation proposals and that a Plan for Services must be submitted along with the CSD formation application. The commenter states that many of the remaining comments within the letter address Plan for Services content and supporting funding that the CDS, if formed, understands the revenues needed to offset management, operations, and administrative expenses.

The comment is appreciated and noted for the record. Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, provides documentation of the plans and design guidelines for the project. This includes the Tierra Robles CSD (TRCSD) formation. The Draft EIR acknowledges that the ultimate approval of the TRCSD would be subject to separate application and approval from the Shasta LAFCo; refer to Draft EIR page 1-3. The additional comments indicated above are addressed individually below.

Response 6-c: The commenter requests clarification within the Plan for Services on how the Tierra Robles Architectural Review Committee (TRARC) will be appointed as the Tierra Robles Design Guidelines provides conflicting information. In addition, the commenter requests that TRARC costs be provided in a fee schedule.

This comment is specific to the Tierra Robles Community Service District and the details within the Tierra Robles Design Guidelines and specific to questions regarding language and cost within the plans and guidelines associated with the TRCSD, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-d: The commenter requests clarification within the Plan for Services regarding applicable fee amounts, how the fees are assessed and all TRCSD responsibilities for interacting with the proposed conservation-oriented third-party. In addition, the commenter requests clarification on what expertise the TRCSD would need to implement the services in the Plan for Services and include mitigation measure oversight amounts in the Fee Schedule. The commenter also asks that all OWMP expenses that the TRCSD may incur be

incorporated into the Fee Schedule/TRCSD Budget so there are adequate revenues for the services.

This comment is specific to the Tierra Robles Community Service District and the details within the Tierra Robles Oak Woodland Management Plan, which will be implemented by the TRCSD. The comment is also specific to questions regarding language and cost within the Tierra Robles Oak Woodland Management Plan associated with the TRCSD expertise and budget, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-e: The commenters requests clarification within the Plan for Services on what specific reporting methods for the fire fuel monitoring should be used in the Plan for Services and requests including RMA fire prescription monitoring costs in Fee Schedule/CSD Budget.

This comment is specific to the Tierra Robles Community Service District and the details within the Tierra Robles Wildland Fuel/Vegetation Management Plan, which will be implemented by the TRCSD. The fuel management prescriptions present in the Tierra Robles Wildland Fuel/Vegetation Management Plan were developed using the California Public Resources Code, Section 4291-4299 guidelines as well as the U.S. Department of Agriculture (USDA) fire models for different vegetation communities and input from Shasta County Fire Warden per letter to the Director of the Shasta County Department of Resource Management.

The comment is also specific to questions regarding language and cost within the Tierra Robles Wildland Fuel/Vegetation Management Plan associated with the reporting methods for fire fuel monitoring and the TRCSD budget, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-f: The commenter requests clarification within the Plan for Services on who holds the mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting.

With respect to the management and function of the RMAs, please refer to **Master Response-4** and **Responses 3-b** and **3-c**, above. With respect to the project impacts and mitigation measures, please refer to **Response 3-b**, above. In addition, please refer to the revised MM 5.4-1a as provided in ES2, ERRATA TO THE DRAFT EIR TEXT, and in **Response 3-s**.

This comment is specific to the Tierra Robles Community Service District and the details within the Tierra Robles Oak Woodland Management Plan, which will be implemented by the TRCSD. The comment is also specific to questions regarding mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting within the Tierra

Robles Oak Woodland Management Plan, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-g: The commenter states that the TRCSD will be the enforcing agency to ensure residents implement their part of the fuel management plan, as well as managing the RMA areas outside home owner responsibility. The commenter requests clarification within the Plan for Services on how this monitoring will be conducted by the TRCSD and any expected costs.

With respect to the management and function of the RMAs, please refer to **Master Response-4** and **Responses 3-b** and **3-c**, above. Please also refer to **Responses 6-b** through **6-f**, above. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. This comment is specific to the Plan for Services related to the TRCSD rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-h: The commenter requests clarification within the Plan for Services related to the TRCSD regarding storm drain inspection responsibilities and annual procedures, transportation system responsibilities including scheduled inspection and maintenance, and cost/fees associated with these infrastructure facilities.

This comment is specific to the Tierra Robles Community Service District and the details that need to be in the Plan for Services for the TRCSD. The comment is also specific to questions regarding language and cost associated with the TRCSD responsibilities and budgets for storm drain and transportation facilities, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-i: The commenter requests clarification within the Plan for Services related to the TRCSD staffing levels and qualifications needed for annual septic tank inspections and fees associated with these inspections. In addition, maintenance costs and operational expenses should be provided in the Fee Schedule/ TRCSD Budget.

This comment is specific to the Tierra Robles Community Service District and the details that need to be in the Plan for Services for the TRCSD. The comment is also specific to questions regarding language and cost associated with the TRCSD responsibilities and budgets for annual septic tank inspections and costs associated with the inspections, rather than specific to the EIR analysis of physical environmental impacts, mitigation

measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 6-j: The commenter refers to Section 7.3, ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION, specifically the “ANNEXATION TO COMMUNITY SERVICE AREA NO. 8” ALTERNATIVE (beginning on page 7-4 of the Draft EIR), and states that the broader range of services could be accomplished by the CSA reorganizing into a CSD, which would have the authority to provide a higher level of resource management and environmental stewardship and avoid the formation of an additional special district.

Four potential alternatives to the proposed project were initially considered but determined not to be viable and eliminated from further consideration, including the “Annexation to Community Service Area No. 8” Alternative. As discussed on page 7-5 of the Draft EIR, the project applicant previously proposed the annexation of the entire project site into CSA No.8 for sewage treatment and disposal. This alternative was part of a revised project concept in 2011 and did not include the formation of a CSD. This alternative, created in 2011, did not include the potential for CSA No. 8 to be reorganized into a CSD. In addition, the alternative was rejected because this alternative would have greater impacts to air quality (construction), offsite biological impacts, and increased wastewater delivery and treatment at CSA No. 8’s treatment facility as compared to the proposed project. In addition, this alternative was further rejected as it failed to meet several Project Objectives.

Section 15126.6(c) of the State *CEQA Guidelines* permits the elimination of an alternative from detailed consideration due to:

- Failure to meet most of the basic project objectives;
- Infeasibility; and
- Inability to avoid significant environmental impacts.

Section 15126(f)(1) of the State *CEQA Guidelines* states that “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire control or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the scope of reasonable alternatives.” In addition, the California Supreme Court has stated that lead agencies, not project opponents, have the burden to formulate alternatives for inclusion in an EIR.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 7 – Bella Vista Water District (December 22, 2017)



DIRECTORS
TED BAMBINO BOB NASH
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DAVID J. COXEY
Secretary/Treasurer/General Manager

BELLA VISTA WATER DISTRICT

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December 22, 2017

SENT VIA EMAIL: khector@co.shasta.ca.us, ORIGINAL MAILED U.S. POSTAL SERVICE
Kent Hector, Senior Planner
Shasta County Dept. of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Planned Development Project

Dear Mr. Hector:

The Bella Vista Water District has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Tierra Robles Planned Development and offers the following comments and questions. 7-a

The proposed Tierra Robles Project lies entirely within the boundaries of the Bella Vista Water District's boundary and within the District's Welch Pressure Zone. The District has adopted a Reimbursement Policy that generally requires developers to reimburse the District for expenses related to their development project and ensures development related expenses are borne by the project proponents and not by District customers. The District will require hydraulic modeling analysis within the Welch Pressure Zone to determine necessary line sizes and improvements within the proposed development. Presently, the Welch Booster Pump Station is shut down during winter months when water demands are low and boosted water pressure is unnecessary. Generally, the Welch Pump Station and Zone has ample capacity to serve the proposed development. However, to accommodate the development the Welch Pumping Station will likely need to be reconfigured and pumping would be required year round. With the exception of improvements to reconfigure the Welch Pump Station, it is anticipated that water line extensions and looping of water mains within the planned development will generally improve the hydraulics within the Welch Zone. 7-b

Extremely high summer temperatures, low humidity and use of evaporative cooling systems are a few of the reasons the Redding Basin has some of the highest indoor and outdoor water use on a per capita basis within the entire state. Generally, water demands for similarly zoned rural residential developments within the District are substantially higher than those projected in the DEIR. Is the County aware of any similar rural residential developments within the region that can substantiate the very low water use projections reflected in the DEIR for this Development? 7-c

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The DEIR references and assumes full implementation and compliance with the state's Model Water Efficient Landscape Ordinance (MWELo). The District is concerned the County does not have the staffing, process and enforcement capabilities necessary to fully implement the provisions of MWELo. What staffing, process and enforcement mechanisms does the County currently have in place to fully implement MWELo? Does the County have any examples of MWELo enforcement within the County to date for similar rural residential developments? What actions will the County take if irrigated landscape areas expand and actual water demands significantly exceed those projected in the DEIR?

7-c
Cont.

The DEIR does not evaluate groundwater extractions or impacts to the Enterprise Sub-basin from private wells and does not identify any current groundwater wells within the planned development. The Enterprise Sub-basin has been deemed a medium priority basin by the California Department of Water Resources (CASGEM Basin Prioritization Results – June 2014). It is the District's experience that the County routinely issues permits for new private groundwater wells despite the existence of the Bella Vista Water District public water system and does not require the destruction of existing private wells when new development occurs when the public water system is extended to serve those areas. Does the County plan to limit or prohibit new private wells within the planned development or to require the proper destruction of any existing private wells that likely do not meet current groundwater well construction standards? Will the County research and identify existing groundwater wells within the planned development in order to address the potential for cross connection with the public water system?

7-d

As you may know, the District receives nearly all of its water supply from the federal Central Valley Project (CVP) through a water service contract with the United States that is subject to shortage provisions pursuant to the U.S. Bureau of Reclamation's municipal and industrial (M&I) shortage policy and any amendments thereto. The total contract quantity of 24,578 acre-feet/year is adequate for the current and planned needs of the District in normal year types. However, in single and consecutive "dry" or "severe" hydrologic year types, the District has experienced and anticipates severely reduced CVP allocations that may not meet current average year demands within the District. The yield of the Central Valley Project was reduced in 1992 with the passage of the Central Valley Improvement Act (H.R. 429, Public Law 102-575). The implementation of this Act combined with subsequent regulatory actions intended to protect threatened and endangered fish species has substantially reduced the reliability of CVP supplies, especially in shortage years. Current and anticipated regulatory actions and processes will further reduce the likelihood of the District receiving full water supply allocations especially in "below normal" year types and will exacerbate single and consecutive year shortages.

7-e

As noted in the Water Supply Evaluation of the Draft EIR the projects required water supply would reduce water available to existing Bella Vista customers if a shortage year occurs prior to three unconstrained water years. The proposed mitigation to provide a water supply agreement to the District for this significant impact has several unmentioned complications. During shortage years the availability for transfers from any source is reduced and potentially nonexistent; therefore, waiting to acquire additional water until needed is not considered a reliable mitigation measure. The other option of a long-term transfer, if water is available, for the 15 years of expected build out typically requires purchasing the water in every year of a transfer agreement, not just during shortage years. There is no funding source identified for any purchase of water for the expected duration of buildout.

7-f

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Additionally, we offer the following comments regarding the potential environmental impacts that need to be addressed regarding the water supply, treatment and distribution requirements for the project:

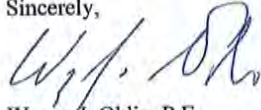
1. There are presently no existing Bella Vista Water District water lines inside of the boundaries of the 715.4 acre tract. 7-g
2. Plans for the water system improvements required to serve the proposed development must be submitted to Bella Vista Water District for review and the improvement plans will require the approval of the District. The District has adopted a Reimbursement Policy and accordingly will require a Reimbursement Agreement with the project proponent to recover District expenses incurred for the benefit of the project proponent. 7-h
3. The existing 16-inch line in Boyle Road and the 36-inch line in Old Alturas Road are owned by the U.S. Bureau of Reclamation, and operated and maintained by the District. At full buildout it is anticipated that water mains will be run through the project and connect between the existing water mains in Boyle and Old Alturas Roads. The connection to the 16-inch main and the crossing of the 36-inch main will require the approval of Reclamation 7-i
4. If construction of the project will be phased and the new water main between Boyle and Old Alturas Roads is not constructed as part of the initial phase of construction, new water mains may need to be looped (connected to existing water mains at two different locations) in order to be able to meet fire hydrant flow requirements. Hydraulic modeling will be necessary to determine the sizes of the connections to existing water mains as well as the sizes of the water lines within the project boundaries. 7-j
5. The required water system improvements for each phase of the project must be installed and accepted by the District prior to the District providing permanent water service to any of the parcels proposed to be developed in each phase. 7-k
6. The water supply needs for the project shall be determined based on the full potential range of development that will be allowed for the parcels. If there are no imposed and enforceable land use restrictions then parcels may potentially be utilized for agricultural purposes which would have a much larger annual water supply demand and a larger instantaneous flow (capacity) requirement than non-agricultural parcels. How will land use restrictions be enforced? How will the noted building envelopes preclude agricultural land use and how will this be enforced? 7-l
7. The 55 gallons per capita per day used to estimate "Indoor Residential Demand" was incorrectly derived from the California Water Code Section 10608.20. The quantity of 55 gpcd is only viable if the water district does not have a defined water goal within their Urban Water Management Plan. If a district has a Urban Water Management Plan then they shall determine their urban water use target by using eighty percent of the urban retail water supplier's baseline per capita daily water use (California Water Code Section 7-m

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- 10608.20.2.b.1) as defined in their 2015 Urban Water Management Plan Update (Section 10608.20.g). 7-m
Cont.
8. Per the 2015 Bella Vista Water District Urban Water Management Plan, the baseline per capita daily water use is 947 gpcd. Target usage to be used for water planning purposes, as defined above, is 80% of baseline usage or 758 gpcd (2015 UWMP Section 5.5). Using this water demand and residential occupancy rate of 2.5 people per home for primary residences (as stated in the Draft EIR), the per unit water demand is 2.12 AFY for the 166 single family homes. As noted in the 2015 UWMP, this baseline usage includes both indoor and outdoor usage and should be used for per lot water demand planning. 7-n
9. In Section 2.2.2 of the Water Supply Evaluation the assumption that a secondary unit will replace 1500 sq.ft. of irrigated acreage is not backed by any noted requirements. The building envelopes are significantly larger than the area needed for the primary unit and the allowed 5000 sq.ft. of landscape area. Therefore, there is no viable reason to assume landscape area will be replaced by the secondary unit. Water usage projections should be revised accordingly. 7-o
10. Water service to the parcels within the development will be subject to water service requirements, fees, and water service availability at such time as water service is requested from the District. 7-p

Please feel free to contact me if you have any questions regarding any of the above comments.

Sincerely,



Wayne J. Ohlin, P.E.
District Engineer

Response to Letter 7 – Bella Vista Water District

Response 7-a: The commenter acknowledges review of the Draft EIR.

This comment is introductory and includes an overview of the commenter’s concerns. Responses to specific comments are addressed below in **Responses 7-b** through **7-p**.

Response 7-b: The commenter states that the project site is entirely within the Bella Vista Water District (BVWD) boundaries and within the BVWD Welch Pressure Zone. BVWD has adopted reimbursement policy and will require hydraulic modeling analysis within the Welch Pressure Zone to determine appropriate waterline sizes. In addition, the commenter states that to accommodate the development, the Welch Pumping Station would need to run year-round. The commenter also states that it is anticipated that the water line extensions and looping of water mains within the project site will generally improve the hydraulics within the Welch Zone.

This comment is specific to the BVWD reimbursement policy and determining appropriate waterline sizes, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-c: The commenter states that generally, water demands for similarly zoned rural residential developments within BVWD are substantially higher than the projected in the Draft EIR. The commenter requests examples of rural residential developments with similar water demand to that projected for this proposed project. The commenter expresses concern that the County does not have the capabilities to fully implement the provisions of the Model Water Efficient Landscape Ordinance (MWELo) and questions how the proposed project will fully implement the MWELo.

Please refer to **Master Response-3**. Furthermore, the proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County Local Agency Formation Commission (LAFCo). The TRCSD would be used as a means to oversee, implement and enforce compliance with the State’s MWELo or County ordinance requirements (if more restrictive than the State MWELo). It will be incumbent on the TRCSD to make all property owners aware of all covenants and conditions regarding use of all properties within the Tierra Robles project area. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-d: The commenter states that the Draft EIR does not evaluate groundwater extractions or impacts to the Enterprise Subbasin from private wells and does not identify any current groundwater wells within the project site. The commenter states that it is BVWD’s experience that private groundwater wells are permitted despite the existence of the BVWD public water system. The commenter asks if new wells will be prohibited and existing wells will be properly destructed.

Please refer to **Master Response-3**. Please refer to Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR (specifically page 5.17-28), which further discuss the proposed project's water demand and the impacts on the water supply in Impact 5.17-4 (project specific impacts) and Impact 5.17-8 (cumulative impacts). As noted, Mitigation Measure (MM) 5.17-4b requires the project applicant to identify and implement an agreement with BVWD to provide BVWD with dry-year water supplies prior to commencement of project construction. This measure ensures that actual physical development does not occur until such time as there is adequate water to serve it. With the implementation of mitigation measures, the Draft EIR found impacts to be less than significant. No private wells are anticipated as a result of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-e: The commenter states that BVWD receives nearly all of its water supply from the federal Central Valley Project (CVP) and is subject to shortage provisions pursuant to the U.S. Bureau of Reclamation's municipal and industrial shortage policy and amendments. The commenter states that with current and anticipated regulatory actions, BVWD's likelihood of receiving the full water supply allocations in "below normal" will be reduced and will result in single and consecutive year shortages.

The commenter does not raise a significant environmental concern and does not comment on the adequacy of the Draft EIR in the comment. However, Mitigation measure MM 5.17-4b is intended to address shortage conditions for the project. However, as discussed in **Master Response-3**, existing shortage conditions due to a variety of conditions affecting CVP supplies will continue as noted. Once reaching full demand for a specific period (see MM 5.17-4b), the future homeowners at the proposed project will also be subject to the same shortages faced by existing customers. But, due to the structure of BVWD's CVP contract, the demands of the proposed project will not exacerbate the shortage conditions faced by existing users. The magnitude and frequency of CVP shortages on existing customers will be the same with or without the additional demands of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-f: The commenter summarizes the Water Supply Evaluation of the Draft EIR and states that the proposed mitigation has several complications. The commenter states the availability of water transfers is reduced and thus cannot be considered a reliable water source. The commenter also states that there is no funding source identified for any purchase of water for the expected duration of buildout.

The commenter is referred to **Master Response-3**. As stated in Draft EIR MM 5.17-4b "...the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating *that the applicant has secured an Agreement* with BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 90 percent of the project's prior year water usage." [*emphasis added*]. As noted in MM 5.17-4b, the applicant must enter into an agreement that is acceptable to BVWD, and therefore, assumes that BVWD would require various assurances regarding availability and reliability of the temporary supply, and financing prior to approving any agreement

for temporary water supplies. MM 5.17-4b ensures that actual physical development does not occur until such time as there is adequate water to serve it. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-g: The commenter states that there are presently no existing BVWD water lines within the project site.

This comment is specific to existing BVWD infrastructure within the project site, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-h: The commenter states that the plans for water system improvements must be submitted to BVWD for review and approval. BVWD has adopted a Reimbursement Policy and will require a Reimbursement Agreement with the project applicant to recover expenses incurred from the proposed project.

This comment is specific to plans for the proposed water system improvements, including determining appropriate waterline sizes, and the BVWD reimbursement policy, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-i: It will be necessary to determine the commenter notes that the water lines on Boyle Road and Old Alturas Road are owned by the U.S. Bureau of Reclamation and operated and maintained by BVWD, thus any connections to these lines will require U.S. Bureau of Reclamation approval.

This comment is specific to existing water lines outside of the project boundaries and the multiple jurisdictions that oversee the existing infrastructure, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with the U.S. Bureau of Reclamation and BVWD to provide the details needed to satisfy necessary U.S. Bureau of Reclamation and BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-j: The commenter states that new water mains may need to be looped in order to meet fire hydrant flow requirements and that a hydraulic model will be necessary to determine the sizes of the water main connections and water lines.

This comment is specific to plans for the proposed water system improvements, including determining the need to loop new water mains in order to provide appropriate hydrant flow requirements, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will comply with all existing applicable laws and regulations, and will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-k: The commenter states that required water system improvement for each phase of the project must be installed and accepted by BVWD prior to providing permanent water services to the project site.

This comment is specific to the proposed water system improvements, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-l: The commenter states that the water supply needs for the project shall be determined based on the full potential range of development of the parcels. For example, if there are no imposed and enforceable land use restrictions, then parcels may potentially be utilized for agricultural purposes which would have a larger annual water supply demand. The commenter questions how the land use restrictions will be enforced.

The commenter is referred to **Master Response-3**, regarding the water demand of the proposed project and the projected water supply. With respect to enforcement of land use restrictions, the proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County Local Agency Formation Commission (LAFCo). The TRCSD would be used as a means to oversee, implement and enforce compliance with the landscape limitations included in the project.

Response 7-m: The commenter states that the per capita per day water demand estimated for indoor residential demand was incorrectly derived from the California Water Code Section 10608.20.

Please refer to **Master Response-3**. The Urban Water Management Plan (UWMP) Act requires an urban purveyor to reduce its overall per-capita water use by some amount by 2020. BVWD has committed to reducing the overall per-capita water use by 20% from 2013 averages. This target per-capita value is derived by dividing the total “gross water” use (as defined by the California Water Code) by the total population served. Thus, the average per-capita use incorporates all customer uses within BVWD, including commercial, residential, rural, agricultural (as this customer type also receives municipally treated water), industrial, parks, and any other specific BVWD customer classification. Estimating water demands for a new customer, such as the residential indoor and limited-landscape outdoor demands associated with the proposed project, are based upon other

methods as articulated in Appendix 15-10, WATER DEMAND EVALUATION, of the Draft EIR. The new customer demands, and associated population, will be included in future determinations of the overall BVWD average per-capita use. The fact that they will be lower than average may help BVWD achieve its overall 20% average per-capita use reduction target.

Furthermore, as most recently codified, the California Water Code has amended the residential indoor standard to drop below 55 gallons per-capita per day (gpcd). The new statutory requirements reduce the average value to 52.5 gpcd as of 2025, and potentially to 50 gpcd as of 2030, as required by California Water Code §10609.4(a), chaptered on May 31, 2018. It is possible that available residential water use fixtures and appliances will result in indoor per-capita demands that are even lower than those estimated using 55 gpcd. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-n: The commenter states the 2015 BVWD UWMP has a baseline per capita daily water use of 947 gallons per capita per day. The target usage for water planning purposes is 80% of the baseline usage, therefore, the commenter estimates that the proposed project would have a water demand of 2.12-acre-feet per year for the proposed 166 residential units, which would include both indoor and outdoor usage.

The commenter is referred to **Master Response-3**. The determination of baseline and target per-capita water use in the UWMP represents an average value for all classes of existing and future BVWD customers which range from multi-family apartments to multi-acre agricultural users. The value is determined by dividing “gross water,” which reflects all of the treated water produced by BVWD, divided by the population served (baseline gpcd = gross water/population). This value does not represent the value for a particular user classification, such as new residential homes (which are required to comply to new State standards). The calculation provided in this comment implies that the actual demand for a house with limited landscaping would use the BVWD average target value. If that method was applied to BVWD’s agricultural customers, who likely have the same occupancy rate (or less), then the agricultural customers would be anticipated to only use 2.12 acre-feet per year for the entire property served by a meter. BVWD recognizes that agricultural and other customers have above-average use, while other customers have below average use. The proposed project’s water demand was estimated by separately determining indoor and outdoor use factors for each parcel, as described in detail in Appendix 15-10, WATER DEMAND EVALUATION, of the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-o: The commenter states that the assumption of a secondary unit replacing 1,500 square feet of irrigated acreage is not supported within the Water Supply Evaluation. The commenter states that there is no viable reason to assume landscape area will be replaced by a secondary unit and requests that water usage projections be revised accordingly.


If the landscaped area is not adjusted, and the secondary unit is constructed, then the parcel could potential be developed outside of the development enveloped, depending

on the lot configuration and associated development envelope. However, adjusting to not reduce the maximum landscape area results in an upward adjustment of 1.2 acre-feet per year. As detailed in Appendix 15-10, WATER DEMAND EVALUATION, the 15 parcels with secondary residential units had a reduced demand factor for the outdoor water use from 0.29 acre-feet per year (for standard parcels) to 0.21 acre-feet per year. This reduction in the outdoor demand factor reflects the calculation for the landscape area that is 1,500 square feet less than the area used in the standard parcels. If this adjustment is not made, the 15 parcels with secondary units would instead have the same outdoor demand factor as the standard parcels, which is 0.29 acre-feet per year. The resulting increase of 0.08 acre-feet per unit per year for the 15 units results in a total increase of 1.2 acre-feet per year. This would increase the estimated demand of the entire proposed project from 80 acre-feet per year to 81 acre-feet, a non-substantial change that would have no effect on the conclusions of the analysis provided in Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Appendix 15-10, WATER DEMAND EVALUATION, the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 7-p: The commenter states that water service to the project site will be subject to water service requirements, needs, and availability at such time as water service is requested from BVWD.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-b**. This comment is specific to the proposed water service to the project site being subject to BVWD requirements, needs, and availability, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. Approval of the proposed project will be conditioned to satisfy necessary BVWD infrastructure improvements and water service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 8 – Wintu Tribes of Northern California (December 29, 2017)

 **Wintu Tribe of Northern California**
PO Box 995 Shasta Lake, Ca 96019
4755 Shasta Dam Blvd. Shasta Lake, CA 96019
Department of Cultural Resources
Phone: 530-605-1726 Fax: 530-605-1727
Email: wintuculturalmanager@gmail.com Website: www.wintutribe.org CR Ltr 3b

Tierra Robles Project

Date: _____, 12/29/2017 _____

Hestum,

We have received your reports and appreciate your quick response getting back to us.

I am writing to inform you that, after reviewing the reports you sent us, the Wintu Tribe is still opposed to your project moving forward in Wintu territory.

As stated before, the described project in your proposal will have extreme negative effects which will result in destruction in sensitive historical and cultural sites. The ramifications would be detrimental and irreversible.

Unfortunately, at this time, we cannot support your project and we request that no excavations or other ground disturbing activities of any kind take place in the project area especially without contracted tribal monitor from the tribe.

For further discussion or to set a mitigation meeting request please contact me at 530-840-1961 or at wintuculturalmanager@gmail.com.

I thank you for your cooperation in advance.

Under One Sky,

Greg Burgin Jr. Cultural Resources Manager

Cc Wade McMaster-Chairman-Wintu Tribe of Northern California
Veronica Grabeal – Tribal Secretary
Kelli Hayward Cultural Resource Director

CR Ltr 3b

8-a

Response to Letter 8 – Wintu Tribes of Northern California

Response 8-a: The commenter states that the Tribe is opposed to the project and would have negative effects on sensitive historical and cultural sites. The commenter requests that no excavations or other ground disturbing activities of any kind take place in the project area without a contracted tribal monitor.

This comment is specific to opposition of the project and requiring a contracted tribal monitor during ground disturbing activities, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The Lead Agency analyzed 18 resource topics within the Draft EIR, including impacts related to cultural resources and tribal cultural resources as provided in Section 5.5, CULTURAL RESOURCES, and Section 5.15, TRIBAL CULTURAL RESOURCES. In addition, as stated on page 5.5-1 of the Draft EIR, analysis of the potential environmental impacts was derived from the three cultural resource investigations on-site, as well as the results from the Sacred Lands File of the NAHC. The analysis identified the implementation of MM 5.5-1a and MM 5.5-1b. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

COMMENTING PARTIES

Letter 9 – Public Interest Law Project (December 28, 2017)



Michael Rawson
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(Retired)

Judith Gold (1952 - 2016)

December 28, 2017

VIA EMAIL ONLY

Kent Hector
Senior Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA, 96001
khector@co.shasta.ca.us

RE: Tierra Robles EIR

Dear Mr. Hector,

On behalf of our client Tracy Bowman, Legal Services of Northern California and the Public Interest Law Project submit these comments regarding the Tierra Robles Environmental Impact Report (EIR). The County does not have an updated Housing Element, a mandatory element of the County's General Plan, as required by law and has not identified sites to accommodate the County's housing needs for lower income households. Despite this, the County is planning to rezone to accommodate additional low density residential development, land that can address the housing needs of moderate and above-moderate income households while the County is far behind in meeting the housing needs of the County's lower income households. As noted below, the EIR does not comply with the CEQA Guidelines.

9-a

General Plan Inconsistencies

1. Required Identification of Inconsistencies

The 'Tierra Robles' EIR must identify and discuss any inconsistencies the proposed project has with the County's General Plan. *Highway 66 Coalition v. County of Monterey*, 14 Cal. App. 5th 883, 893 (2017). Currently, the County's Housing Element of the General Plan includes programs to identify sites to

9-b

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accommodate its entire Regional Housing Needs Allocation (RHNA), including a program to rezone land to make up for the shortfall of sites available to accommodate the County's need for homes affordable to lower income households (Program 8). The EIR's Land Use and Planning Section does not identify or discuss whether the proposed project is consistent with the County's Housing Element Programs, specifically Program 8, to zone land for higher-density residential use. This required analysis is missing and must be included in order to comply with the CEQA Guidelines. *Id.*

9-b
Cont.

The County's Housing Element identified adequate sites to meet the housing needs of moderate and above-moderate income households. Indeed, the 2009-2014 Housing Element identified land for thousands of units in excess of the needs identified for these income groups. Now, despite the surplus of sites to meet higher income households needs, this proposed project is going to add to this surplus of sites while the housing needs of lower income households are almost completely ignored by the County.

2. Invalid General Plan

Further, it is questionable whether the proposed project can be considered consistent with the General Plan at all. State law requires all mandatory elements of the General Plan be consistent with one another. Gov Code Section 65300.5. The County has not adopted the required 5th revision of the Housing Element due on June 30, 2014, and therefore the County currently lacks an updated and legally compliant Housing Element as part of its General Plan. The General Plan must include all of the mandatory elements to be valid. *Neighborhood Action Group v. County of Calaveras*, 156 Cal. App. 3d 1176, 1184 (1984). The mandatory elements of the General Plan cannot be consistent with each other if one element is missing or invalid. *Id.*

9-c

No action can be consistent with a General Plan that is itself internally consistent. The County cannot find that the proposed project is consistent with the General Plan and therefore a discussion of the inconsistency must be included in the EIR. *Highway 66 Coalition* at 893.

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Rezoning Should Include High-Density Sites

As the County has yet to rezone sites to a higher density to accommodate the housing needs of the last planning period (2009-2014) and still needs to identify adequate sites for the current housing element planning period (2014-2019), the proposed project should include rezoning sites to a density of 20 units/acre. The proposed project gives the County an opportunity to complete rezonings that are long overdue under the law and zone sites for low density residential uses as well.

9-d

We encourage the County to consider these comments regarding the Tierra Robles EIR. If your office has any questions please contact Lauren Sanchez at Legal Services of Northern California. She can be reached after January 2, 2018 at (530) 241-3565.

9-e

Sincerely,



Valerie Feldman
Staff Attorney

Response to Letter 9 – Public Interest Law Project

Response 9-a: The commenter makes an introductory statement regarding the status of the County’s General Plan Housing Element and needs for lower income households. The commenter notes that the project site could be rezoned to accommodate lower income housing needs. The commenter refers to additional comments regarding the Draft EIR not complying with CEQA.

The comment is specific to the Shasta County General Plan and Housing Element, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

The additional comments referenced above are addressed individually below. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 9-b: The commenter states that the Tierra Roble EIR must identify and discuss any inconsistencies the proposed project has with the County’s General Plan and cites *Highway 66 Coalition v. County of Monterey*, 14 Cal. App. 5th 883, 893 (2017). The commenter states that the EIR’s Land Use and Planning Section does not identify or discuss whether the proposed project is consistent with the County’s Housing Element Programs, specifically Program 8, to zone land for higher-density residential use. The required analysis is missing and must be included in order to comply with the State *CEQA Guidelines*. The commenter states that this proposed project adds to the surplus of sites while the housing needs of lower income households are almost completely ignored by the County.

The commenter is incorrect in the citing of *Highway 66 Coalition v. County of Monterey*, 14 Cal. App. 5th 883, 893 (2017). The case should be properly cited as the *Highway 68 Coalition v. County of Monterey*. The commenter, however, is correct in the summary of that case regarding CEQA requiring an evaluation of inconsistencies with the General Plan. As stated on page 12 of the decision:

“[w]hile there is no requirement that an EIR itself be consistent with the relevant general plan, it must identify and discuss any *inconsistencies* between a proposed project and the governing general plan. [Citation]” [Citation.] “Because EIRs are required only to evaluate ‘any inconsistencies’ with plans, no analysis should be required if the project is *consistent* with the relevant plan. [Citation].”

The commenter also cites Program 8 of the Housing Plan, which is located in Section V. Housing Plan of the Shasta County General Plan. The commenter states that the proposed project should evaluate consistency with this Program. In part, Program 8 states the following:

“As part of the General Plan update, Shasta County shall identify adequate sites with appropriate land use designations to accommodate 800 housing units for lower income households. Each site selected will require a minimum density of 20 units per acre and must be capable of supporting at least 16 units per site (i.e., each site must have at least 0.80 acres of developable land) based on parcel size, configuration, development standards, water and sewer service and other factors. Each site must allow for rent and owner-occupied multi-family housing without the need for a conditional use permit. At least 50 percent of the total housing units will be accommodated by sites in which the zoning does not allow for non-residential uses. Sites Shasta County will consider for rezoning to accommodate the lower-income portion of the RHNA consists of the following specific parcels.”

Immediately following the above, page 102 of lists the 19 assessor parcel numbers that Shasta County will consider: 5 within the Burney Area, 12 within the Cottonwood Area, and 2 within the Fall River Mills Area. None of the assessor parcel numbers are within the proposed project site nor is the proposed project in proximity to any of the aforementioned locations.

In addition, page 102 further states:

“Approximately 40 acres of land, at 20 units per acre, is required. As shown by the above list, the County has identified *substantially more land than would be required* to accommodate for the extremely low and very low income household portion of the RHNA. All identified sites are vacant and (in order to reduce the costs of development) *located within water and sewer districts with existing service lines either on or adjacent to the property*. Most of the identified sites are either free of major *environmental constraints or, where they do exist, only the developable portion of the property will be considered*. The selected sites will be rezoned to the existing Multiple-Family Residential (R-3) district, which allows only residential and residential accessory uses, with a modification to allow 20 units per acre. Parcels currently zoned for commercial use, may be rezoned to Mixed Use with a modification to allow 20 units per acre. 103 To assist the development of housing for lower income households on larger sites, the County will facilitate land divisions or lot line adjustments resulting in parcel sizes that allow multifamily developments affordable to lower income households in light of state, federal and local financing programs (i.e., parcels of 2 to 10 acres). *The County will work with property owners and non-profit developers to target and market the availability of sites with the best potential for development*. In addition, the County will offer information and assistance related to all incentives adopted by the County for the development of affordable housing.”

The commenter is directed to the aforementioned italicized section in the preceding cited paragraph. As stated, the County has already identified more land than would be needed, therefore, using the proposed project for lower income housing would be extraneous. In

addition, as discussed at length in Section 5.17, UTILITIES AND SERVICE SYSTEMS, of the Draft EIR, use of the project site for higher density residential units would be constrained by water supply and there are no current developed sewer service lines within the project site. Lastly, as illustrated immediately above, the use of the proposed project site for higher density development would exacerbate the existing environmental constraints as discussed and disclosed in the various section of the Draft EIR, and hence, the proposed project site does not possess, “the best potential for development,” for affordable housing.

Therefore, discussion of Program 8 in terms of this proposed project would be inconsistent, and as cited in the noted court case, unnecessary based on Case Law and State *CEQA Guidelines* for discussion within the Draft EIR.

The County is currently reviewing and revising the housing needs and updating the Shasta County General Plan Housing Element. As required by law, this Housing Element update will identify sites the meet the various income level needs of the County residents. This process is outside of this proposed project and Draft EIR.

The comment, however, is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 9-c: The commenter states that it is questionable whether the proposed project can be considered consistent with the Shasta County General Plan because the County has not adopted the required 5th revision of the Housing Element and therefore the County currently lacks an updated and legally compliant Housing Element as part of its General Plan. The General Plan must include all of the mandatory elements to be valid. No action can be consistent with a General Plan that does not have all mandatory elements.

Refer to **Response 9-b**, above. The proposed project would include a Zone Amendment (Z10-002) to change the current zoning to Planned Development (PD) zone district. This zone change is consistent with the currently adopted Shasta County General Plan Land Use Designations. No general plan amendment is required as a result of the proposed project. By law, if zoning changes increase housing density beyond the general plan land use designations, then a general plan amendment would also be required. As mentioned above, Shasta County is currently reviewing and revising the housing needs and updating the Shasta County General Plan Housing Element. As required by law, this Housing Element update will identify sites the meet the various income level needs of the County residents. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 9-d: The commenter restates that the proposed project site should be rezoned to accommodate higher density housing needs. The commenter further elaborates that the project should include rezoning sites to allow 20 units per acre.

Please refer to Responses 9-b and 9-c, above, which describes why such a rezone would be inappropriate for the project site, for reasons to include numerous sites are already

accounted for in Program 8, the proposed rezone of the project site for high density residential would be inconsistent with Program 8, and use of the proposed project site for high density residential would exacerbate environmental impacts. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 9-e: The commenter concludes the letter encouraging the County to consider the previous comments.

Please refer to **Responses 9-a** through **9-d**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 10 – Wintu Audubon Society (December 28, 2017)



Wintu Audubon Society

Birding in Northern California

PO Box 994533
Redding, CA 96099-4533
wintuadubon.org

December 28, 2017

Kim Hunter, Planning Manager
Shasta County Department of Resource Management
1855 Placer St, Suite 103
Redding, CA 96001

Subject: Draft Environmental Impact Report for Tierra Robles Planned Development, SCH# 2012102051

Dear Ms. Hunter:

Wintu Audubon thanks you for the opportunity to comment on the subject document and project. Wintu Audubon has approximately 450 members in Shasta County. We are concerned about bird and wildlife conservation and the impacts on native bird and wildlife species that may result from this land development project. Former Conservation Chair Claudia Lyons Verion commented on the 2012 NOP for this project in 2012.

10-a

The DEIR states that the project site contains widespread robust oak woodlands totaling approximately 88% of the 715 acre project site (638 acres). These oak woodlands and open spaces provide habitat for a myriad of bird and bat species, including forage, shelter and nesting habitats. Elimination of approximately 146 acres of these oak woodlands will result from road and utility construction and residential lot development. As mitigation for the direct loss of oak woodlands, Mitigation Measure (MM) 5.4-1 proposes that offsite credits be purchased and preserved in perpetuity at the ratio of 2 acres preserved for each acre lost. We note that this mitigation ratio is not consistent with mitigation norms for most other projects in California which impact increasingly scarce wildlife habitat types such as oak woodlands, particularly when such habitat is in ever shorter supply in the rural areas of Shasta County adjacent to the urban core and between the communities of Bella Vista and Palo Cedro. The DEIR states that a ratio of 2:1 is supported by the UC Integrated Hardwood Range Management Program decision matrix, however, the IHRMP decision matrix does not in fact make a specific mitigation ratio recommendation. Appendix 1, paragraph 5.1 and 2 of the IHRMP matrix does not specify a recommended ratio, leaving this determination to the resource manager. A typical reasonable mitigation replacement ratio for lost wildlife habitat of this type, as typically recommended by the CA Dept of Fish and Wildlife or the US Fish and Wildlife Service, might be a minimum of 3:1, and might

10-b

Wintu Audubon

December 28, 2017

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range upward from there. We suggest a minimum ratio of 3:1 be required. A number of uncertainties in the adequacy of this type of offsite preservation substantiate the appropriateness of at least a 3:1 ratio. A minimum ratio of 3:1 is typically justified because the offsite preservation is not proposed (nor possible) to be newly created (as may be possible with, for example, constructed vernal pool habitat), but instead is habitat that already exists elsewhere. Additionally, although it will be preserved in perpetuity, one cannot be certain the offsite acreage acquired and preserved is at imminent risk of development, nor that it has optimally comparable species compositions or wildlife values as the acreages lost.

10-b
Cont.

The oak woodland wildlife habitat not directly removed by the project will nonetheless be subjected to a number of new impacts including light intrusion, noise, edge effects, accessory buildings, recreation activities including trails, human intrusion, and domestic animals. Additionally, a Fire Management Plan is required, calling for trimming of all grasslands to 6" high and management of hardwoods to reduce wildland fire risk. Although these actions may result in a more aesthetically pleasing "park like" environment for the residents, they will result in a tendency to reduce the quality, density and variability of oaks and associated vegetation including understory and grasslands due to management for fire prevention, and consequently reduce the wildlife habitat values. The DEIR proposes that credits against the project's direct impacts to oak woodlands are appropriate because management of the remaining oak woodlands will have positive impacts on them. Although an argument can be made that hardwood carrying capacity might be enhanced by active management, and that suppression of fire may have positive virtues for wildlife, the post development value of these remaining oak woodlands as wildlife habitat can never be said to equal, much less exceed, their present value in the undisturbed state. The DEIR provides no substantial evidence, short of declarative statements, that habitat values will be increased due to oak management. Instead, the impacts listed above are widely known by wildlife managers and trustee agencies to have typical irreversible negative impacts on wildlife. If credits for on-site preservation of oak woodlands against off-site mitigation requirements are to be made, they are only justified at ratios substantially less than 1:1.

10-c

The support document titled "Biological Evaluation for Geringer's Capitol Tierra Robles Ranch (Revised 2016)" states that impacts to migratory wildlife routes are significant unless mitigation is provided (p41), and proposes five mitigation measures, but these measures are not reflected in the DEIR. Instead, the DEIR states at Impact 5.4-3 that impacts to wildlife corridors are not significant and therefore need no mitigation. Thus these impact conclusions are inconsistent. We believe that significant impacts to wildlife movement corridors within the project could result due to on-site roads, human intrusion, new sources of light, domestic animals and tree canopy thinning for wildfire suppression. The discussion following Impact 5.4-3 states that movement corridors adjacent to streams would be managed by individual lot owners. This is an ineffective way to prevent impediment of wildlife movements, and oversight by the RCD may not be effective in preventing human intrusion or effects from domestic animal harassment or predation by house cats.

10-d

Also, Impact 5.4-3 of the DEIR states the project will not impede the use of native wildlife nursery sites, yet Impact 5.4-1 necessitates several mitigation measures to prevent impacts to bird nests and bat nurseries (MM 5.4-1f,g,h and k). These impact conclusions are thus inconsistent.

Wintu Audubon

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MM 5.4-1c prohibits dogs within all RMAs. This will likely be impossible to enforce, particularly since wildlife fencing as specified in the Oak Management Plan will not impede passage by most dogs.

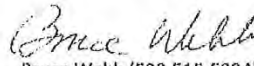
10-e

A number of acreage calculations in the DEIR are not consistent with resource documents that the DEIR apparently relies on. For example, the Oak Woodland Management Plan states that 75% of the 715 acre site is in oak woodland, whereas the DEIR states at page 5.4-38 that 88% of the site is oak woodland. Other inconsistencies and A thorough reconciliation of all acreage calculations between all support documents and the DEIR should be provided so that mitigation acreage calculations can be consistently applied and compared.

10-f

Thank you again for the opportunity to comment. If you have any questions you may contact the undersigned at the phone numbers provided.

10-g

 *BW for JW*
Bruce Webb (530-515-5324) and Janet Wall (530-547-1189)
Co-Chairs, Conservation
Wintu Audubon Society

Cc: Wintu Audubon Board of Directors
California Audubon

Response to Letter 10 – Wintu Audubon Society

Response 10-a: The commenter expresses concern about bird and wildlife conservation and the impacts on native bird and wildlife species that may result from this project. The commenter also mentions that former Conservation Shari commented on the 2012 NOP.

The Lead Agency analyzed impacts to biological resources in Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, and 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR. In addition, the 2012 NOP and associated comment letters, as well as the 2016 NOP and associated comment letters, are provided in Appendix 15.1, NOTICE OF PREPARATION. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 10-b: The commenter states that the elimination of approximately 146 acres of oak woodlands will result from the project. The commenter requests that the mitigation ratio for oak woodland be 3:1, rather than the 2:1 ratio identified in the Draft EIR.

Please refer to **Response 3-b**, above, as it related to oak woodland mitigation ratios. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 10-c: The commenters states that the proposed project impacts, such as light intrusion, noise, edge effects, and domestic animals, in addition to the Fire Management Plan, will result in a tendency to reduce the quality, density, and variability of oaks and associate vegetation inclining understory and grasslands due to management for fire prevention, and consequently reduce the wildlife habitat values. The commenter states that the Draft EIR provides no substantial evidence, short of declarative statements, that habitat values will be increased due to oak management. The commenter also suggested that if credits for on-site preservation of oak woodlands against off-site mitigation requirements are to be made, that should be at ratios less than 1:1.

With respect to the oak woodland wildlife habitat, habitat values, and mitigation, please refer to **Master Response-4** and **Responses 3-b, 3-c, 3-d, and 3-e**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 10-d: The commenter states that the impact conclusions within the Draft EIR itself as well as between the Draft EIR and the associated technical studies are inconsistent as related to wildlife corridor movements and native wildlife nursery sites. The commenter believes that significant impacts to wildlife movement corridors with the project would result from project implementation. The commenter feels that mitigation measures provided in the technical studies are not reflected in the Draft EIR.

With respect to wildlife movement corridors, please refer to Response 3-q, above. As shown on Figure 3-6, PROPOSED TENTATIVE MAP, of the Draft EIR, the project would provide approximately 526 acres designated as RMA or open space, which is approximately 73.6% of the project site. As shown in Figure 3-6, these areas allow for wildlife movement throughout the project site, including drainages and well as along upland areas. The RMAs and open space have been designed to link the entire project site to facilitate movement on land by providing contiguous areas of sufficient size (width

and cover). These areas would act as movement corridors. The RMAs within each residential lot has been created to establish setbacks from property lines, stream channels, and/or critical natural resources. These areas would remain undisturbed and would be managed by the probate land owner under direction of the Tierra Robles Community Services District (TRCSD).

With respect to wildlife nursery sites, Page 5.4-54 of the Draft EIR has been revised to read as follows (also refer to ES2, ERRATA TO THE DRAFT EIR):

Streams corridors are considered primary locations for wildlife migration corridors. However, implementation of the proposed project, would not incur development along streams. The RMA within each residential lot has been created to establish setbacks from property lines, stream channels and/or critical natural resources. These areas would remain undisturbed and would be managed by the private land owner under direction of the TRCSD. These areas would allow for travel corridors for wildlife. Additionally, the open space preserves, which accounts for more than a quarter of the total acres of the site, would also remain undeveloped under management of the TRCSD and would allow for wildlife movement and continued use for bird or bat nurseries. Regardless, wildlife movement would be impeded to some degree, but would not be considered a significant impact. Native wildlife nursery sites would be potentially impacted as discussed in Impact 5.4-1, above; however, implementation of MM 5.4-1g, MM 5.4-1h, MM 5.4-1i, and MM 5.4-1k would reduce impacts to birds and bats.

With respect to consistency of the mitigation measures discussed in the Draft EIR versus the technical studies, the intent of Mitigation Measures 1 through 5 of the *Biological Evaluation for Geringer's Capitol Tierra Robles Ranch (Revised 2016)* are reflected in the Draft EIR as MMs 5.4-1a, 5.4-1b, 5.4-c, 5.4-1d, and 5.4-1k. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 10-e: The commenter states that prohibiting dogs in all RMAs as required by MM 5.4-1c would be difficult, especially since the wildlife fencing required in the Oak Woodland Management Plan would allow passage of all animals, including dogs.

The impacts of domesticated pets are discussed throughout Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR. As discussed on page 5.4-48 of the Draft EIR, implementation of the proposed project would include residential development which could result in an increased number of domesticated animals being present on the site. The Draft EIR further states that the County cannot reasonable forecast the intensity of domesticated animals that could be onsite and any effort to quantify the potential degradation of onsite habitat and/or species would be speculative. However, MM 5.4-1b and MM 5.4-1c require open space and RMAs to be protected through establishment of conservation easements and deed restriction. The deed restrictions would prohibit dogs in these areas. The RMAs will be managed by the TRCSD.

As part of the deed restrictions, the Tierra Robles Design Guidelines state that all fences must conform to Tierra Robles Master Fencing Plan and be subject to conditions as described in the Logbook, which designated the location and design of fencing for

individual homesites. The Tierra Robles Design Guidelines further state that side yard and rear yard fences shall be open view fencing consisting of six feet high black painted wrought iron fencing, although upgraded fencing will be considered on a case by case basis. Chain link and wood fences will not be permitted on residential home sites. Fencing requirements vary depending on lot and location. These wrought iron fences for side and rear yards, would contain domesticated animals such as dogs, to the development envelope of the project site. This would allow for dogs to be contained within their own yards, and not wander into the open space and easement areas. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 10-f: The commenter states that there are discrepancies between the Draft EIR and the technical studies, especially related to the oak woodland numbers. The commenter requests reconciliation of all acreage calculations so that mitigation acreage calculations can be consistently applied and compared.

The commenter only specifies an inconsistency with the percent of the project area considered oak woodland and does not provide specific detail regarding the “other inconsistencies.” The Draft EIR is based on the technical studies provided in Appendices 15.1 through 15.10. Prior to public circulation, the Draft EIR went through four rounds of consultant, County, and applicant peer reviews and edits. In addition, Section E2, ERRATA TO THE DRAFT EIR TEXT, includes minor edits or revisions to the Draft EIR. The ERRATA has been prepared in response to comments received on the Draft EIR. Additional editorial changes initiated by County staff are hereby incorporated. These clarifications and modifications are not considered to result in any new or greater impacts than identified and addressed in the Draft EIR. To avoid redundancy, it should be assumed that additions, modifications, or deletions of text within Sections 5.1 through 5.18 of the Final EIR, where applicable, are reflected in Section 2.0, EXECUTIVE SUMMARY, and Section 9.0, INVENTORY OF MITIGATION MEASURES.

Regarding the consistency with oak woodland percentages, these vary depending on the type of oak woodland or grassland and the project impacts being discussed. As shown in Figure 3 of the Oak Management Plan (refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT), as well as Figure 5.4-1, PRIMARY HABITAT TYPES, of the Draft EIR, the project site contains approximately 88 acres of annual grassland and approximately 633 acres of oak woodland (approximately 307 acres of Blue Oak Grassland, approximately 306 acres of Blue Oak Woodland/Gray Pine, and approximately 20 acres of Interior Live Oak). Therefore, the project site currently contains approximately 12 % annual grassland and approximately 88 % oak woodlands, assuming rounding to the nearest whole number. In addition, depending on the context of the discussion, these numbers may vary depending on the impact discussed, the type of habitat discussed, and rounding. Thus, the numbers between the Draft EIR and the technical studies are consistent, when taking into consideration the context of the numbers and whether rounding the numbers to the nearest whole number was a factor. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 10-g: The commenter expressed thanks for the opportunity to comment on the Draft EIR and provided contact information.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 11 – California Oaks (December 29, 2017)



Preserving and perpetuating California's oak woodlands and wildlife habitats

December 29, 2017

Kim Hunter, Division Manager
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Tierra Robles Project

Dear Ms. Hunter:

California Oaks appreciates the opportunity to comment on the Tierra Robles Project EIR. Review of the EIR finds that the project fails to comprehensively analyze or feasibly mitigate direct and indirect greenhouse gas (GHG) emissions pursuant to CEQA requirements. Specifically, the failure to fully account for the foreseeable carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), black carbon and hydrofluorocarbon emission effects due to biomass disposal decomposition, combustion and transportation. These EIR omissions represent a failure to proceed in the manner prescribed by CEQA.

11-a

Tierra Robles Forest Land Impacts

Direct impacts to 146.2 blue oak woodland acres and indirect impacts to 300.4 woodland acres, total 446.6 acres impacted. Proposed mitigation include purchase of 137.8 offsite woodland acres and 304.2 of "mitigation credits for preservation and enhancement" of existing woodlands within the project footprint. Unfortunately, the carbon sequestration rates of existing forests do not begin to mitigate the GHG emissions associated with forest land conversions.

11-b

Natural Lands¹ Conversion Emissions

The 2008 California Air Resources Board (ARB) AB 32 Scoping Plan recognized the significant contribution that natural lands carbon sequestration will make in meeting the state's GHG emission reduction goals: "This plan also acknowledges the important role of terrestrial sequestration in our forests, rangelands, wetlands, and other land resources." When these natural lands are impacted due to land use change potentially five GHGs are directly or indirectly released into the atmosphere.

11-c

CEQA § 15364.5 states that "Greenhouse gas" or "greenhouse gases" includes but is not limited to: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. In 2016 Senate Bill 1383² designated methane, black carbon and hydrofluorocarbon short-lived climate pollutants. Neither the 2009 CEQA GHG amendments nor the enabling legislation Senate Bill 97 mention the term "carbon sequestration." CEQA's sole focus is "the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions." Further, the EIR must explain how the forest land conversion mitigation proposals result in less than significant GHG emissions consistent with state 2020, 2030 and 2050 GHG reduction targets.

¹ "Natural lands" as defined by Public Resources Code Section 9001.5 (2016).

² See Gov. Brown's SB 1383 signing comments at <https://www.gov.ca.gov/news.php?id=19549>.

California Oaks

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Upon the disposal of impacted vegetation, the decomposition of biomass does in all cases result in CO₂ and CH₄ emissions³ and the combustion of biomass does in all cases result in CO₂, CH₄, N₂O and black carbon emissions⁴ (Attachment A). CEQA does not differentiate between anthropogenic and biogenic GHG emissions. The following 2009 Natural Resources Agency response to the California Wastewater Climate Change Group proves the point:

Response 95-1: "Regarding the comment that the Guidelines should distinguish between anthropogenic and biogenic carbon dioxide emissions, the Natural Resources Agency notes that SB 97 did not distinguish between the sources of greenhouse gas emissions. Thus, it would not be appropriate for the Natural Resources Agency to treat the different categories of emissions differently absent a legislative intent that the Guidelines do so. Neither AB 32 nor the Air Resources Board's Scoping Plan distinguishes between biogenic and anthropogenic sources of greenhouse gas emissions. On the contrary, the Scoping Plan identifies methane from, among other sources, organic wastes decomposing in landfills as a source of emissions that should be controlled. (Scoping Plan, at pp. 62-63)."

11-d

EIR Natural Lands Conversion Mitigation

The project mitigation is based on the preservation ("avoided conversion") of existing natural lands. Simply preserving existing natural lands does not mitigate natural lands conversion GHG emissions. For example, existing trees aren't suddenly going to begin growing faster and sequester more carbon to reduce impacted biomass GHG emission effects over time. Nor does California have 100 years for preserved mitigation forest growth to equal pre-conversion carbon stocking levels or to mitigate the forest conversion non-CO₂ emissions.

The unsuitability of preserving existing forest land for GHG emissions mitigation purposes is evidenced by the two state models, the California Emissions Estimator Model (CalEEMod) and Forest Project Protocol, which don't allow GHG offset reduction credits for CEQA's version of avoided conversion. This is because both models recognize that existing forest carbon sequestration rates do not mitigate removed forest carbon dioxide emissions over time, let alone non-CO₂ emissions. For example, the CalEEMod allows forest carbon sequestration offset credits only for the "planting of new trees" and "There is no reduction in GHG emissions associated with preservation of land" (CalEEMod Appendix A, p. 50). That means any preserved land, anywhere. Notably, this EIR used the CalEEMod for GHG analysis but chose not to apply the state model for estimating or mitigating forest land conversion GHG emissions (See EIR, October 2017 @ page 5.7-12, Greenhouse Gases and Climate Change). It appears that the CalEEMod was not used for oak woodlands GHG analysis because the model standards don't allow the very mitigation measures proposed for the project.

11-e

The appropriate means to feasibly and proportionally mitigate forest land conversion GHG emissions is by planting/maintaining the requisite number of native woodland trees in Shasta County to reduce forest conversion emissions 80 percent by 2050. For oak woodland mitigation purposes it's important to keep in mind that on average an oak tree gains significant tree volume in its first 20 years but sequesters very little carbon during this period. After 20 years the oak begins to sequester appreciable carbon and continues storing carbon throughout its life. So a mitigation oak tree planted today won't begin paying off regarding carbon sequestration mitigation until 2038.

³ Decomposition: "Anaerobic digestion, chemical process in which organic matter is broken down by microorganisms in the absence of oxygen, which results in the generation of carbon dioxide (CO₂) and methane (CH₄) Sugars, starches, and cellulose produce approximately equal amounts of methane and carbon dioxide." Encyclopædia Britannica (2013). <http://www.britannica.com/EBchecked/topic/22310/anaerobic-digestion>.

⁴ Combustion: "... the combustion of biomass does in all cases result in net additions of CH₄ and N₂O to the atmosphere, and therefore emissions of these two greenhouse gases as a result of biomass combustion should be accounted for in emission inventories under Scope 1" (at p. 11). World Resources Institute/World Business Council for Sustainable Development (2005).

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The EIR provides no science or fact to support how its potential land preservation and enhancement mitigation measures are going to actually feasibly mitigate the project's significant biomass disposal GHG emissions.

11-f

- Please provide the following natural lands conversion mitigation information:
 1. Demonstrate mathematically that the preservation or enhancement of existing natural lands would mitigate the direct/indirect CO₂, CH₄, N₂O, black carbon and hydrofluorocarbon emissions associated with impacts to Tierra Robles natural lands.

To accurately and fully account for forest land conversion GHG emissions the total biomass weight⁵ of the impacted overstory/understory vegetation must be known and the means of biomass disposal identified.

- Please provide the following forest land conversion information:
 1. What is the estimated total biomass weight of the impacted overstory and understory vegetation by 2020, 2030 and 2050?
 2. What are the estimated biomass decomposition CO₂ and CH₄ emissions by 2020, 2030 and 2050?
 3. What are the estimated biomass combustion CO₂, CH₄, N₂O and black carbon emissions by 2020, 2030 and 2050?
 4. Due to the transport of disposed biomass off-site, what are the estimated CO₂, CH₄, N₂O, black carbon and hydrofluorocarbon emissions by 2020, 2030 and 2050?⁶
 5. Explain how the proposed mitigation is consistent with SB 1383 2030 reduction requirements regarding methane, black carbon, hydrofluorocarbon emissions and landfill organic waste disposal.

11-g

Summary

Substantial evidence has been presented that project natural land conversion GHG missions will result in potentially significant environmental effects that have not been sufficiently analyzed or feasibly mitigated. The project has not made "a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project" (CEQA Guidelines § 15064.4(a)). Therefore the EIR is deficient as an informational document, in that it fails to apprise decision-makers/public of the full range and intensity of the adverse GHG emission effects on the environment that may reasonably be expected if the project is approved.

11-h

⁵ EPA/USDA FS, 2015. Forest Biomass Components: https://cfpub.epa.gov/roe/indicator_pdf.cfm?i=86.

⁶ SB 1383 requires: (1) a 50 percent statewide reduction in black carbon emissions and a 40 percent reduction in methane/hydrofluorocarbon emissions from 2013 levels by 2030; (2) a 50 percent reduction in the level of the statewide disposal of organic waste in landfills from the 2014 level by 2020 and a 75 percent reduction from the 2014 level by 2025. The 2016 ARB SLCP Strategy lists on-road brake/tire (2%), on-road gasoline (2%) and on-road diesel (18%) as transportation sources of black carbon emissions. <http://www.arb.ca.gov/cc/shortlived/meetings/04112016/appendixa.pdf>.

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Sincerely,



Janet Cobb, Executive Officer
California Oaks

attachments (2)

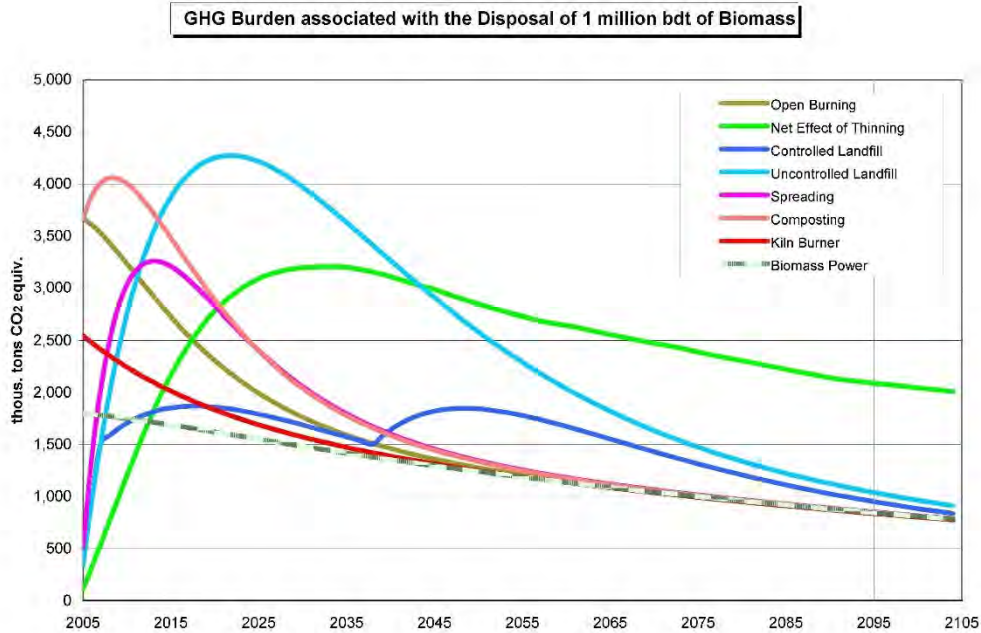
Attachment A

Biomass Disposal Greenhouse Gas Emissions

The following chart illustrates the relative GHG indirect biogenic emission effects from common methods of vegetation (biomass) disposal.¹ **The biomass combustion GHG emission values do not include black carbon emissions.**

Uncontrolled landfill disposal produces the greatest biomass GHG biogenic emissions followed by composting, open burning, mulching, forest thinning, kiln burner, controlled landfill and biomass power. The chart demonstrates that peak GHG emissions vary substantially depending on the means of biomass disposal, with the higher peaks reflecting increased amounts of methane and/or nitrous oxide emissions.

Terminology: Net effect of thinning emissions apply to forest thinning emissions and spreading emissions are equivalent to mulching emissions.



Graphic: Gregory Morris, PhD. *Bioenergy and Greenhouse Gases*. Published by Pacific Institute (2008).

¹ One bone dry ton (bdt) is a volume of wood chips (or other bulk material) that would weigh one ton (2000 pounds, or 0.9072 metric tons) if all the moisture content was removed.

11-i

Attachment B

Regulatory Framework

Executive Order S-3-05

Signed by Governor Schwarzenegger on June 1, 2005. Executive Order S-3-05 established a California GHG reduction target of 80 percent below the 1990 level by 2050.

Assembly Bill 32

AB 32 defines carbon dioxide equivalent (CO₂e) to mean, "... the amount of carbon dioxide by weight that would produce the same global warming impact as a given weight of another greenhouse gas, based on the best available science, including from the Intergovernmental Panel on Climate Change [IPCC]."

"The IPCC released its Fifth Assessment Report (AR5) in 2013, including scientific research and conclusions regarding current GHG global warming potential (GWP) values for determining CO₂e. The IPCC recommends using the AR5 GWP values, as they reflect the best information on global warming potentials. The Air District is using the GWP values from AR5, which include a GWP for methane (including all feedback effects) of 34. We recommend that ARB also use GWPs from AR5 in the Strategy." Consistent with the AB 32 carbon dioxide equivalent definition, the Bay Area Air Quality Management District applies the GWP values from AR5.

Senate Bill 97

Signed by Governor Schwarzenegger on August 24, 2007. This statute required that the Office of Planning and Research prepare CEQA guidelines for evaluating the effects of GHG emissions and for mitigating such effects. The Natural Resources Agency adopted these guidelines on December 31, 2009.

Senate Bill 32

Signed by Governor Brown on September 8, 2016. This statute requires that statewide greenhouse gas emissions be reduced to 40% below the 1990 level by 2030.

Senate Bill 1383

Signed by Governor Brown on September 19, 2016. This statute requires: (1) a 50 percent statewide reduction in black carbon emissions and a 40 percent reduction in methane/hydrofluorocarbon emissions from 2013 levels by 2030; (2) a 50 percent reduction in the level of the statewide disposal of organic waste in landfills from the 2014 level by 2020 and a 75 percent reduction from the 2014 level by 2025.

Senate Bill 1386

Signed by Governor Brown on September 23, 2016. This statute states that the protection and management of natural lands, as defined, is an important strategy in meeting the state's GHG reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural lands.

California Air Resources Board

"California is committed to reducing emissions of CO₂, which is the most abundant greenhouse gas and drives long-term climate change. However, short-lived climate pollutants [methane, black carbon, etc.] have been shown to account for 30-40 percent of global warming experienced to date. Immediate and significant reduction of both CO₂ and short-lived climate pollutants is needed to stabilize global warming and avoid catastrophic climate change" (Reducing Short-Lived Climate Pollutants in California, 2014).

11-j

Methane

"Methane is emitted from a wide range of fugitive sources and biological processes, and is the second largest source of GHG emissions globally. Methane emissions are growing globally as a result of human activities related to agriculture, waste handling and treatment, and oil and gas production. Agriculture represents the largest methane source in California, accounting for nearly 60 percent of methane emissions (Figure 6). Landfills are the next largest source of methane, accounting for a fifth of statewide methane emissions. Pipeline leaks, oil and gas extraction, wastewater, and other industrial and miscellaneous sources make up the remainder of emissions" (Short-Lived Climate Pollutants Strategy, p. 58).

Black Carbon

"Black carbon (BC, also referred to as black soot, black carbon aerosols, black carbon particles) refers to a solid particle emitted during incomplete combustion. All particle emissions from a combustion source are broadly referred to as particulate matter (PM) and usually delineated by sizes less than 10 micrometers (PM10) or less than 2.5 micrometers (PM2.5). Black carbon is the solid fraction of PM2.5 that strongly absorbs light and converts that energy to heat. When emitted into the atmosphere and deposited on ice or snow, black carbon causes global temperature change, melting of snow and ice, and changes in precipitation patterns. Roughly half of atmospheric BC comes from fossil fuel combustion, and the other half from biomass and biofuel burning. While BC is short-lived in the atmosphere (1-4 weeks), it is linked to strong regional climate effects and a large share (~30%) of recently observed warming in the Arctic."
<http://www.unep.org/transport/gfei/autotool/understandingtheproblem/Black%20Carbon.pdf>.

Stanford Engineering

"Biomass burning also includes the combustion of agricultural and lumber waste for energy production. Such power generation often is promoted as a 'sustainable' alternative to burning fossil fuels. And that's partly true as far as it goes. It is sustainable, in the sense that the fuel can be grown, processed and converted to energy on a cyclic basis. But the thermal and pollution effects of its combustion - in any form - can't be discounted, [Mark] Jacobson said.

"The bottom line is that biomass burning is neither clean nor climate-neutral," he said. "If you're serious about addressing global warming, you have to deal with biomass burning as well."

<https://engineering.stanford.edu/news/stanford-engineers-study-shows-effects-biomass-burning-climate-health>. Jacobson, M. Z. 2014. *Effects of biomass burning on climate, accounting for heat and moisture fluxes, black and brown carbon, and cloud absorption effects.*

UC Irvine Engineering

"Generation of electricity from biomass is unique among the potential technologies for meeting RPS [renewable portfolio standards] goals in that it is associated with the generation of substantial amounts of GHGs and pollutants at generation sites during operation. This feature elucidates the importance in assessing GHG and air quality impacts from biopower." Sospedra, M. and Dabdub, D. 2015. *Assessment of the Emissions and Energy Impacts of Biomass and Biogas Use in California.*

11-j
Cont.

Response to Letter 11 –California Oaks

Response 11-a: The commenter states that the Draft EIR has been reviewed and further comments are provided in the letter.

This comment is introductory and includes an overview of the commenter’s concerns. Responses to specific comments are addressed below in **Response 11-b** through **Response 11-j**.

Response 11-b: This comment summarizes the project’s direct and indirect impacts to oak woodlands. The comment incorrectly characterizes the conclusions in the Draft EIR and specifically Section 5.7, GREENHOUSE GASES AND CLIMATE CHANGE.

The Draft EIR does not state that the carbon sequestration rates of existing forests would mitigate the project’s GHG emissions as indicated in the comment. The Draft EIR determines that project GHG impacts would be significant and unavoidable despite the implementation of mitigation measures.

Impacts to oak woodlands were addressed in Draft EIR Section 5.4, Biological Resources. Tierra Robles Design Guidelines address the protection and preservation of oak trees. In accordance with the Design Guidelines, an Architectural Review Committee appointed by the Tierra Robles Community Services District (TRCSD) would review all building and landscape plans prior to commencement of any clearing, grading, construction, or landscaping, to ensure oak trees outside of the established building envelope are not removed. In the event that the owner of a future lot desires to impact a greater basal area than identified in the Design Guidelines Lotbook, the additional number of trees removed over the baseline basal area will be assessed a fee at \$75.00 per inch diameter by the TRCSD.

The Design Guidelines, which apply to all development within the project boundaries, include measures for the protection of oak trees during construction (prohibiting work within the dripline of any existing oak tree, requiring drainage improvements when necessary to ensure continued health of existing oak trees, etc.). The Design Guidelines also require planting an average of one street tree per 35 feet of lineal parcel frontage (minimum of three street trees for each parcel); 50 % of the street trees must be native oak species. In addition, one tree must be planted on the property per 1,000 square feet of lot area where appropriate (in areas not already heavily forested). The Design Guidelines include a plant palette of trees, shrubs, and ground covers that complement the character of the oak woodland, grassland, and riparian setting.

Draft EIR Section 5.4 also identifies various mitigation measures to reduce the impacts to oak woodlands. For example, MM 5.4-1a requires a permanent offsite conservation easement to be established for the preservation of 137.8 acres of blue oak woodland, while MM 5.4-1b requires the protection of open space areas through establishment of conservation easements and deed restrictions to ensure protection of oak woodland values. Additionally, MM 5.4-1c requires Resource Management Areas to be maintained in perpetuity. With implementation of MM 5.4-1a, MM 5.4-1b, and MM 5.4-1c, impacts on the oak woodlands would be less than significant from a Biological Resources perspective. However, it should be noted that as analyzed in Draft EIR Section 5.7, Greenhouse Gases and Climate Change, project impacts were determined to be significant and unavoidable despite the implementation of proposed energy efficiency

measures, water conservation measures, and MM 5.7-1. The Draft EIR does not state that the carbon sequestration rates of existing forests would mitigate the project's GHG emissions as indicated in the comment.

Response 11-c: The comment provides a statement from the 2008 California Air Resources Scoping Plan regarding carbon sequestration. It should be noted that this statement is in the context of the State's role in the West Coast Regional Carbon Sequestration Partnership (WESTCARB).

WESTCARB is a public-private collaboration to characterize regional carbon sequestration opportunities in seven western states and one Canadian province. The 2008 Scoping Plan also notes that the Forest sector is unique in that forests both emit GHGs and uptake carbon dioxide (CO₂). While the current inventory shows forests as a sink of 4.7 MMTCO₂e, carbon sequestration has declined since 1990. For this reason, the 2020 projection in the 2008 Scoping Plan assumes no net emissions from forests.

The 2009 Natural Resources Agency CEQA GHG Amendments response to comments and Final Statement of Reasons for Regulatory Action (December 2009) refers to the direct and indirect GHG emissions that may result in forest land conversion. Direct emissions (e.g., construction, mobile, and area source emission) and indirect emissions (e.g., electricity consumption, water, and solid waste generation) were analyzed the Draft EIR GHG section. The Draft EIR concluded the Project would result in significant and unavoidable impacts concerning GHG emissions. Since CEQA considers the impacts of a project as a whole and encourages an expansive analysis of a project's impacts, the project's GHG emissions due to land use conversion has been considered as part of the cumulative issue of climate change. The Resources Agency, in transmitting OPR's Guidelines for rulemaking, clarified that the revisions to the State *CEQA Guidelines* are intended "to emphasize that the effects of greenhouse gas emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis." Accordingly, analysis of the project's impacts with conversion of forest resources would not change the project's significant and unavoidable climate change finding.

Additionally, the Draft EIR acknowledges that despite the implementation of proposed energy efficiency measures, water conservation measures, and MM 5.7-1, project related GHG emissions would not meet the reduction targets established by AB 32 or SB 32, and impacts would remain significant and unavoidable. MM 5.7-1 requires the project to provide pedestrian connections to the offsite circulation network, use natural gas instead of wood burning hearths, exceed Title 24 energy efficiency standards, install energy efficient appliances, use smart grid technology, use onsite renewable energy, include grey water systems, install water-efficient irrigation, install water efficient fixtures, and divert at least 65 % of the project's solid waste. The Project Design Features and MM 5.7-1 represent all feasible mitigation measures available to reduce project related GHG emissions.

Response 11-d: The commenter discusses the decomposition of biomass and states that CEQA does not differentiate between anthropogenic and biogenic GHG emissions and quotes Response 95-1 of the 2009 Natural Resources Agency's response to the California Wastewater Climate Change Group.

The project would not remove all trees within the impact area. As noted in Response 11-b, the *Design Guidelines* include measures for the protection of oak trees during construction (prohibiting work within the dripline of any existing oak tree, requiring drainage improvements when necessary to ensure continued health of existing oak trees, etc.). Additionally, the potential loss of carbon stock associated with the removal of trees and vegetation is also generally considered carbon neutral in the long term given that trees and vegetation would release the carbon when they die and decompose. Also, refer to **Response 11-c** regarding the Natural Resources Agency CEQA Amendments and SB 97.

Response 11-e: The commenter states that simply preserving existing natural lands does not mitigate natural land conversion GHG emissions. The commenter discusses GHG emission modeling and states that appropriate means to feasibly and proportionately mitigate forest land conversion GHG emissions is by planting/maintaining the requisite number of native woodland trees in Shasta County. The comment cites Draft EIR Mitigation Measures from Section 5.4, BIOLOGICAL RESOURCES, and incorrectly attempts to create a nexus to GHG emissions.

Mitigation Measures MM 5.4-1a and 5.4-1b in Section 5.4, BIOLOGICAL RESOURCES, requires a permanent offsite conservation easement to be established for oak woodland preservation the establishment of conservation easements and deed restrictions to ensure protection of oak woodland values. These mitigation measures are identified in the Draft EIR to mitigate impacts to Biological Resources. The Draft EIR does not take any GHG emissions mitigation credit or any other emissions reductions credits from the implementation of the Biological Resources mitigation measures.

As indicated above, to reduce project-related GHG emissions, the project would be required to implement energy efficiency measures, water conservation measures, among others identified in the Project Design Features and MM 5.7-1. The Project Design Features and MM 5.7-1 represent all feasible mitigation measures available to reduce project related GHG emissions. The Draft EIR acknowledges that despite the implementation of proposed energy efficiency measures, water conservation measures, and MM 5.7-1, project related GHG emissions would not meet the reduction targets established by AB 32 or SB 32, and impacts would remain significant and unavoidable. Refer to **Response 11-c**, above.

The comment also indicates that little sequestration occurs in a tree's first 20 years. This statement is in direct conflict with data from the Intergovernmental Panel on Climate Change (IPCC). According to the *2006 IPCC Guidelines for National Greenhouse Gas Inventories*, trees are net carbon sinks during the active growing period of 20 years. Thereafter, the accumulation of carbon in biomass slows with age and increases in biomass carbon are assumed to be offset by losses from pruning and mortality.

Response 11-f: The commenter states that the Draft EIR provides no science or fact to support how the potential land preservation and enhancement mitigation measures are going to mitigate the significant biomass disposal FHF emissions and requests that the proposed project demonstrate mathematically that the mitigation will mitigate CO₂, CH₄, N₂O, black carbon, and hydrofluorocarbon emissions associated with the impacts to natural lands.

Refer to Response 11-e, above. As discussed above, the Draft EIR does not take GHG emissions reduction credits for the preservation of oak woodlands. The project also would not remove all trees within the impact area. Offsite conservation identified in

Mitigation Measures MM 5.4-1a and 5.4-1b are related to the mitigation of biological impacts and not GHG emissions impacts. Additionally, the Shasta County Air Quality Management District (SCAQMD) adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs, and regulates burning. Burning is regulated by SCAQMD Rule 2.6 and requires a valid permit and is limited to certain times of the year for areas below 1,000 feet. Additionally, the SCAQMD may declare No-Burn Days in addition to those so declared by the California Air Resources Board. SCAQMD Rule 2.7 requires smoke to be minimized, prohibits smoke to be transported into sensitive areas, and prohibits violations of the ambient air quality standards. As noted in the Draft EIR Project Description, vegetation could potentially be disposed of in a variety of ways including chipping, piling, or burning. Therefore, the project would not result in excessive N₂O or black carbon emissions from potentially impacted trees. Additionally, as stated above, the accumulation of carbon in biomass slows with age and increases in biomass carbon are assumed to be offset by losses from pruning and mortality. As such, the potential loss of carbon stock associated with the removal of trees and vegetation is considered carbon neutral in the long term given that trees and vegetation would release the carbon when they die and decompose.

Response 11-g: The commenter requests that forest land conversion GHG emissions accurately account for the total biomass weight and that land conversion information should be provided in the Draft EIR related to biomass weight of the impacted overstory and understory, biomass decomposition, biomass combustion, emissions related to transporting biomass off-site, and how mitigation will be consistent with SB 1383.

Refer to **Response 11-d**, above. As previously noted, the project would not remove all trees within the impact area. As noted in Response 11-b, the *Design Guidelines* include measures for the protection of oak trees during construction (prohibiting work within the dripline of any existing oak tree, requiring drainage improvements when necessary to ensure continued health of existing oak trees, etc.). Additionally, the potential loss of carbon stock associated with the removal of trees and vegetation is also generally considered carbon neutral in the long term given that trees and vegetation would release the carbon when they die and decompose. Therefore, emissions related to biomass decomposition would already occur even without project implementation.

As indicated in **Response 11-f**, burning is just one potential option for disposal of impacted vegetation. However, burning is regulated by the SCAQMD and is prohibited during certain times of the year and is prohibited from impacting other receptors and violating the ambient air quality standards. Furthermore, the project Design Guidelines include provisions to protect trees and avoid conflicts with the trees and proposed building envelopes. Therefore, the project would not result in excessive N₂O or black carbon emissions from any potential impacts to trees.

Response 11-h: The commenter summarizes comments provided in the letter and states that the environmental effects have not been sufficiently analyzed within the Draft EIR.

This comment provides a summary of the previous comments. Refer to **Responses 11-b through 11-g**, above. As stated above, project-related GHG emissions are fully disclosed in Section 5.7 of the Draft EIR and all feasible mitigation measures have been identified. The Draft EIR does not take any GHG emissions mitigation credit or any other emissions reductions credits from the implementation of the Biological Resources mitigation measures, including oak tree preservation measures. The Draft EIR acknowledges that

despite the implementation of proposed energy efficiency measures, water conservation measures, and MM 5.7-1, project related GHG emissions would not meet the reduction targets established by AB 32 or SB 32, and impacts would remain significant and unavoidable.

Response 11-i: The commenter provides Attachment A to the letter providing additional biomass disposal GHG emissions information.

Refer to **Response 11-e**, above. As stated above, the accumulation of carbon in biomass slows with age and increases in biomass carbon are assumed to be offset by losses from pruning and mortality. As such, the potential loss of carbon stock associated with the removal of trees and vegetation is considered carbon neutral in the long term given that trees and vegetation would release the carbon when they die and decompose.

Response 11-j: Attachment B of the comment letter provides general summaries of various California regulations regarding GHG emissions.

The comment does not specifically reference the analysis in the Draft EIR or any specific CEQA issue. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is required.

Letter 12 – California Native Plant Society (December 27, 2017)



CALIFORNIA
NATIVE PLANT SOCIETY

Shasta Chapter - P.O. Box 990194 - Redding, CA - 96099
shastacnps@gmail.com

December 27, 2017

Kim Hunter, Division Manager
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Review of the Draft Environmental Impact Report for the Tierra Robles Planned Development, State Clearinghouse Number 2012102051, Clough Creek, Shasta County

Dear Ms. Hunter:

The Shasta Chapter of California Native Plant Society has reviewed the Draft Environmental Impact Report (DEIR) dated October 2017, for the Tierra Robles Project, and are commenting primarily as it relates to oak habitat mitigation and the adverse effect the project will have on native plants and their habitats. The mission of the California Native Plant Society is to preserve and protect California native plants and their habitat and this letter reflects our mission and belief that the proposed project is detrimental to California native plants and that there is inadequate protection of oak woodlands and inadequate mitigation measures for oak woodlands in the DEIR.

12-a

Inadequate Oak Woodland Mitigation if project is to advance.

The Project contains 638 acres of oak woodland with a direct impact on 146 acres and an indirect impact on 300 acres for a total of 446 acres of impact to oak woodlands. The Project is claiming mitigation credits of 300 acres for the preservation of the Resource Management Area (RMA). However, with fire safety issues requiring grasses to be cut to a height of 4 to 6 inches, brush to be cleared in the habitat and oak trees to be trimmed to eight feet off the ground these 300 acres will no longer be an oak woodland, but a parklike setting with blue oaks, similar to some parklands in the City of Redding. This will adversely affect ground nesting animals, soil hydrology and plant cover with a resulting decrease in native flora and fauna.

12-b

While perennial grasses and herbaceous plants may reproduce vegetatively, they will be unable to set seed with the prescribed fire management practices. This will result in a further encroachment of invasive annuals and the eventual extirpation of many of these native plants

12-c

Kim Hunter, Division Manager
Shasta County Department of Resource Management
Page 2

as well as native shrubs. Thus, the proposal by the Project to use 300 acres of RMA as mitigation is inadequate. The RMA will not be an oak woodland, but a parklike setting with a number of blue oaks.

12-c
Cont.

If approved, the Project should be required to purchase mitigation credits to compensate for the loss of 446 acres of oak woodland on at least a 2:1 ratio for a total of 892 or more offsite acres in consultation and with approval of the California Department of Fish and Wildlife. The projects proposal to purchase only 137 acres of offsite mitigation is clearly inadequate.

We also note CDFW's concerns with the botanical assessment and survey and request that the deficiencies are corrected.

12-d

Respectfully submitted,

David Ledger
Conservation Chair
dsledger49@gmail.com
530-355-8542

Response to Letter 12 –California Native Plant Society

Response 12-a: The commenter discusses the mission of the California Native Plant Society (CNPS) and states that the project is detrimental to California native plants and there is inadequate protection of oak woodlands and inadequate mitigation measures for oak woodlands in the Draft EIR.

The Lead Agency analyzed 18 resource topics within the Draft EIR, including impacts related to biological resources, as provided in Section 5.4, BIOLOGICAL RESOURCES, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, and Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR. With respect to the oak woodland habitat, habitat values, herbaceous communities, native plants, and mitigation, please refer to **Master Response-4** and **Responses 3-b, 3-c, 3-d, 3-e, 3-f, 3-g, 3-k, 3-l, 3-s, and 3-t**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 12-b: The commenter states that the fire safety plan measures would result in oak woodlands that are no longer oak woodlands but a parklike setting. The commenter feels that this will adversely affect ground nesting animals, soil hydrology and plant cover with a resulting decrease in native flora and fauna.

Please refer to **Master Response-4** and **Responses 3-b, 3-c, 3-d, 3-e, 3-f, 3-g, 3-k, 3-l, 3-n, 3-o, 3-p, 3-q, 3-s, and 3-t**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 12-c: The commenter states the prescribed fire management practices will hinder native plants and that the RMA will be a parklike setting. In addition, the commenter states that the oak woodland mitigation credits should be based on loss of 446 acres, not 146 acres.

Please refer to **Responses 3-d, 3-e, and 10-c** regarding fuel reduction prescriptions and oak woodland management. Please refer to **Responses 3-b** and **3-c** regarding oak woodland management and oak woodland mitigation ratios. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 12-d: The commenter states they have noted the concerns of the California Department of Fish and Wildlife (CDFW) related to the botanical assessment and survey.

The CDFW comment letter is provided as Letter 3, above, for the responses to CDFW's comments and concerns. Responses to Letter 3 comments are provided in **Responses 3-a** through **3-v**. Specific to botanical assessments and surveys, please refer to **Responses 3-f** through **3-l, 3-s, and 3-u**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 13 – Robert J. Grosch (October 25, 2015)

Robert J. Grosch

10810 Cheshire Way, Palo Cedro, CA 96073-9777

(530) 549-4872

October 25, 2017

RECEIVED

OCT 30 2017

County of Shasta
Redding, Oregon

Mr. Kent Hector

Dept. of Resource Management, Planning Division

1855 Placer Street – Suite 103

Redding, CA 96001

Re. Proposed Tierra Robles Planned Development Project

Dear Mr. Hector,

Thank you for keeping us neighbors updated of development issues surrounding the above proposed project. As a property in the vicinity of this proposed project, I am strongly opposed to letting it go forward for the following reasons:

Urban Planning Theory: It is accepted practice among urban planning professionals to discourage suburban satellite development when it is physically unattached to the city itself. This proposed development is a poster child for such suburban satellite developments. This sort of project makes long commutes into the city necessary, resulting in increased air pollution, increased traffic, and other unfavorable contributions to a semi-rural area.

13-a

Flood Danger: One of the drainages running south from this property creates a significant seasonal stream adjacent to my property. Specifically, it crosses the intersection of Cheshire Way and Starwood. It is not unusual for this seasonal stream to run 2-3 ft. deep, and this past year it ran approximately 5 ft. deep, overcoming a 4 ft. culvert and topping the surface of Starwood. This is the second time I have seen this stream flow over the road. With added runoff from 166 houses and driveways, plus sidewalks, bike paths, and streets, it is obvious that danger from this flooding will be significantly increased. It is likely that Starwood would be damaged and perhaps destroyed resulting in stranding four families living north of this culvert. Since homes on Starwood have only one exit available to them, this presents a serious risk to public safety.

13-b

Archeological Concerns: On three occasions I have discovered black obsidian while working in my garden. It is well known that local Native Americans frequently camped nearby on what is today the intersection of Boyle and Deschutes roads. It would be highly unlikely for there to be no archeological sites on the subject property.

13-c

Wastewater Treatment: The proposed solution for wastewater treatment is unacceptable. Fouling the air with the waste water of 166 homes is not a way to preserve the fresh air for which

13-d

many of us chose semi-rural living. Adding the treated water to our local streams would be an environmental disaster. 13-d

Traffic: It is estimated that the proposed project would create 1660 vehicle trips per day. I should think that this would certainly increase traffic on Boyle by more than 100%. But this increase would all be coming from just ONE driveway! If the estimate of 1660 vehicle trips is accurate, during a 24 hour day that would result in more than one vehicle each minute! All day. All night. However, realistically, 1660 vehicles per day during a 14 hour daylight period results in approximately one vehicle every 30 seconds. Even more realistically we need to consider that a significant flood of traffic would be created each weekday at rush hour as parents leave for work and/or drive children to school. There is no way Boyle Road can safely handle this volume of traffic. At the very least roundabouts would be necessary at Boyle and Old Alturas, Boyle and Deschutes, Boyle and Old Oregon Trail, and Boyle at the driveway exiting the proposed project. 13-e

Water Supply: As we are all aware, Bella Vista Water District was not designed to serve dense, suburban developments. As the city of Redding grows, it has encroached into Bella Vista's territory, and shortages at times become severe. The fact that Bella Vista Water is not prepared to serve urban development is illustrated by the fact that this water district did not even maintain an Urban Water Plan until approximately one year ago when in the midst of our drought they discovered they had not done sufficient planning to serve the customers they already had. Adding additional densely placed housing on their system is not in line with a sustainable water supply. 13-f

Inappropriate Zoning Request: Ordinarily zoning areas abutting each other are similar to their neighbors. This proposed project violates this basic principle. The desire is for zoning to be changed to accommodate a typical suburban community. However, that suburban styled community would be surrounded to the north by tracts of 80 – 160 acres, and to the south by properties of 5-14 acres. (The EIR is in error, properties directly south of the proposed project are larger than 10 acres.) Placing a suburban tract in the midst of properties of much larger acreage makes no sense; it destroys the nature of the semi-rural environment. 13-g

Light Pollution: Urban light pollution destroys the enjoyment of the evening sky. Every year the light pollution from Redding becomes a bit brighter as development continues along the edge of the city. People living in semi-rural areas need to accept this as a fact of life. However, suddenly introducing 166 living units only a few hundred feet from properties zoned for rural residential is not appropriate. 13-h

Air Pollution: Most winter days I can look to the East and see a cloud of smoke from woodstoves in our semi-rural area. If we have visible wood smoke when homes are limited to properties ranging from 5-14 acres, how bad will the wood smoke be when we add 166 densely placed homes adjacent to our semi-rural properties? 13-i

Migratory Birds: Each Spring and Fall we have large groups of migratory birds flying directly over my property. Adjacent to my property is a pond that is often a resting place for these birds. The proposed project would without a doubt affect the flight patterns of these birds, and water run 13-j

off from the paved surfaces and chemicals from the lawns and landscaping is very likely to pollute the water these birds use on their semi-annual trips between here and their nesting grounds.

13-j

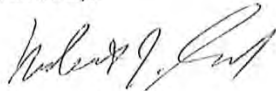
Habitat Destruction: I am acquainted with the property subject to this proposed development, as I used to jog across the property during the seasons when it was not being used for cattle grazing. The property has a large diversity of wildlife incapable of coexisting with suburban housing. If construction begins on this property it is likely the predatory animals currently living there will move into the larger acreages surrounding the proposed project. As a result habitat will be lost, but so will the balance in the area as these displaced predators find it necessary to feed on small livestock, chickens, geese, and household pets.

13-k

Mr. Hector, the long list of reasons to not allow this proposed project to move forward are many. I am surprised it is still under consideration. I can only urge you to deny permission to place this suburban development in our semi-rural area.

13-l

Yours truly,



Robert J. Grosch

Response to Letter 13 – Robert J. Grosch

Response 13-a: The commenter provides statements regarding urban planning theory and states that the proposed project is a suburban-like development resulting in increased air pollution, increased traffic, and other unfavorable contributions to a semi-rural area.

The analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County *General Plan* (2004), and *Shasta County Code* Title 15 (Subdivision Regulations) and Title 17 (Zoning). The proposed design is intended to maintain a semi-rural appearance given the siting of proposed building envelopes, the extent of open space preservation (approximately 74.2%), and the overall density of the development (1 dwelling unit per 4.4 gross acres). As noted, the Draft EIR found that the overall density of the proposed project is not substantially inconsistent with densities within the surrounding area, however, proposed project does not conform to the grid like pattern of residential lots within the surrounding area. The proposed project would be required to comply with *Shasta County Code*, Title 17 (Zoning), which is designed to ensure land use compatibility and orderly development. Regulations for setbacks, density, allowed land use, and other elements of development projects serve to reduce incompatibility that might otherwise accompany unplanned development. As a result, the Draft EIR determined that while the proposed project is consistent with applicable *General Plan* policies for the site and surrounding area. No change to the Draft EIR is required.

The commenter is referred to **Master Response-2** and **Response 13-b** through **Response 13-l**, above, for additional concerns raised by this comment. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 13-b: The commenter states that the existing drainage floods on occasion, overtopping the road. The commenter states that the project will increase runoff and, thus, increase the danger of flooding. The commenter states that Starwood would be damaged from flooding, thus stranding the occupants of the four residential units north of the culvert, resulting in a risk to public safety.

The Lead Agency analyzed 18 resource topics within the Draft EIR, including impacts related to hydrology, as provided in Section 5.9, HYDROLOGY AND WATER QUALITY, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, and Appendix 15.6, PRELIMINARY HYDROLOGY ANALYSIS, of the Draft EIR. Specifically related to erosion and flooding, Impact 5.9-3, beginning on page 5.9-15 of the Draft EIR, analyzes the impact of the project related to onsite or offsite erosion, while Impact 5.9-4 beginning on page 5.9-17 of the Draft EIR, analyzes the impact of the project related to onsite or offsite flooding.

As discussed in Impact 5.9-4, the *Preliminary Hydrology Analysis* determined the rates of runoff produced by the local watersheds of interest under existing conditions and after development. The peak flows for the project site are provided in Table 5.9-2, EXISTING AND POST-DEVELOPMENT PEAK FLOWS FOR SITE, on page 5.9-18 of the Draft EIR. The proposed project would use onsite low impact development (LID) facilities to retain

additional storm water runoff that would result from the proposed project. Therefore, the runoff from the project site after the implementation of the project, with incorporation of the recommended LID facilities, would not overwhelm any offsite storm water drainage systems. The proposed project would also comply with *Shasta County Code* Chapter 12.12 to reduce project impacts as the result of creating or contributing to runoff that would exceed the capacity of existing or planned storm water drainage systems. The Draft EIR found that impacts would be less than significant, thus, the project's impacts on offsite flooding and erosion would not substantially change the conditions that currently exist. No change to the Draft EIR is required.

Response 13-c: The commenter raises concerns regarding the discovery of archaeological resources onsite. No issue or adequacy of the Draft EIR was raised by the commenter; however, Staff offers the following response specific to the discovery of unknown cultural resources onsite during project construction.

Section 5.5, CULTURAL RESOURCES, of the Draft EIR discussed the potential for cultural resources to be encountered within or adjacent to the proposed project. The analysis of potential impacts to cultural resources were based on several studies conducted onsite and include the following: (refer to Draft EIR page 5.5-1):

- Coyote & Fox Enterprises. *Additional Archaeological Reconnaissance for the Chatham Ranch Development*. April 2006.
- Coyote & Fox Enterprises. *Archaeological Reconnaissance for the Chatham Ranch Environs (820 Acres North of Boyle Road Between Deschutes Road and Old Alturas Road), Palo Cedro, Shasta County, California*. July 2004.
- Coyote & Fox Enterprises. *Cultural Resources Investigation for Tierra Robles Development (North of Boyle Road Between Deschutes Road and Old Alturas Road) Palo Cedro, Shasta County, California*. January 2013.

As noted on page 5.5-10 of the Draft EIR, it is expected that the project area will have a moderate likelihood of containing both prehistoric and historic resources. To minimize potential impacts to prehistoric and historic resources, including Native American cultural resources, Mitigation Measure (MM) 5.5-1a is required that limits construction activities should unknown resources be discovered. Additionally, the project would comply with strict adherence to California Health and Safety Code Section 7050.5 and Section 5097.98 of the Public Resources Code (as amended by Assembly Bill 2641) be followed in the event that human remains are encountered as a result of project development, as addressed in Mitigation Measure (MM) 5.5-1b. With compliance with applicable regulations and implementation of Mitigation Measure (MM) 5.5-1a and Mitigation Measure (MM) 5.5-1b, impacts to cultural resources would be *less than significant*. No change to the Draft EIR is required.

Response 13-d: The commenter expresses that the proposed wastewater treatment solution for the proposed project is unacceptable and will result in fouling the air and polluting local streams.

The commenter is referred to Section 5.3, AIR QUALITY, (Draft EIR page 5.3-21) regarding the discussion of potential odors associated with the proposed community wastewater collection and treatment system. As noted on page 5.3-21, individual septic tanks onsite

would include carbon filters to control odors. The wastewater treatment system would be designed to meet the reuse requirements for discharge of Title 22 (Disinfected Secondary Effluent). Title 22 reuse requires daily testing for coliform and also includes provisions for odor and nuisance control. Furthermore, the project would be required to comply with Shasta County Air Quality Management District (SCAQMD) Rule 3:16 and *California Health & Safety Code* Section 41700, which prohibits the discharge of contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. No change to the Draft EIR is required.

The commenter is referred to Section 3.0, PROJECT DESCRIPTION, (page 3-15 and page 3-22) for a detailed description of proposed community wastewater collection and treatment system. Wastewater from the proposed project would be collected via individual residential septic tanks, transferred to a community collection system, treated, and then recycled for roadway median landscape irrigation. This system must obtain the requisite Central Valley Regional Water Quality Control Board (CVRWQCB) Waste Discharge Requirements permit.

As documented on Draft EIR page 5.9-13 (refer to Section 5.9, HYDROLOGY AND WATER QUALITY), the proposed treatment system would be designed to meet the reuse requirements for discharge of Title 22 Disinfected Secondary Effluent. Per Title 22, recycled water used for the irrigation of roadway landscaping would be disinfected secondary-23. Secondary-23 recycled water is water that has been oxidized and disinfected so that the median concentration of total coliform bacteria in the disinfected effluent does not exceed a most probable number (MPN) of 23 per 100 milliliters. The Orenco AXMAX treatment system would be designed to meet the reuse requirements for discharge of the Title 22 Disinfected Secondary Effluent as well as the CVRWQCB's Waste Discharge Requirements. Therefore, the project would not involve any unpermitted discharges of waste material into ground or surface waters.

The commenter also is referred to Page 5.17-19 of Section 5.17, UTILITIES AND SERVICE SYSTEMS, which provides further discussion of the wastewater system. As discussed above, the system would meet the reuse requirements for discharge of Title 22 Disinfected Secondary Effluent, which requires daily testing for coliform. Effluent also is monitored for turbidity, oxidation reduction potential (ORP), and chlorine residual. In addition, the treatment system would include flow equalization and emergency storage tankage. The proposed project would fall under the Central Valley RWQCB requirements. The proposed project would comply with local, State, and federal laws and regulations, and would obtain all applicable permits for the system. The Draft EIR, thus concluded that these project components would result in a less than significant impact. No changes to the Draft EIR are required.

Response 13-e: The commenter states that the proposed project would create 1,660 vehicle trips per day and this increase in traffic would use one driveway and would use Boyle Road. The commenter expresses concern that Boyle Road cannot safely handle the increase in traffic. The commenter suggests that roundabouts would be necessary at several locations along Boyle Road.

The Draft EIR analyzes traffic impacts resulting from the proposed project in Section 5.16, TRAFFIC AND CIRCULATION. In addition, Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR provides additional details regarding the technical analysis of traffic related impacts on the roadway system. Traffic analyses was completed for 17 intersections and 8 roadway segments.

As shown in Table 5.16-8, PROJECT TRIP GENERATION, it is estimated that the proposed project would generate approximately 1,774 new daily trips, with 135 vehicle trips generated during the AM peak hour period and 175 vehicle trips generated during the PM peak hour period. The directional trip distribution and assignment of project-generated trips were estimated based on an understanding of existing and projected future traffic flows and travel patterns within the vicinity of the proposed project site, location of local and regional housing and employment/commercial centers in relation to the propose project site, and supplemented by the use of the Shasta County Regional Travel Demand Forecast model. Trip distribution from the two entrances into the project site is graphically depicted in Figure 5.16-3, PROJECT TRIP DISTRIBUTION, of the Draft EIR, page 5.16-16. The traffic would be distributed along multiple roadways within the circulation network, and would not only use Boyle Road.

As discussed in Impact 5.16-1, beginning on page 5.16-22 of the Draft EIR, one intersection, Airport Road & SR-44 WB Ramps, would operate at an unacceptable level of service (LOS); all other intersections would operate at an acceptable LOS under Existing Plus Project conditions. All roadway segments would operate at acceptable LOS under Existing Plus Project conditions. Therefore, mitigation related to traffic increases under Existing Plus Project conditions would only be required at one intersection. No further mitigation measures are warranted at this time. No change to the Draft EIR is required.

Response 13-f: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 13-g: The commenter raises concerns relative to the proposed zoning request and states that placing a suburban tract in the midst of properties that are of larger acreage destroys the nature of the semi-rural environment.

The commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 13-h: The commenter states that urban light pollution destroys the enjoyment of the evening sky and the introduction of 166 residential units a few hundred feet from properties zoning for rural residential is not appropriate.

The commenter is referred to Impact 5.1-2 on page 5.1-20 of the Draft EIR that specifically discusses the project's potential for creating a new source of substantial light or glare

which could adversely affect day or nighttime views in the area. As described on page 5.1-20, all residential exterior lighting would be required to comply with the *Design Guidelines*, and §17.84.050 (Lighting), of the *Shasta County Code*. The *Design Guidelines* and *Shasta County Code* §17.84.050 require new exterior lighting to be oriented or shielded to minimize glare, and avoid light spillage onto adjacent neighbors. Glare shields would be required to eliminate bright spots and glare sources, and exterior lighting would utilize low-voltage or similar non-glare direct task type fixtures as close to grade as possible. All exterior lighting would be equivalent to “Good Light Fixtures” as defined by the International Dark Sky Association, and would be reviewed and approved by the Tierra Robles Architectural Review Committee (TRARC) prior to installation. Compliance with the *Design Guidelines* and County’s lighting standards would result in a *less than significant* impact from exterior lighting sources at the project site. No change to the Draft EIR is required.

As previously noted above under **Master Response-2**, comments identifying the scale of the proposed project as incompatible with the character of the area are referred to decision-makers for further consideration as part of the deliberative process, and no further response is necessary.

Response 13-i: The commenter expresses a concern that the proposed 166 units will contribute to air pollution from smoke associated with wood stoves.

As noted in Mitigation Measure (MM) 5.3-2 on page 5.3-17 of the Draft EIR (refer to Section 5.3, AIR QUALITY), the installation of wood-burning fire places onsite are specifically prohibited. Only natural gas fireplaces are acceptable. No further response is necessary and no change to the Draft EIR is required.

Response 13-j: The commenter states concerns regarding the impact the project would have of flight patterns of migratory birds and that water runoff from the project would pollute water that the birds use during migration.

Impact 5.4-1 (refer to Section 5.4, BIOLOGICAL RESOURCES), evaluates, in detail, oak woodland impacts associated with the proposed project. As noted on page 5.4-38 of the Draft EIR, tree removal would result in the loss of potential nesting habitat for migratory birds.

The project applicant is taking a number of steps to avoid impacts on oak woodlands and to enhance the value of the oak woodlands. With respect to avoidance, the project applicant has proposed the establishment of several open space preserves to provide at least partial mitigation for the loss of oak woodlands. Specifically, the onsite preserves include the principal onsite stream corridors, which provide some of the highest wildlife habitat values on the site. Because the onsite preserves are within the onsite Resource Management Areas (RMAs) (refer to Section 3.0, PROJECT DESCRIPTION, for a full discussion of the RMAs, including preservation goals and long-term maintenance), they provide for enhanced buffering and reduction of edge effects. The onsite preserves are also clearly capable of supporting the same suite of plants and wildlife that occupy the planned development areas; this ability is unlikely to be met in full at offsite preserves. Finally, the onsite preserves provide “islands” and corridors for wildlife use and dispersal, which are particularly valuable in the urbanizing portions of the County.

In addition, the Tierra Robles Oak Management Plan prescribes a number of measures that will help maintain and enhance the onsite oak woodlands in perpetuity. Plan implementation will provide for ongoing monitoring and maintenance of the oak woodlands, promote oak regeneration, ensure that a variety of tree size-classes are represented onsite, promote retention of snags and downed trees, maintain acorn production (which is essential for wildlife), and reduce fire hazards, especially the hazard of catastrophic wildfire.

Mitigation Measure (MM) 5.4-1a requires a permanent offsite conservation easement to be established for the preservation of 137.8 acres of blue oak woodland. As required by Mitigation Measure (MM) 5.4-1b, the onsite areas classified as Open Space would be protected through establishment of conservation easements and deed restrictions to ensure protection of oak woodland values. Mitigation Measure (MM) 5.4-1c requires RMAs to be maintained in perpetuity. The RMAs would be managed for their oak woodland habitat values and for fire-hazard reduction, would provide a degree of connectivity with larger wildlife habitats and corridors, and would maintain a woodland structure capable of supporting nesting birds and small- to medium-sized wildlife species. With implementation of Mitigation Measure (MM) 5.4-1a, Mitigation Measure (MM) 5.4-1b, and Mitigation Measure (MM) 5.4-1c, impacts on the oak woodlands would be *less than significant*.

Relative to the commenter's concern regarding water quality impacts from the proposed project, development of the proposed project would introduce additional impervious surfaces and would have the potential to increase the amount of storm water runoff either onsite or that exiting the site. As discussed under Impact 5.9-4 (page 5.9-20 of the Draft EIR), with incorporation of the recommended low-impact development (LID) attributes, the proposed project would not overwhelm any offsite storm water drainage systems. Permit requirements for the SWPPP and the permanent erosion plan required by *Shasta County Code* Chapter 12.12, would reduce project impacts as the result of creating or contributing to runoff that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff would be minimized. No change to the Draft EIR is required.

Response 13-k: The commenter believes that existing predatory animals currently living onsite will move into larger acreages surround the proposed project site and the balance in the area will be changed with displaced predators finding it necessary to feed on small livestock, chickens, geese and household pets.

Please refer to **Master Response-4**, **Response 3-a** through **Response 3-v**, and **Response 12-a** through **Response 12-d** regarding biological resources, including impacts on habitat and wildlife species. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 13-l: The commenter expresses opposition to the proposed project and urges the county to deny the proposed project.

Thank you for your comment. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 14 – Karen and Tom Taylor (October 27, 2017)

Oct. 27, 2017

Shasta County Department of Resource Management
Planning Division
1855 Placer St. Suite 103
Redding, CA 96001
Kent Hector – Senior Planner

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County of Shasta
Building Division

To Whom It May Concern

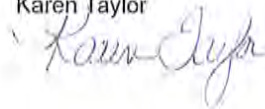
We are Karen and Tom Taylor, and we live at 21205 View Lake Dr. Redding 96003. Our home is one block north of Old Alturas Rd., and we're served by the Bella Vista Water District. We are about one-half mile west of the proposed new subdivision and are opposed to its completion.

Our main concerns and questions are these:

1. Prior to this year, we were on very serious water conservation cutbacks over the previous three years, and we would like to know exactly how our water district is going to serve 160 new properties without further cutting allocations to already existing customers. There is now another huge water consuming development project (Bethel church) thrown into the equation. We have had to remove water from many plants in our yard and watch them die, more each year, so as not to pay penalties. Adding so many properties will have a serious impact on current Bella Vista Water customers. We don't begrudge any new family in the area their access to good water, but why should existing customers face additional shortages in order to make some mega-development company richer than it already is when it creates this huge subdivision? The developers should be required to pay the costs for Bella Vista Water District having to buy any additional water to accommodate the project. If BVWD's water rights, or ability to purchase developer-funded additional water are at their maximum, then we would oppose this project. 14-a
2. The proposed plan estimates 10 motor vehicle trips per day to and from each of 160 new residences. This sounds unusually high, but even if it's only two or three per day average, that's still a large amount of additional traffic on Boyle and Old Alturas roads. I am a regular bicycle rider on these narrow, winding roads, and another 320 to 480 cars on those roads every day will make them much more dangerous. I would like to know what the plans are for mitigation of this significant increase in the percent of motor vehicle traffic. 14-b

Thank you for answering our questions.

Karen Taylor



Tom Taylor



Response to Letter 14 – Karen and Tom Taylor

Response 14-a: The commenter expresses concern regarding water supply availability within the Bella Vista Water District (BVWD) service area with the introduction of the proposed project and other cumulative development anticipated to be served by BVWD. The commenter further states that the developers of the proposed project should pay for additional water for BVWD.

Please refer to Section 5.17, UTILITIES AND SERVICE SYSTEMS, of the Draft EIR (specifically page 5.17-28). As noted, Mitigation Measure (MM) 5.17-4b requires the project applicant to identify and implement an agreement with BVWD to provide BVWD with dry-year water supplies prior to commencement of project construction. This measure ensures that actual physical development does not occur until such time as there is adequate water to serve it. The commenter is also referred to **Master Response-3** and **Response 7-d** above for additional discussion. No change to the Draft EIR is required.

Response 14-b: The commenter questions the anticipated daily vehicle trips and expresses safety concerns regarding additional traffic on Boyle Road and Old Alturas Road.

Project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (10.09 daily trips per unit) and Apartment (6.65 daily trips per unit) has been used to estimate the trip generation for the proposed project. The Apartment category was utilized in the analysis to capture daily trips associated with up to 15 accessory dwelling units.

With regards to safety concerns along Boyle Road and Old Alturas Road, the commenter is referred to page 5.16-27 and page 5.16-28 of the Draft EIR (Section 5.16, TRAFFIC AND CIRCULATION). The following reflects a summary of the offsite pedestrian, bicycle, and motorized vehicle safety review completed on Old Alturas Road, Boyle Road, and Deschutes Road in the immediate project vicinity. The safety performance analysis was based on historical collision data and a field review.

For Old Alturas Road (Deschutes to Seven Lakes Road), it is estimated that 17 % of the project traffic will use this section of roadway which will increase the Average Daily Traffic (ADT) by 27 % in the *Existing Plus Project* conditions and by 23 % in the *Year 2035 Plus Project* conditions. The increase in traffic, in combination with the overall very low traffic volumes and LOS A conditions, is not expected to significantly increase the rate of collisions. Safety mitigation was not identified along this segment of Old Alturas Road.

Old Alturas Road (Boyle Road to Old Oregon Trail), it is estimated that 61 % to 62 % of the project traffic will use this section of roadway which will increase the ADT by 24 percent in the *Existing Plus Project* conditions and by 22 % in the *Year 2035 Plus Project* conditions. A collision rate 9 % higher than the statewide average for similar facilities is not statistically significant and is considered to be within a normal and expected range. The increase in traffic, in combination with the LOS A conditions and the modern roadway, is not expected to significantly increase the rate of collisions. Safety mitigation was not identified along this segment of Old Alturas Road.

For Deschutes Road (Boyle Road to State Route 44), approximately 85 % of the collisions were reported to occur during daylight conditions and 56% were identified as rear-end collisions. South of Boyle Road, it is estimated that 15 % of the project traffic will use this section of roadway which will increase the ADT by 5 % in both the *Existing Plus Project* and *Year 2035 Plus Project* conditions. Immediately north of SR-44, it is estimated that 7 % of the project traffic will use this section of roadway which will increase the ADT by 1 % in both the *Existing Plus Project* and *Year 2035 Plus Project* conditions. The installation of intersection warning signs at various locations along Deschutes Road between Boyle Road and SR-44 would serve to notify drivers of upcoming driveways. Mitigation Measure (MM) 5.16-2 (page 5.16-28 of the Draft EIR) requires the project applicant to install intersection warning signs at Lassen View Drive, Beryl Drive, Sunny Oaks Drive, Wesley Drive, Robledo Road, Oak Meadow Road, Oak Tree Lane, and Coloma Drive prior to issuance of a building permit that would allow construction of the first residence. No change to the Draft EIR is required.

Letter 15 – Dr. and Mrs. Thomas K. Gandy (November 5, 2017)

22445 Buckboard Trail
Palo Cedro, CA 96073

November 5, 2017

Kent Hector, Senior Planner
Shasta County Dept. of Resource Management
Planning Division
1855 Placer St. Ste. 103
Redding, CA 96001

Mr. Hector,

We are writing to express our displeasure and grave concern for the proposed Tierra Robles development project in Palo Cedro and Bella Vista. There's not enough water from the Bella Vista Water District to support this development without affecting all Palo Cedro and Bella Vista residents negatively.

When we bought our house in Palo Cedro in 1977, the big selling point was Bella Vista Water, "... great water pressure, plenty for irrigating pasture." That was true then so we landscaped freely, put in a vegetable garden and irrigated pasture for two horses. Then we lost our agricultural water because we weren't raising crops or animals for sale. Then the drought hit and we were forced to stop watering part of the landscape we'd spent years developing. The Bella Vista Water District's restrictions got to the point where we limited washing, flushing, watering, and gave up our vegetable garden.

Bethel Church's expansion has been approved and that project will also draw water from Bella Vista Water District. Where does it end?

Drought in California is a fact of life and will continue to undoubtedly get worse. Someone has to say, "Stop! That's enough development in this area. There's just not enough water."

Worried and displeased,



Dr. and Mrs. Thomas K. Gandy

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County of Shasta
Building Division

15-a

Response to Letter 15 – Dr. and Mrs. Thomas K. Gandy

Response 15-a: The commenter expresses concern regarding water supply availability within the Bella Vista Water District (BVWD) service area with the introduction of the proposed project and other cumulative development anticipated to be served by BVWD.

The commenter is referred to Section 5.17, UTILITIES AND SERVICE SYSTEMS, of the Draft EIR (specifically page 5.17-28). As noted, Mitigation Measure (MM) 5.17-4b requires the project applicant to identify and implement an Agreement with BVWD to provide BVWD with dry-year water supplies prior to commencement of project construction. This measure ensures that actual physical development does not occur until such time as there is adequate water to serve it. The commenter is also referred to **Master Response-3** and **Response 7-d** above, for additional discussion. No change to the Draft EIR is required.

Letter 16 – Phillip and Kay Gibson (November 6, 2017)

Kent Hector

From: kay gibson <myvintage88@yahoo.com>
Sent: Monday, November 06, 2017 7:50 PM
To: Kent Hector
Subject: Tierra Robles Planned Development project

November 6, 2018

Dear Mr. Hector,

California needs more housing, I get that. Shasta County would like more tax revenues and development fees. Bella Vista District would like to collect more fees, even irresponsibly. And the out-of town developers/investors would like to get rich (er). I get all of that. But the proposed Tierra Robles development project is a misguided pie-in-the-sky disaster for so many reasons.

ENVIRONMENTAL CONCERNS: The absolute need for trees to help mitigate man-made poisoning of the air we breathe is progressively more crucial and the oak and conifer stands in the subject 715 acre parcel need to stay. If developed, the oak trees that are left intact would undoubtedly suffer losses because of a difference in watering patterns and subsequent root rot. I have no doubt that there are some assurances that the issue of trees will be addressed but, since witnessing the site preparation at the southern reaches of Churn Creek Road, I was appalled to see the near total loss of a dense oak woodland on a 5+ acre parcel to be available for some nebulous commercial development in the future. These trees are gone and an ecological maelstrom will develop because a local planning department sold out and approved it without mitigation. So, I have little faith in mitigation promises or bureaucratic concerns for protecting natural resources.

WILDLIFE CONCERNS: There are many bird species, from raptors to hummingbirds, that make those 715 acres home. It is home to mammals ranging from coyotes, deer, foxes, mountain lions (and their prey), which maintain specific patterns in their residence and movements. It is a diverse ecology that is easily upset by the domino effects of higher density housing, which would be detrimental on many levels.

WATER ISSUES: are of grave concern and this doesn't seem to have raised an iota of worry with the governing body of Bella Vista Water District, which recently signed on to more than one major project, including the Bethel Church expansion. Need they be reminded that they can't even handle pre-existing commitments to residents and ag interests, who have been subjected to lower water pressures, increased rates, and use restrictions because of an apparently maxed out water supply, even in good years? Will we run out of water during wildfires when there is even more need for immediate water? How high will our rates go? Will we be tapping already dwindling ground water supplies? The proposed sewer system in Palo Cedro would be a death knell to the quiet presence of the community. After disrupting traffic (for months probably) and re-routing residents along Boyle Road and Deschutes Road, it would provide the "slippery slope" that Tierra Robles caused by triggering zoning changes throughout the area (with a sewer system in place) and we would become the Fairfield or Vallejo of Shasta County.

SUPPORT SERVICES AND INFRASTRUCTURE: We don't have the roads, the schools, the water, adequate sheriff services, nor the will to give up the aesthetics and lifestyle that we signed up for when we purchased our rural home in an appropriately zoned area 30 years ago. We will not allow this vital area to become suburbia and we don't have confidence that our planners are protecting us. But we will make our objections heard. This is an ill-conceived proposal to undermine a pristine environment, one that is more necessary than ever as a buffer against encroachment and opportunists. Thank you for your attention. Please serve Shasta County respectfully by adhering to the zoning already in place.

Phillip and Kay Gibson

16-a

16-b

16-c

16-d

16-e

Response to Letter 16 – Phillip and Kay Gibson

Response 16-a: The commenter provides opening remarks and general opinions, none of which raise an environmental concern.

The remarks are noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. Responses to specific comments are addressed below in **Response 16-b** through **Response 16-e**.

Response 16-b: The commenter expresses concern regarding loss of the remaining onsite oak woodland habitat.

The commenter is referred to Impact 5.4-1 (Section 5.4, BIOLOGICAL RESOURCES) of the Draft EIR which evaluates oak woodland impacts associated with the proposed project. As noted on page 5.4-38, the project applicant is taking a number of steps to avoid impacts on oak woodlands and to enhance the value of the oak woodlands onsite while meeting safety requirement of the Department of Forestry and Fire Protection (Cal Fire) as well as those of the Shasta County Fire Department (SCFD). With respect to avoidance, the project applicant has proposed the establishment of several open space preserves and Resource Management Areas (RMAs) to provide partial mitigation for the loss of oak woodlands. The proposed project site was subdivided into five RMA's representing distinct and identifiable habitat types.

The RMA within each residential lot has been created to establish setbacks from property lines, stream channels and/or critical natural resources. These areas would remain undisturbed and would be managed by the private land owner under direction of the Tierra Robles Community Services District (TRCSD) as specified in the Tierra Robles Wildland Fuel/Vegetation Management Plan (TRWF/VMP). The total area of the RMA is 333.9 acres or 46.9% of the total area (refer to Figure 3-6, PROPOSED TENTATIVE MAP, in Section 3.0, PROJECT DESCRIPTION, of the Draft EIR).

The area classified as Open Space includes 192.7 acres, 26.9% of the total project area, and would be managed through an Open Space Management Plan to ensure the undeveloped areas of the property continue as a means of fire protection, open space preservation and to manage the open spaces throughout the life of the project. The Open Space areas designated as RMA 5 consist of large tracts of open space land divided into two RMA sub-categories; RMA 5-1 and RMA 5-2. RMA 5-1 would be managed through the use of livestock grazing from January to May of each year.

In addition, the Tierra Robles Oak Management Plan prescribes a number of measures that will help maintain and enhance the onsite oak woodlands in perpetuity. Plan implementation will provide for ongoing monitoring and maintenance of the oak woodlands, promote oak regeneration, ensure that a variety of tree size-classes are represented onsite, promote retention of snags and downed trees, maintain acorn production (which is essential for wildlife), and reduce fire hazards, especially the hazard of catastrophic wildfire.

In addition to establishment of open space preserves and RMAs, several mitigation measures have been implemented to promote the long-term protection and

management of oak woodland resources onsite, including the preservation of additional oak woodland resources offsite. Specifically, Mitigation Measure (MM) 5.4-1a requires a permanent offsite conservation easement to be established for the preservation of 137.8 acres of blue oak woodland. As required by Mitigation Measure (MM) 5.4-1b, the onsite areas classified as Open Space would be protected through establishment of conservation easements and deed restrictions to ensure protection of oak woodland values. Mitigation Measure (MM) 5.4-1c requires RMAs to be maintained in perpetuity. The RMAs would be managed for their oak woodland habitat values and for fire-hazard reduction, would provide a degree of connectivity with larger wildlife habitats and corridors, and would maintain a woodland structure capable of supporting nesting birds and small- to medium-sized wildlife species. No change to the Draft EIR is required.

Response 16-c: The commenter expresses concerns regarding impacts to the resident wildlife and wildlife movement.

The commenter is referred to **Response 3-q**, **Response 10-d**, and **Response 16-b** above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 16-d: The commenter expresses concerns regarding water supply availability within the Bella Vista Water District (BVWD) service area with the introduction of the proposed project and other cumulative development anticipated to be served by BVWD. The commenter states that the proposed project would result in the re-routing of residents along Boyle Road and Deschutes Road triggering zone changes throughout the area.

Regarding water supply, the commenter is referred to Section 5.17, UTILITIES AND SERVICE SYSTEMS, of the Draft EIR (specifically page 5.17-28). As noted, Mitigation Measure (MM) 5.17-4b requires the project applicant to identify and implement an Agreement with BVWD to provide BVWD with dry-year water supplies prior to commencement of project construction. This measure ensures that actual physical development does not occur until such time as there is adequate water to serve it. The commenter is also referred to **Master Response-3** and **Response 7-d**, above for additional discussion. No change to the Draft EIR is required.

Regarding the proposed project triggering other zone changes, as noted above in **Master Response-2**, in the event that future high-density development is proposed within this area of unincorporated Shasta County, the environmental impacts and merits of that future project will be evaluated at that time, as required by CEQA. It is speculative to state that the proposed project would be used as justification for promoting high-density development in the area. CEQA analysis is limited to what is known or reasonably foreseeable, assuming further rezoning is speculative and not a part of the analysis included in the Draft EIR.

With regards to the proposed onsite community wastewater collection and treatment system, please refer to **Response 13-d**, above. With regards to the increase in traffic along Boyle Road and Deschutes Road, the commenter is further referred to **Responses 4-b, 5-f, 13-e**, and **14-b**, above.

Response 16-e: The commenter states that there are inadequate roads, schools, water, and sheriff services to serve the proposed project and existing residents would lose aesthetics and lifestyles. The commenter is referred to Draft EIR Section 5.1, AESTHETICS AND VISUAL RESOURCES, Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, Section 5.16, TRAFFIC AND CIRCULATION, and Section 5.17, UTILITIES AND SERVICE SYSTEMS. Each of the referenced topics were evaluated in the Draft EIR and found to be *less than significant* or *less than significant after mitigation*. No change to the Draft EIR is required.

The commenter re-asserts opinions regarding the necessity of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Letter 17 – Robert J. Grosch (November 6, 2017)

Robert J. Grosch

10810 Cheshire Way, Palo Cedro, CA 96073-9777

(530) 549-4872

November 6, 2017

To: Kent Hector, Senior Planner, Shasta County

Re. Tierra Robles EIR



Dear Mr. Hector:

I have studied the current revised EIR for the above project and find it inadequate for many reasons detailed below.

Shasta County General Plan

The General Plan is a statement of public policy expressing the aspirations and values of Shasta County residents. The General Plan is developed to assure that the values, safety, and quality of life the residents desire are protected.

This proposed project is not just asking for a zoning change, but is asking that the County change its zoning in such a way that the General Plan itself is significantly altered. We are in effect being asked to recognize that there has been a change in the aspirations of the residents of the County. No such evidence is offered indicating the residents' aspirations for the development of the County have changed since adoption of the General Plan. What is being requested is that the aspirations of the proposed developer override the aspirations of the County residents as reflected in the General Plan, the Zoning Plan, and accepted standards of modern urban planning.

Zoning within our county was made to solidify the wishes of the county's residents. Those hopes and aspirations have not changed. The proposed project requires current residents' desires for their community be overridden by the desires of a non-resident land developer.

17-a

Landscape Use of Recycled Water

It is reasonable to assume that many residents will object to using recycled waste water for landscaping. Certainly the thought of using yesterday's waste water for today's sprinklers will give pause to many. Parents are unlikely to welcome their children's play area, toys, bicycles, and swing sets being watered with recycled waste water. There is no data to demonstrate that homeowners will not circumvent the system to avoid potential contamination of children's play areas. Nor is there data to demonstrate that reuse of this waste water will be safe and sanitary under all conditions.

17-b

Given the likelihood that residents may resist having recycled water sprayed on or near their living areas, data needs to be provided to show that this is likely an acceptable alternative to future residents of the proposed development. In addition the system must be designed so that it cannot be overridden by residents, who additionally must be informed in writing ahead of time that this recycled water will be used for landscape purposes.

Aesthetics

An important consideration of the aesthetics for this proposed project is the need for the proposed project to fit in to the community in a way that will retain its rural residential appearance. The proposed drawing of this subdivision seems to indicate the opposite will be the case.

Even those who pass by the narrowest part of the property at the southern boundary at Boyle Road will be impressed by the urban density style of the homes lining this entry road. Should the zoning be changed, at the very least the rule should be imposed that all buildings of every type must be a minimum of 30 ft. from the nearest lot line. This is a partial duplication of rules applicable to the surrounding properties. In addition, homes and other buildings should be a minimum of 200 ft. from the nearest edge of Boyle Road, once again in conformity with the developed properties currently lining Boyle Road.

17-c

Light Pollution

A significant amount of resistance to this project by neighbors in the area has been expressed as objection to light pollution. Rural residents enjoy the night sky and consider it one of the benefits of living in our area. The proposal is to limit the light pollution by eliminating public street lighting. However, I do not see any restrictions on homeowners installing their own lighting.

At the very least there needs to be a restriction on yard lighting that will secure the enjoyment of the night sky by the present residents of the area. Lights on the homes and outbuildings need to be restricted, and flood lighting for yards needs to be forbidden. Without street lighting, people desiring to live in a suburban community as opposed to a rural one will be very likely to be tempted to make up for the dark nights with their own lighting.

In order to mitigate this issue, limitations on lighting cannot be enforceable solely by CC&R, as enforcement through CC&R limitations requires the neighboring residents to sue their neighbors. A mere CC&R restriction also excludes the present rural residents objecting to this light pollution from joining an enforcement action. Proper mitigation here must include a specific regulation that can be enforced with a simple phone call to the county's code enforcement office.

17-d

Cumulative Effect

The long term cumulative effect of this proposed project is not adequately addressed. Should this proposed project go forward with its dramatic and significant change in zoning, it would then be easier for other developers to demonstrate that similar changes in zoning nearby would not be out of character for the area. The cumulative effect would be to altogether change the character of the area and in effect change the General Plan.

17-e

Bicycle Safety

Should this proposed project be approved, proposed bicycle lanes should be of a uniquely colored pavement, much like some of the newer lanes in the City of Redding. Bike paths colored differently than the surrounding pavement are much safer than a simple white line on the street pavement.

In addition, a bike lane should be required to and along Boyle Road to connect to the underground bicycle tunnel which provides a safe crossing at Deschutes. This bike lane would provide bicycle access to the local school, and future development along Deschutes would provide the opportunity for bicycle access all the way to Foothill High School.

17-f

Water Pressure

I was not able to find in the EIR evidence that water pressure at my house will not be affected by this proposed project. This is a vital concern.

On most normal days my water pressure is a mere 35 psi. In October of 1999 when the Jones Valley Fire was moving toward my property my water pressure was so low I could not wet the roof of my single story house with a garden hose. A stationary sprinkler on my wood deck would not sprinkle a circle larger than 10 feet in diameter, and then only if I limited myself to using only one garden hose. A flying ember landing on my dry wood deck which I could not sprinkle was the cause of my home fire resulting in the total loss of my home.

17-g

Mitigating this problem will require carefully designed water mains and additional booster pumps to increase water pressure in our area.

Water Supply

Bella Vista Water District is known for its history of mismanagement of its water supply. For instance, prior to Feb. 27, 2014 the District did not have a drought plan! Nor did they have an Urban Water Management Plan as required by State law since the 1980s! Hence, any assurance that they are capable of providing water for the proposed project needs to be more carefully examined.

17-h

During our most recent drought the District was not able to provide enough water for its customers' needs. What has changed to assure us that this problem will not be repeated if the proposed project is allowed to go forward? The EIR gives us no evidence of increased water supply sufficient to service the proposed project. Nor does the EIR address what many of us believe is an overextension of Bella Vista's capabilities with its pledge to serve the large campus of Bethel Church with its already inadequate water supply.

17-h
Cont.

Power

The EIR specifies that PG&E power is available along Boyle Road, Northgate Drive, Seven Lakes Road and Old Alturas Road. No evidence is given that sufficient easements exist to bring this power to the proposed project.

17-i

Power for this proposed project should be via renewable solar energy to avoid adding more Greenhouse gasses to our atmosphere.

Grey Water Diverter System

The grey water diverter system is described in the EIR in such a way that it appears the homeowner must be proactive in diverting this water. Such an arrangement is not a satisfactory solution to the problem. All grey water must be diverted, not just that water the homeowner chooses to divert.

17-j

Open Burning

Although the proposed project is not within the City of Redding, the density of this proposed project is similar to that of a typical suburban Redding neighborhood. Hence, in order to avoid both fire hazard and concentration of smoke, special permits should be required if any open burning is to be allowed. Given the concentration of housing in the proposed project, it would be more beneficial yet if there were no open burning allowed at all.

17-k

Unrealistic Construction Assumption

The EIR unrealistically states that construction trucks will maintain speeds of no more than 15 mph on unpaved roads. Surely, this will not happen. Calculations for particulate matter launched into the air by construction vehicles must be done based upon realistic speeds, most probably 30-35 mph.

17-l

Greenhouse Gasses

It is accepted best practice among urban planners to place new, densely occupied suburban developments at the edge of the urban development that sustains them. Dense satellite developments at a distance from the urban scene require additional commuting and shopping traffic as opposed to neighborhoods built adjacent to existing urban development.

The proposed project is projected to give birth to 1600 additional vehicle trips daily on Boyle Road. This amount of traffic would at least double the traffic on Boyle Road and the surrounding area.

17-m

If the EIR adequately compared the air quality impact of the proposed project to the impact of a similar project built adjacent to the existing urban development, the proposed project would show itself to be a significant contributor to Greenhouse gasses via unnecessarily long vehicle commutes.

Traffic Hazard

Impact 5.16-2 notes potential traffic hazard on Deschutes between Boyle Road and Hwy. 44. Not mentioned is the hazard increased traffic will bring to Boyle Road due to inadequate signage.

Rural roadways such as Boyle Road often experience drivers unfamiliar with the area looking for homes located off the main roadway. The proposed project will significantly increase this kind of traffic. Unfortunately street signage is inconsistent and below standard and often misplaced at nearly every intersection along Boyle Road. In order to make it safely functional for drivers unfamiliar with the area to locate the street they are looking for, a mitigation

17-n

should be required to provide adequate, standard street signs at the intersections of each road connecting to Boyle Road.

In addition, the increased traffic from 163 homes would clog Boyle Road during rush hour periods of the day. The intersection of Boyle Road and the southern entrance to the proposed project would become a hazardous hurdle for existing residents on their way into Redding. Similar difficulties would take place at Boyle and Old Alturas, and Old Alturas and Old Oregon Trail, which is already clogged significantly during the morning rush.

17-o

The intersection of Boyle and Deschutes is proposed to become a 4-way stop. Making this the only stop on Deschutes between Palo Cedro and Bella Vista will be an impact on a very large number of residents accustomed to Deschutes being a relatively high speed thoroughfare. What is more, 4-way stops are not conducive to maintaining the rural atmosphere current residents of the area desire.

Cost Sharing for Roundabouts

The EIR proposes charging 11-13% of the cost of roundabouts to the developer of the proposed project. There is no justification for such a low percentage of cost share.

17-p

A roundabout in this rural area is many, many years in the future were it not for the proposed development. The primary, and perhaps only, reason for roundabouts is the Tierra Robles proposed project. They should pay a much higher cost, and perhaps even the entire amount.

Defacement of Entry to Proposed Project

The EIR does not address directly the impact an entry to the proposed project can have on the aesthetics of our rural area. It is important that the portion of the proposed project visible from Boyle Road be kept to look as rural as its surrounding area.

17-q

Specifically, if the project is approved, the following stipulations should be enforced:

1. No entry way signs shall be allowed visible from Boyle Road other than a street sign similar to those marking each private road in the area as it intersects with Boyle. No monumental entry ways and no "Tierra Robles" identification shall be allowed if visible from Boyle Road. No flags or banners visible from Boyle Road drawing attention to properties for sale shall be allowed. The same restriction shall apply to any and all banners or signs visible from adjacent residential properties.
2. Homes along the entry way shall be set back a minimum of 200 feet from the northern edge of Boyle Road. Homes and outbuildings shall all be a minimum of 30 feet from their respective lot lines.
3. No signs advertising lots for sale or homes for sale shall be allowed except when posted on the actual property being offered for sale.
4. No U.S. Postal Service Neighborhood Box Units (NBUs) shall be allowed to be placed in such a manner that they decrease the visibility of vehicles approaching the Boyle Road entrance to the proposed project. NBUs shall be placed a minimum of 200 feet from the northern edge of Boyle Road.

17-q
Cont.

Loss of Agricultural Land

Once this land is lost to agriculture it is gone forever. The best use of this land is definitely agricultural. Purchase of an agricultural easement elsewhere is not a sufficient mitigation for this loss. Only the creation of new, comparable agricultural land would be a true mitigation.

17-r

Incompatibility of adjacent land use

Building housing next to a gun range is a formula for trouble down the road. Will homeowners try to forbid the gun range's expansion within it's present site? Will homeowners allow the gun range to increase its hours for shooting, or increase the number of days in which shooting takes place?

17-s

I did not see these issues addressed in the EIR. At the very least the prospective homeowners need to be noticed in writing that the gun range creates noise on a regular basis, and may in the future actually increase shooting times and days.

17-s
Cont.

Cannabis

The County has made various restrictions regarding the growing of cannabis. These restrictions were made in a context of rural residential communities. However, the proposed project is actually an urban neighborhood with closely spaced housing. Therefore, all cannabis growing should be forbidden within the boundaries of the proposed project, even if a grow is otherwise in conformity with the rules governing cannabis cultivation elsewhere in the County.

17-t

Response to Letter 17 – Robert J. Grosch

Response 17-a: The commenter expresses concern regarding the request to change the zoning. The commenter states that what is being requested is that the aspirations of the proposed developer override the aspirations of the County residents as reflected in the General Plan, the Zoning Plan, and accepted standards of modern urban planning.

This comment is specific to the zone change request of the proposed project and does not raise issue with the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project site's existing zoning designations are Rural Residential 5-acre minimum (RR-BA-5), rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U). The existing RR-BA-5 and RR-BA-3 apply to approximately 389.8 acres. The remaining 325.6 acres are currently zoned Unclassified (U) which is intended to be applied as a holding district until a precise zone district has been adopted for the property. Therefore, these areas could ultimately be rezoned to allow for higher density residential development that what is currently being considered for the proposed project. The Shasta County General Plan designates the project site as Rural Residential A (RA) and allows 1 dwelling unit/2 acres. The proposed project would provide 166 single-family residential parcels ranging from 1.38 acres to 6.81 acres in size under the proposed zone change. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 17-b: The commenter requests data to demonstrate that homeowners will use the recycled water systems for irrigation and requests data regarding the water quality of recycled water and whether it is safe and sanitary under all conditions. The commenter requests that the systems be designed so that they cannot be overridden by residents.

As discussed in Chapter 3, PROJECT DESCRIPTION, wastewater from the proposed project would be collected via individual residential septic tanks, transferred to a community collection system, treated, and then recycled for roadway median landscape irrigation. This system must be designed to meet the requirements of the requisite Central Valley Regional Water Quality Control Board (CVRWQCB) Waste Discharge Requirements permit. Design criteria for landscaping selection, dispersal system criteria, as well as for operation and maintenance of the system would be included in the Covenants, Conditions, and Restrictions (CC&Rs) for the proposed project.

Impacts related to water supply, grey water (i.e., recycled water), and water quality were analyzed in Section 5.9, HYDROLOGY AND WATER QUALITY, and Section 5.17, UTILITIES AND SERVICE SYSTEMS, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, Appendix 15.6, PRELIMINARY HYDROLOGY ANALYSIS, and Appendix 15.10. WATER DEMAND EVALUATION, of the Draft EIR.

As discussed in Section 5.17, UTILITIES AND SERVICE SYSTEMS, discusses that the use of the proposed grey water system is consistent with Executive Order (EO) B-29-15 related to State Model Water Efficient Landscape Ordinance, and EO B-37-16 upholding previous EO's, which emphasizes wise water use and less water waste to become permanent

requirements in order to prepare for more frequent and persistent periods of limited water supply. Accordingly, as stated on page 5.17-19 of the DRAFT EIR, “the dual-plumbing wastewater drain system at each residential unit would comply with Chapter 16 (now Chapter 15) of the California Plumbing Code.” Chapter 15 of the California Plumbing Code specifically addresses requirements pertaining to greywater use and as discussed in the DRAFT EIR, these requirements would ensure that waste discharge requirements are not exceeded. In addition, page 5.17-19 of the Draft EIR, states that grey water diversion systems would be installed under permit with Shasta County Building Division and the Shasta County Environmental Health Department would review all plans for grey water discharge to the ground. Each individual parcel would require a sewage disposal system permit issued by Shasta County Environmental Health Department for the installation of septic tank and pump system. The Draft EIR concluded that impacts are *less than significant*.

As discussed above, conformance to California Plumbing Code Chapter 15, Alternate Water Sources for Nonportable Applications, and obtaining proper permits through the Shasta County Environmental Health Department would ensure impacts associated with any health risk effects of the proposed grey water system are less than significant. No change to the Draft EIR is required.

Response 17-c: The commenter requests that the proposed project fit into the community in a way that will retain the rural residential appearance. The commenter also requests that all buildings should have a minimum setback of 30 feet from the nearest lot line, and that homes and other buildings should be a minimum of 200 feet from the nearest edge of Boyle Road.

As discussed in Chapter 3.0, PROJECT DESCRIPTION, of the Draft EIR, the proposed project would include 166 single-family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 acres (total residential parcel area). Each residential lot would have a designated building envelope to designate the acceptable building area for that individual parcel. Site clearing and grading for the construction of a single-family residence and desired accessory buildings would be limited to the delineated building envelope.

As discussed in Section 5.1, AESTHETICS, each individual residential parcel would be developed in compliance with the proposed *Design Guidelines* (refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT). The proposed *Design Guidelines* were created to provide property owners, architects, homebuilders, and contractors with a set of parameters for the preparation of their drawings and specifications. Adherence to these *Design Guidelines* would assure homeowners that a consistent level of quality would be maintained. The Tierra Robles Architectural Review Committee (TRARC) or the “Committee” would review all designs, plans, and construction. Figure 5.1-6, KEY VIEW 2 – EXISTING AND PROPOSED CONDITIONS, provides a photosimulation of views of the proposed project afforded from motorists traveling along Boyle Road as well as resident uses to the south and west of the project site (refer to page 5.1-17 of the Draft EIR).

As analyzed in Impact 5.1-1, project implementation would change the character of Key View 2 as a result of the addition of hardscape and massing from the new residential structures. However, as shown in Figure 5.1-6, the proposed residential units would

appear generally similar in massing and scale to the existing development to the west of the proposed project site. Further, the proposed exterior earth tone colors, encouraged by the *Design Guidelines*, reduce color contrast of the new structures with the surrounding natural landscape. As such, the proposed residential uses from the proposed project would appear similar in massing and scale to the surrounding community. Impacts to character/quality of the proposed project site and its surroundings, as seen from Key View 2, would be *less than significant*.

Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, provides information related to the proposed project's design standards and development envelopes. The vesting maps provide the delineation of the setback lines that are shown in greater detail in the Lotbooks; refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT. As discussed in the Tierra Robles Design Guidelines (Appendix 15.2 of the Draft EIR), the conceptual design submittal package for each lot must include the material list, color palette, floorplan, and site plan, including home location, setbacks, and easements. The Design Guidelines include setback requirements. For all lots, a building setback of 30 feet from the property line in accordance with California Fire Safe Regulations. For each individual lot, setbacks are outlined in the Logbook (refer to Appendix 15.2 of the Draft EIR) based on size and location of each lot. For the lot nearest Boyle Road, please refer to Logbook Lot #-4. No other lot is adjacent to Boyle Road.

As previously noted above under **Master Response-2**, comments identifying the scale of the proposed project as incompatible with the character of the area are referred to decision-makers for further consideration as part of the deliberative process, and no further response is necessary.

Response 17-d: The commenter expresses concern regarding light pollution and requests that limitations on lighting include specific regulations that can be enforce with a phone call to the County's Code Enforcement Office.

Please refer to Responses 3-r and 13-h regarding lighting and the light regulations and standards provided in the Tierra Robles Design Guidelines and enforced by the Tierra Robles Community Services District (TRCSD) and the Tierra Robles Architectural Review Committee (TRARC). This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-e: The commenter expresses concern that the change in zoning from this project would make it easier for other developers to demonstrate that similar changes in zoning nearby would not be out of character for the area. The commenter states that the cumulative effect would change the character of the area and in effect change the General Plan.

Refer to **Master Response-2** regarding changes in character as a result of the proposed project's land use amendment, if approved, may be used to justify other high-density developments within the area. This contention is inconsistent with the requirements of CEQA. In the event that future high-density development is proposed within this area of unincorporated Shasta County, the environmental impacts and merits of that future project will be evaluated at that time, as required by CEQA. It is speculative to state that the proposed project would be used as justification for promoting high-density development in the area. CEQA analysis is limited to what is known or reasonably

foreseeable, assuming further rezoning is speculative and not a part of the analysis included in the Draft EIR. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-f: The commenter requests that proposed bicycle lanes should be a unique color of pavement. In addition, the commenter requests that bicycle lanes be provided along Boyle Road to connect to the underground bicycle tunnel at Deschutes Road.

Chapter 3.0, PROJECT DESCRIPTION, of the Draft EIR describes the elements of the proposed project, including bicycle lanes. The proposed project includes a total of 6 miles of shared bicycle/pedestrian trails along one side of the roads. Refer to figure 3-8, TYPICAL ROADWAY SECTIONS, for an illustration of the bicycle facilities that will parallel the roadway network within the project site. The bicycle/pedestrian trails would have a minimum of a 4-foot shoulder buffer between the trail and the travel lanes. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Bicycle facilities and impacts are discussed in Section 5.16, TRAFFIC AND CIRCULATION, of the Draft EIR. County roadways including Old Alturas Road, Boyle Road, and Deschutes Road in the immediate project vicinity do not currently have bicycle facilities. The Shasta County *2010 Bicycle Transportation Plan* show proposed Class II bicycle lanes on Deschutes Road and Old Alturas Road within unincorporated Shasta County.

Proposed project impacts regarding bicycle facilities are discussed in detail in Impact 5.16-4, beginning on page 5.16-29 of the Draft EIR. In order to fund local roadway improvements, including the addition of shoulders and bicycle lanes, Shasta County collects fees through its *Major Road Impact Fee Program* at the time of development. These fees are used to implement local roadway improvements as necessary throughout the County. As states on page 5.16-30 of the Draft EIR, improvements noted above and implemented by the County for Boyle Road, Old Alturas Road, and Deschutes Road would include shoulder improvements that would serve to enhance existing and future bicycle movement within the area. The Draft EIR found that impacts related to bicycle facilities would be less than significant.

Response 17-g: The commenter raises concerns regarding water pressure at the existing residential units in the project vicinity and states that carefully designed water mains and additional booster pumps should be provided to increase water pressure in the area.

Please refer to **Master Response-3** and **Response 7-a** through **Response 7-p**, above. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-h: The commenter questions the Bella Vista Water District (BVWD) management of water supply and capability of providing the proposed project with the adequate water supply. The commenter states that the EIR does not provide evidence to show that BVWD has sufficient water supply and does not address the overextension of BVWD's capabilities with its pledge to serve the Bethel Church campus.

Please refer to **Master Response-3** and **Response 7-d**, regarding BVWD's ability to provide water to future customers. With respect the BVWD's commitments to serve other water customers, this is analyzed under cumulative impacts. Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Appendix 15.10, WATER DEMAND EVALUATION, further discuss the proposed project's water demand and the impacts on the water supply in Impact 5.17-4 (project specific impacts) and Impact 5.17-8 (cumulative impacts). With the implementation of mitigation measures, the Draft EIR found impacts to be less than significant. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-i: The commenter states that no evidence is given that sufficient easements exist to bring power to the proposed project. The commenter also states that the power for the proposed project should be via renewable solar energy.

The Draft EIR discusses public utilities and energy consumption in Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Section 5.18, ENERGY CONSUMPTION. Details related to the Draft EIR analysis are provided in Appendix 15.3, AIR QUALITY/GREENHOUSE EMISSIONS DATA. Electricity in the project area is provided by Pacific Gas & Electric (PG&E). PG&E is regulated by the California Public Utilities Commission (CPUC) and is required to update existing systems to meet any additional demand. The utility easement associated with the proposed project is provided in the Vesting Maps, which are located in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR. In addition, the requirements regarding solar energy are provided in the Tierra Robles Design Guidelines, also provided in Appendix 15.2 of the Draft EIR.

As discussed in Section 5.7, GREENHOUSE GASES AND CLIMATE CHANGE, the passive solar design of the project would be required as a Condition of Approval for each single-family home built onsite would include green building design components and use a combination of photovoltaic cells, solar water heating, and other construction design techniques to reduce energy usage by 15 percent or more. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-j: The commenter recommends that the grey water system should be defaulted to use grey water for irrigation.

Please refer to **Response 17-b**, above. Technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, Appendix 15.6, PRELIMINARY HYDROLOGY ANALYSIS, and Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-k: The commenter requests that special permits be required if any open burning is to be allowed; however, the commenter states that given the density of the housing, no open burning should be allowed on the project site.

As stated in **Master Response-4**, above, within each RMA, piled grass cuttings, slash and pruning's from trees may be burned on-site on burn days with approval of the Fire Marshall. For further discussion regarding burning and burn days, please refer to **Response 11-f** and **Response 11-g**. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-l: The commenter states that calculations for particulate matter launched into the air by construction vehicles must be done based on realistic speeds because it is unrealistic to assume that the construction trucks will maintain speeds of no more than 15 miles per hour (mph).

Particulate matter is analyzed in Section 5.3, AIR QUALITY, and Appendix 15.3, AIR QUALITY/GREENHOUSE EMISSIONS DATA, of the Draft EIR. Table 5.3-6, UNMITIGATED CONSTRUCTION-RELATED EMISSIONS, shows that construction would not result in the exceedance of particulate matter thresholds. Table 5.3-7, MITIGATED CONSTRUCTION-RELATED EMISSIONS, provides the emissions numbers after the implementation of mitigation measures, which includes a 15-mph speed limit on unpaved roads. The modeling was completed using CalEEMod, a statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-m: The commenter states that the EIR should compare the air quality impact of the proposed project to the impact of a similar project built adjacent to the existing urban development, the proposed project would show itself to be a significant contributor to greenhouse gasses via unnecessarily long vehicle commutes.

As discussed in Impact 5.3-1 of Section 5.3, AIR QUALITY, of the Draft EIR, the consistency of the proposed project with the NSVPA *2015 Air Quality Attainment Plan* is determined by its consistency with air pollutant emission projections in the plan. Implementation of the project could increase vehicle miles traveled, and thus ROG and NO_x emissions, which could conflict with air quality planning efforts associated with the NSVPA *2015 Air Quality Attainment Plan*. As previously stated, the plan cites projected O₃ precursor emissions (ROG and NO_x) through the year 2020. For the purposes of this analysis, the emissions resulting from proposed project operations were quantified and compared with the NSVPA *2015 Air Quality Attainment Plan* 2020 ozone precursor emissions projections. The addition of these project emissions to the area and mobile source projections documented in the NSVPA *2015 Air Quality Attainment Plan* for year 2020 results in exactly the same statistical percentage reduction in both ROG and NO_x emissions from area and mobile sources in the NSVPA as existing conditions. In other words, the proposed project would represent a 0.00 percent increase in ROG emissions and a 0.00 percent increase in NO_x emissions compared with existing projections in the NSVPA.

As stated in Section 5.7, GREENHOUSE GASES AND CLIMATE CHANGE, the project's GHG emissions would be 3,755.92 MTCO₂eq/yr without the implementation of any reduction measures. Implementation of proposed energy efficiency measures, water conservation measures, and MM 5.7-1 would reduce project GHG emissions to 3,453.10 MTCO₂eq, resulting in an 8.1 percent reduction; refer to Table 5.7-3. It should be noted that the

Project Design Features and MM 5.7-1 represent all feasible mitigation measures available to reduce project related GHG emissions. Despite the implementation of the Project Design Features and MM 5.7-1, project related GHG emissions would not meet the reduction targets established by AB 32 or SB 32, and impacts would remain *significant and unavoidable*.

No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-n: The commenter notes that rural roads, such as Boyle Road, often experience drivers unfamiliar with the area and street signage is inconsistent and below standard, resulting in safety hazards. The commenter recommends requiring adequate, standard street signs at the intersection of each road connecting to Boyle Road.

As discussed in Impact 5.16-2 of the Draft EIR, the installation of intersection warning signs at various locations along Deschutes Road between Boyle Road and SR-44 would serve to notify drivers of upcoming driveways. Implementation of MM 5.16-2 would reduce impacts for both *Existing*, *Existing Plus Project*, and *Year 2035 Plus Project* conditions to *less than significant* levels. MM 5.16-2 requires the project applicant to install intersection warning signs to the satisfaction of the Shasta County Public Works Department, which meet Caltrans standard W2 intersection warning signs with W16-8P advance street name plaques. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-o: The commenter states that the increase of traffic at Boyle Road and the southern entrance to the project site would become a safety hazard. In addition, the commenter states that introducing a 4-way stop controlled intersection at Boyle Road and Deschutes Road would be the only stop-controlled intersection on Deschutes Road between Palo Cedro and Bella Vista, thus not maintaining the rural atmosphere of the existing conditions.

Please refer to **Responses 4-b, 5-c, 13-e, and Response 14-b** regarding traffic impacts on Boyle Road as well as at the Boyle Road and Deschutes Road intersection. Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, provides analysis on all study intersections and roadway segments. The Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in MM 5.16-3 and MM 5.16-4, should Shasta County update the fee program to include the *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)* intersections. The payment of applicable fair-share costs towards a programmed improvement would result in a cumulatively *less than significant* impact at each intersection.

Regarding safety on Deschutes Road, MM 5.16-2 requires the project applicant to install intersection warning signs to the satisfaction of the Shasta County Public Works Department, which meet Caltrans standard W2 intersection warning signs with W16-8P advance street name plaques. No further response or change to the Draft EIR is

necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-p: The commenter requests the project pay a much higher share of the roundabout improvements.

As stated in Section 5.16, TRAFFIC AND CIRCULATION, on page 5.16-20, in some cases, the project applicant is expected to provide the full improvements needed for offsite roadway improvements or transportation programs. In other cases, where the contribution of project-generated traffic is minimal, it more appropriate for the project applicant to contribute a “fair-share” payment for the cost of the improvements. As required in MM 5.16-3 and MM 5.16-4, the project applicant shall pay the pro-rated cost share of the cost of the roadway improvements. The fee shall be established based on an engineer’s cost estimate of the improvements prepared by the project applicant and approved by the Shasta County Public Works Department. The Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in MM 5.16-3 and MM 5.16-4, should Shasta County update the fee program to include the *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)* intersections. The fair share calculations are provided in Appendix 15.9, TRAFFIC IMPACT STUDY, on pages 38 and 39 of the Traffic Impact Study. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-q: The commenter notes that the EIR does not address impacts on aesthetics as related to the entry to the development. The commenter suggests conditions of approval on the entrances to the development.

Please refer to **Response 17-c** and **Response 17-d** regarding the impacts to visual resources, including the impact on the community character. Also, please refer to **Master Response-2**, regarding the character of the area. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-r: The commenter states that the purchase of an agricultural easement elsewhere is not a sufficient mitigation for the loss of agricultural land.

Agricultural impacts are discussed in Section 5.2, AGRICULTURAL RESOURCES, of the Draft EIR. The current zoning designation for the westerly area of the site is Unclassified (U). The Unclassified (U) district is applied as a holding district until a principal zone district has been determined. The remainder of the site is zoned Rural Residential (R-R) (3 and 5-acre minimum lot sizes).

As analyzed in Impact 5.2-1 of the Draft EIR, according to the FMMP Important Farmland Map, no portion of the project site is designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; however, approximately 687.87 acres of the proposed project site is designated by the FMMP as Grazing Land and has been used for dryland cattle grazing since the early 1940s. Approximately 154.6 acres will remain as

open space and allow continued use as Grazing Land. In order to determine whether impacts to agricultural resources are significant, the Draft EIR used the California Agricultural Land Evaluation and Site Assessment (LESA) model for evaluating agricultural impacts. The LESA analysis does not include the 154.6 acres that will remain as open space and continue to be used as Grazing Land. The LESA analysis for the project site resulted in a Land Evaluation (LE) rating of 23.66 and a Site Assessment (SA) rating of 18, for a total score of 41.66. Loss of agricultural lands with a score between 40 and 59 is considered significant only if both the LE and SA ratings are each 20 or more. Therefore, the LESA model indicates that the project would have a *less than significant* impact on Prime Farmland, Unique Farmland, and Farmland of Statewide Importance.

If the commenter is referring to the biological resources mitigation and the associated on- and offsite, the County, as Lead Agency, has assessed the impacts of the proposed project and exercised its discretion in calculating an appropriate amount of mitigation and provided mitigation requirements accordingly (pursuant to CEQA Statute Section 20183.4) and included them within the DEIR. The County has not abused its discretion granted by CEQA and a thoughtful and deliberate discussion of a calculation (for mitigation) has been provided in the DEIR, Section 5.4, BIOLOGICAL RESOURCES. Please refer to Responses 3-a through 3-v, above, regarding biological impacts and mitigation.

Response 17-s: The commenter asks if future homeowners will try to forbid the existing gun range from future activities such as hours or any future site improvements. The commenter states that future homeowners should be noticed in writing that the gun range creates noise on a regular basis.

The Draft EIR analyzes the compatibility with surrounding land uses in Section 5.10, LAND USE AND PLANNING, of the Draft EIR. Page 5.10-4 of the Draft EIR discloses that a gun and rod club is on an adjacent parcel northeast of the project site. In addition, Page 5.11-8 in Section 5.11, NOISE, of the Draft EIR identifies the Redding Gun Club as a stationary source of noise, lists the hours of operation, location, and notes that noise from the gun club may represent a single-event or a continuous occurrence. Page 5.11-23 of the DRAFT EIR identifies the potential noise impacts that residence may be exposed to and states, Pursuant to California Civil Code Sections 3482.1(4)(b)(1) and 3482.1(4)(d), the operation or use of the shooting range is not liable as a noise nuisance as long as the range complies with applicable noise control laws at the time of approval. The proposed project would add a condition of approval that would disclose the presence of the gun club to all future residents. The DRAFT EIR concluded that with all these considerations and others, impacts would be *less than significant*. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 17-t: The commenter states that the proposed project is an urban neighborhood and thus, all cannabis growing should be forbidden within the boundaries of the proposed project, even if a grow is otherwise in conformance with the County's ordinances and guidelines.

This comment is specific to the potential that future residents may grow cannabis on their property, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. All residents of Shasta County are required to comply with County ordinances related to

cannabis cultivation, including Ordinance 2017-07, which prohibits commercial cannabis activity, delivery of cannabis, and temporary events involving the onsite sale or consumption of cannabis in all zones of the unincorporated area, with some exceptions for medical uses. Regarding personal use, the State's Medical and Adult Use Cannabis Regulation and Safety act (MAUCRSA), regulates cultivation on private property for individual use. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 18 – Brad Seiser (November 10, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Friday, November 10, 2017 4:16 PM
To: Kent Hector
Cc: Mary Rickert; Steve Morgan; Nancy Main; Sandra Kotch; Joan Tornai; Jean Sturm; Gunther Sturm; Dave Waters; Scott Tikalsky; Jack Ahern; Judy La Russa
Subject: Tierra Robles Draft EIR Online Documents Error

Hi Kent,

While I'm sure it's unintentional, I'm writing on behalf of the community at large to advise that the County online version of the Tierra Robles Draft EIR is missing all the "Figures" or graphics that are needed to accurately evaluate this Draft document. For example, in Section 3 'Project Description', all Figures 3-1 through 3-11 are missing. While not a comprehensive listing the following report sections are also missing Figures: 5.1, 5.4, 5.6, 5.8, 5.10, 5.11, 5.16, 7.0. It is possible that the Appendices are also missing Information. This error must be corrected immediately so all community members can easily access and assess the complete record of the draft EIR.

The Draft EIR was released on October 24, 2017 and in the ensuing 18 days to date the County has not caught or corrected this error on its website. In light of this issue, our community of concerned citizens is asking that a new 45 day Public Comment period be started from the date the revised Draft EIR is published.

In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project" to all parties that received the original notice with the revised Public Comment period dates.

18-a

While the Draft EIR can be accessed in person at various locations in the county, this incomplete online document impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc. It would be unfair and not in keeping with the state's CEQA regulations (15147) for the County not to correct these online access documents and to not start a new 45 day Public Comment period.

I look forward to hearing from you at your earliest convenience. As always, thank you for your assistance.

Warm regards,
Brad Seiser
10603 Northgate Drive
Palo Cedro, CA 96073

cc: 765 Members of NextDoor.com
CEQA State Clearinghouse
East Valley Times
Record Searchlight

Response to Letter 18 – Brad Seiser

Response 18-a: The commenter states that the public input process was not sufficient due to technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. Upon receiving notification of complications accessing the Draft EIR, County staff immediately employed several corrective actions to resolve difficulties in retrieving the information. It should be noted that these actions are not as a result of failure to comply with §15105 of the State *CEQA Guidelines* related to public review and distribution, rather, reflect a good-faith effort by the County to provide alternative access to the Draft EIR for those who raised concerns. Planning Staff evaluated requests for an extension of the public review period and concluded that an extension of the public review period to December 29, 2017 was appropriate. Staff will continue to accept all comments on the Draft EIR and project throughout the entire project environmental review and application process, until the close of the public hearing before the Board of Supervisors. All comments will be included in the record for the project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 19 – Hank and Elizabeth Slowik (November 11, 2017)

Kent Hector

From: Elizabeth Slowik <hslowik@yahoo.com>
Sent: Saturday, November 11, 2017 11:54 AM
To: Mary Rickert
Cc: Kent Hector; Steve Morgan
Subject: Subject: Tierra Robles Development and Errors in online draft EIR

Dear Mrs. Rickert:

My husband and I have lived in Palo Cedro for almost 30 years. We have loved our rural lifestyle and enjoy very much living next to the Rickert Ranch as it provides us a great deal of quiet and privacy. One of the major reason we voted you as our Supervisor is that you were the only candidate to voice his disapproval over this development. I understand that the developer is still seeking approval for this development and has made "improvements" that he hopes will get his project approved. I am writing to you to ask that you actively voice your disapproval over this project. We have enough water issues with BV (especially since they will be providing water to the new Bethel campus) when we are stricken with drought. Not to mention what a 166 home subdivision will do to our schools and traffic here in Palo Cedro. We don't want to lose our small town, rural atmosphere.

19-a

We are also concerned that the online version of the draft EIR is missing all of graphics/figures that are needed to accurately evaluate this project. In Section 3, for example, Figures 3-1 through 3-11 are missing as well as Figures 5.1, 5.4, 5.6, 5.8, 5.10, 5.11, 5.16 and 7.0. These errors need to be corrected so we can access a complete record of the EIR. The online document needs to be complete so all members of our community can have access to it. No everyone has the ability to view the document in person. As a consequence, we would also ask that a new 45 day public comment period be started as soon as a complete version is available online.

19-b

I sincerely hope you will do everything within your power to defeat this development. Frankly, I don't understand why we need a new subdivision when the subdivision behind Junction School isn't even close to being built. Thank you so much for your attention to this matter. If we can be of help to you in this matter, please let us know.

19-c

Hank and Liz Slowik

Response to Letter 19 – Hank and Elizabeth Slowik

Response 19-a: The commenter expresses concerns related to impacts to the rural character of the area and water supply availability.

The commenter is referred to **Master Response-2** and **Master Response-3** above relative to zoning densities and water supply availability, respectively. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 19-b: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 19-c: The commenter asserts opinions regarding the necessity of the proposed project.

This comment is specific to the opinions of the commenter on the project, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary. No further response is necessary and no change to the Draft EIR is necessary.

Letter 20 – Gunther and Jean Sturm (November 11, 2017)

November 11, 2017

Dear Supervisor Rickert,

I'm writing to advise that the County online version of the Tierra Robles Draft EIR is missing all the "Figures" or graphics that are needed to accurately evaluate this draft document. For example, in section 3 'Project Description, all Figures 3-1 through 3-11 are missing. While not a comprehensive listing the following report sections are also missing figures: 5.1, 5.4, 5.6, 5.8, 5.10, 5.11, 5.16, 7.0. It is possible that the Appendices are also missing information. This error must be corrected immediately so that we can easily access and assess the complete record of the draft EIR.

The Draft EIR was released on October 24, 2017 and in the ensuing 18 days to date the County has not caught or corrected this error on its website. In light of this error, I am requesting that a new 45 day Public Comment period be started from the date the revised Draft EIR is published. In Addition, the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project" to all parties that received the original notice with the revised public Comment period dates.

While the Draft EIR can be accessed in person at various locations in the county, this incomplete online document impacts all community members who lack access for any reason, including but not limited to, time, disabilities or transportation issues, etc. It would be unfair and isn't in keeping with the state's CEQA regulations for the County not to correct these online access documents and to not start a new 45 day Public Comment period.

I look forward to hearing from you at your earliest convenience. Thank you for your attention to this important matter.

Sincerely,

Gunther & Jean Sturm
10295 Jackson Hole Rd.
Palo Cedro, CA 96073
530-549-3057

20-a

Response to Letter 20 – Gunther and Jean Sturm

Response 20-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 21 – Leonard and Paula Incristo (November 11, 2017)

Kent Hector

From: incristo@frontiernet.net
Sent: Saturday, November 11, 2017 11:09 AM
To: Kent Hector
Subject: The Tierra Robles Draft EIR

Please consider this as a request to **Not** allow this development to proceed as currently designed. BVW does not have the capacity to meet the water needs, as we already have been in under restrictions the past few years. This development does not meet current zone lot size, We moved to Palo Cedro because it is a rural community. By changing the zoning lot size it will impact the reason we live in this community. A waste water facility has no place out here to meet the sewage issue. This whole development is out of step with our community. Deschutes is already way too busy with trucks and cars, this community will impact the traffic greatly.

21-a

This development is not appropriate to the area.

Leonard & Paula Incristo
22086 Wesley Dr
Palo Cedro, CA 96073

Response to Letter 21 – Leonard and Paula Incristo

Response 21-a: The commenter expresses concerns related to water supply, additional traffic, and wastewater. In addition, the commenter states that the project will impact the rural characteristic of the area.

The commenter is referred to **Master Response-2** and **Master Response-3** relative to zoning densities and water supply availability, respectively. With regards to the proposed onsite community wastewater collection and treatment system, please refer to **Response 13-d**, above. With regards to the increase in traffic along Boyle Road and Deschutes Road, the commenter is further referred to **Responses 4-b, 5-f, 13-e, and 14-b**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 22 – Yana Patton (November 13, 2017)

Kent Hector

From: Y PATTON <ykpatton@msn.com>
Sent: Monday, November 13, 2017 11:50 AM
To: Kent Hector; Mary Rickert; Steve Morgan
Subject: Tierra Robles Draft EIR is missing information

Dear Mr. Hector,

I'm writing to advise that the County online version of the Tierra Robles Draft EIR is missing all the "Figures" or graphics that are needed to accurately evaluate this Draft document. For example, in Section 3 'Project Description', all Figures 3-1 through 3-11 are missing. While not a comprehensive listing the following report sections are also missing Figures: 5.1, 5.4, 5.6, 5.8, 5.10, 5.11, 5.16, 7.0. It is possible that the Appendices are also missing information. This error must be corrected immediately so that I can easily access and assess the complete record of the draft EIR.

The Draft EIR was released on October 24, 2017 and in the County has not caught or corrected this error on its website. In light of this error, I am requesting that a new 45 day Public Comment period be started from the date the revised Draft EIR is published. In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project". Since I never received the original notice with the revised Public Comment period dates and have only heard about this through community outreach I would request the full amount of time to review all aspects of the report.

22-a

While the Draft EIR can be accessed in person at various locations in the county I travel frequently for the federal government and can only review through a virtual environment. This incomplete online document impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc. It would be unfair and not in keeping with the state's CEQA regulations for the County not to correct these online access documents and to not start a new 45 day Public Comment period. I look forward to hearing from you at your earliest convenience. Thank you for your attention to this important matter.

Take care,
Yana Patton

Home owner on Boyle Rd

Response to Letter 22 – Yana Patton

Response 22-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 23 – John Whitmer (November 13, 2017)

Kent Hector

From: John Whitmer <john.whitmer@yahoo.com>
Sent: Monday, November 13, 2017 11:28 AM
To: Kent Hector
Cc: Mary Rickert; Steve Morgan
Subject: Tierra Robles Mistake

Mr. Hector:

I'm writing to advise that the County online version of the Tierra Robles Draft EIR is missing all the "Figures" or graphics that are needed to accurately evaluate this Draft document. For example, in Section 3 'Project Description', all Figures 3-1 through 3-11 are missing. While not a comprehensive listing the following report sections are also missing Figures: 5.1, 5.4, 5.6, 5.8, 5.10, 5.11, 5.16, 7.0. It is possible that the Appendices are also missing information. This error must be corrected immediately so that I can easily access and assess the complete record of the draft EIR.

The Draft EIR was released on October 24, 2017 and in the ensuing 18 days to date the County has not caught or corrected this error on it's website. In light of this error, I am requesting that a new 45 day Public Comment period be started from the date the revised Draft EIR is published.

In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project " to all parties that received the original notice with the revised Public Comment period dates.

While the Draft EIR can be accessed in person at various locations in the county, this incomplete online document impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc. It would be unfair and not in keeping with the state's CEQA regulations for the County not to correct these online access documents and to not start a new 45 day Public Comment period. I look forward to hearing from you at your earliest convenience.

And yet there is a bigger mistake being made here. This is a bad project that has been created from a bad investment. It will adversely affect our community. Will the county allow the economic gain of a few to trump the benefit of the majority? For example, will the private road where I live and that I maintain be forced to become an access point for this development? Is this really the best use of eminent domain? Did not the City of Redding attempt and fail to do this with both Churn Creek Bottom and Turtle Bay? Those projects would have benefited far more than one company and both were political failures. Please do not make the same mistake.

John Whitmer

Response to Letter 23 – John Whitmer

Response 23-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 23-b: The commenter asserts opinions regarding the necessity of the proposed project and states a concern that the private road serving his property could become an access point for the project.

The project proposes two access locations, one accessing Boyle Road, south of the site, and the other accessing Old Alturas Road, north of the site. The Draft EIR does not describe or analyze if any of the access points to and from the project site have legal access rights. This is not an environmental concern that needs to be addressed. Pursuant to State *CEQA Guidelines* § 15358(b), effects analyzed under CEQA must be related to a physical change in the environment. Therefore, it is not appropriate for discussion in the Draft EIR. The inclusion of an emergency access road from the project site through Northgate Drive is a redundant access point that supplements the two main points of ingress and egress. It will be used for “reciprocal emergency access only” per page 5.16-29 of the Draft EIR (refer to Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY). No mitigation measures are required. Impacts are considered Less than Significant. The proposed connection with Northgate Drive would be gated per County fire standards and utilized for reciprocal emergency access only. No additional access is proposed or required. No further response or change to the Draft EIR is necessary.

Letter 24 – Leslie Golden (November 13, 2017)

Kent Hector

From: Leslie Golden <leslie@catpublishing.com>
Sent: Monday, November 13, 2017 4:46 PM
To: Kent Hector
Subject: Tierra Robles Draft EIR

Dear Mr. Hector,

I'm writing to advise that the County online version of the Tierra Robles Draft EIR is missing all the "Figures" or graphics that are needed to accurately evaluate this Draft document. For example, in Section 3 'Project Description', all Figures 3-1 through 3-11 are missing. While not a comprehensive listing the following report sections are also missing Figures: 5.1, 5.4, 5.6, 5.8, 5.10, 5.11, 5.16, 7.0. It is possible that the Appendices are also missing information. This error must be corrected immediately so that I can easily access and assess the complete record of the draft EIR.

The Draft EIR was released on October 24, 2017 and in the ensuing 18 days to date the County has not caught or corrected this error on its website. In light of this error, I am requesting that a new 45 day Public Comment period be started from the date the revised Draft EIR is published.

In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project " to all parties that received the original notice with the revised Public Comment period dates.

While the Draft EIR can be accessed in person at various locations in the county, this incomplete online document impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc. It would be unfair and not in keeping with the state's CEQA regulations for the County not to correct these online access documents and to not start a new 45 day Public Comment period. I look forward to hearing from you at your earliest convenience. Thank you for your attention to this important matter.

Very truly yours,

Leslie Golden
10793 Northgate Drive
Palo Cedro, CA 96073

24-a

Response to Letter 24 – Leslie Golden

Response 24-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 25 – Brad Seiser (November 13, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Monday, November 13, 2017 4:11 PM
To: Kent Hector
Cc: Shasta County BOS; Nathan Solis - RRSearchlight; Ken Alex; Scott Morgan; Judy La Russa - EVTimes
Subject: Ongoing Errors with the Rollout of the 10/24/17 Tierra Robles Draft EIR and Public Comment Period
Attachments: Tierra Robles Draft EIR 1.jpeg; Tierra Robles 2.jpeg

Mr. Kent Hector
Sr. Planner
Shasta County Planning Department
Redding, CA 96073

Dear Kent,

It pains me to write again about the less than perfect rollout of the 10/24/17 Tierra Robles Draft EIR and Public Comment Period. The current 45 day Public Comment Period ending on December 7th continues to be inappropriate given the 2nd and 3rd problems discovered in accessing ALL of this document. It is now 20 days since the initial publication and the County has not complied with their Notice of Availability responsibilities.

First, the Appendices sections 15.2 and 15.4 (all zip files of 181 MB and 145 MB respectively) are impossible to view online from our home and the Shasta County Public Library. Our home computer operates perfectly to stream movies and other files etc. I have tried multiple days and different times of day using our community's main internet provider, Frontier Communication. Downloads stall out with a "Network Failure" notification after about 80 MB of download (which are not viewable). Other members of our community have said they have had similar problems.

The Shasta County Main Library computer does not work either as the same "Network Failure" notification occurred when trying to view with both Appendices. (see attached photo #1). Even if the document did download the Library does not permit the use of a thumb drive to take it home.

These two Appendices, "Tierra Robles Community Services District" and "Biological Resources" are critical to the assessment and evaluation of this project. They must be made available in a satisfactory manner so that everyone can access these Appendices as you can with the rest of Draft EIR.

Second, The Shasta County Public Library Reference Librarian showed me the shelved Tierra Robles Draft EIR (see attached photo #2). Unfortunately, the Library never received any of the Appendices Sections only the main document. So the published Notice of Availability was not accurate in how one could access the complete Draft EIR from the Library. Who knows if the Anderson Library has the correct Appendices?

The inability to access the complete document online impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc.

Because of all the errors noted today and my previous email of 11/10/17 I am again requesting that a new 45 day Public Comment period be started from the date the revised Draft EIR is published and all errors corrected. In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project " to all parties that received the

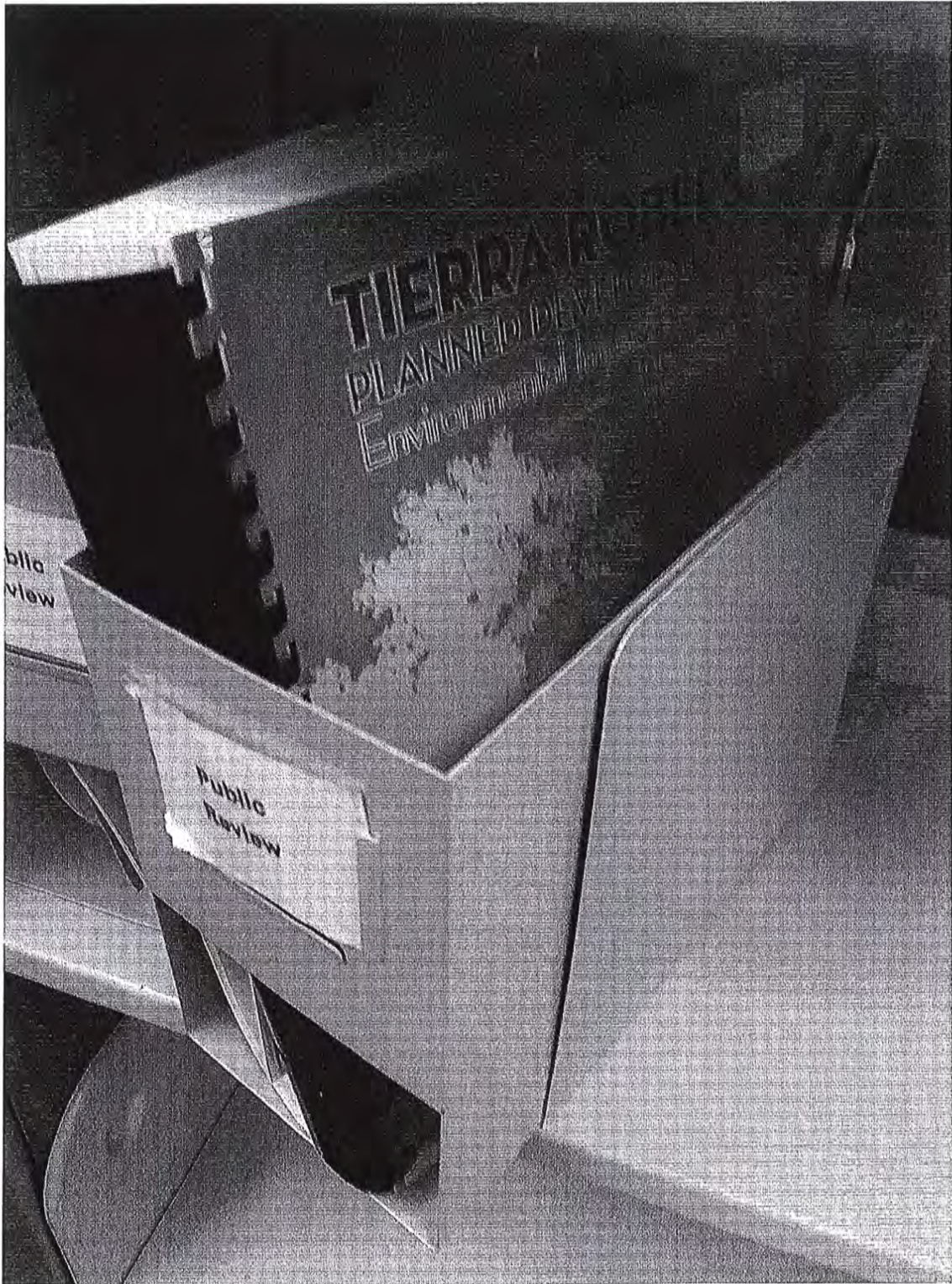
original notice with the revised Public Comment period dates. We expect that the County will do the fair and right thing, in addition to following State CEQA regulations.

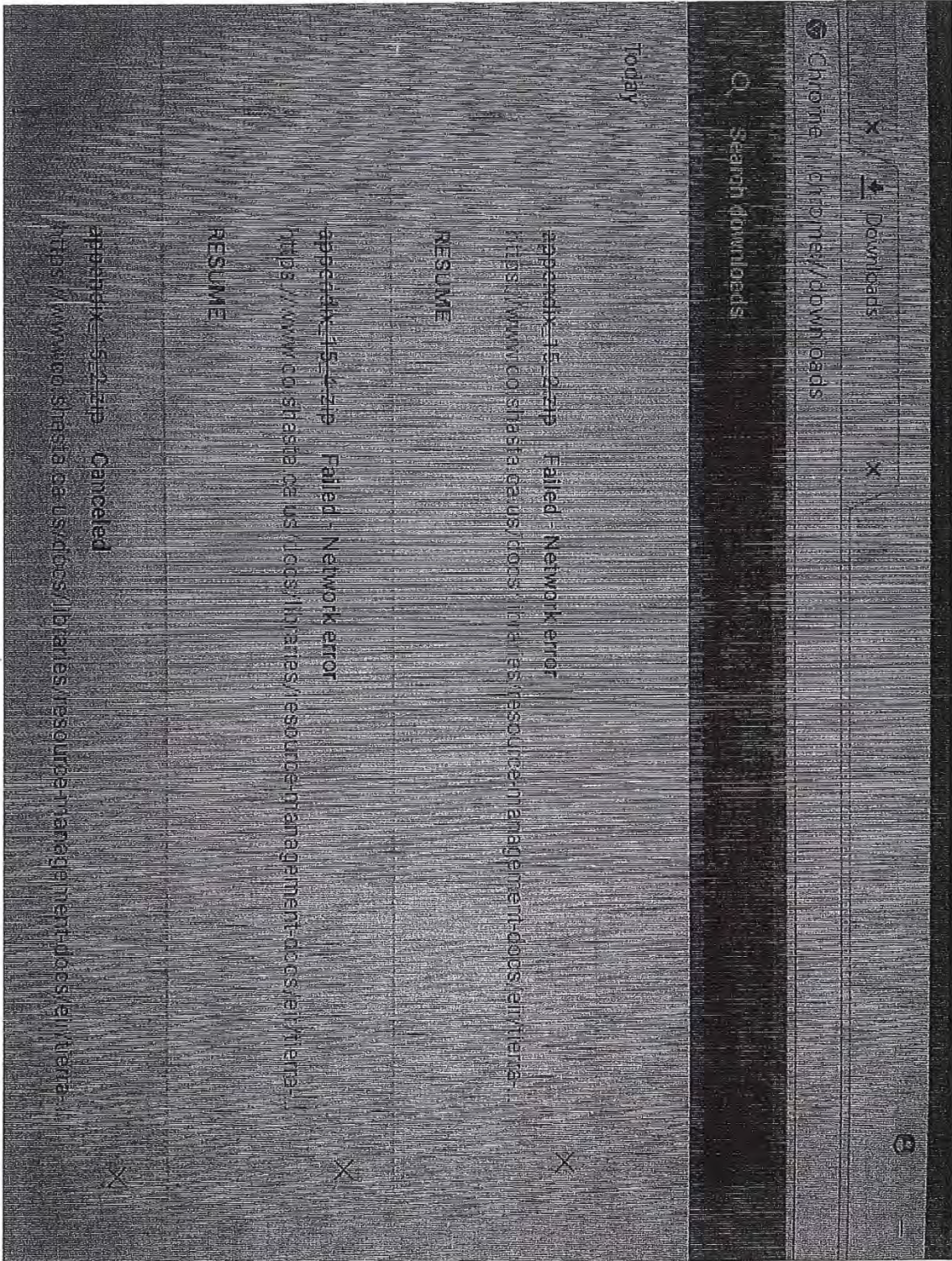
Thank you for your attention to this matter.

Very truly yours,
Brad Seiser
10603 Northgate Drive
Palo Cedro, CA 96073
530-356-5379

cc 767 Members Nextdoor.com

25-a
Cont.





Response to Letter 25 – Brad Seiser

Response 25-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1** and **Response 18-a**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 26 – Brad Seiser (November 14, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Tuesday, November 14, 2017 5:50 PM
To: Brad Seiser
Cc: Kent Hector; Shasta County BOS
Subject: Update - TR Draft EIR Some Errors Fixed, Others Remain

Dear No on 166 Houses Participant:

Resolved Errors

1. The County has partially resolved errors in the 10/24/17 publication of the Tierra Robles Draft EIR (TRDEIR) – Thank you! First, after 20 days the County fixed the missing “Figures” error and so you can finally access those sections that had missing “Figures” enabling you to do a full assessment and evaluation and comment prep. It can be viewed at:

https://www.co.shasta.ca.us/index/drm_index/planning_index/eirs/tierrarobleshomeevised-project-2016/draft-eir

2. As of today (21 days since the release of the Draft EIR), the County provided a hard copy binder of all Appendices to the Shasta County Main Library (2nd Floor Reference Area). Also, on the inside cover of the Main library’s copy of TR Draft EIR there is a CD with the entire document, including all the Appendices. This CD can be downloaded to a laptop computer if you have one. According to the reference librarian at the Anderson branch library there is a similar hard copy of the TR draft EIR and CD, *but no hard copy binder of all the Appendices.*

Unresolved Errors

1. After 21 days it remains impossible to download from a home computer, library computer the important Appendices – #15.2 Tierra Robles Community Services District and #15.4 Biological Resources Documentation. This problem continues to exist through download methods across different, common internet service providers in our area. This is regardless of the County’s website prescription: **** PLEASE NOTE: Some of the Appendices are very large and may take a long time to download**** The County has not taken the necessary technology steps to rectify this download issue resulting in a continuing burden to those members of our community, who for whatever reason, including but not limited to time, Disabilities, transportation etc. lack the necessary access as outlined in the County’s Notice of Availability so they can fully assess, and evaluate this document.

2. The County has not brought itself into compliance with the conditions of the original 10/24/17 Notice of Availability by granting a new 45 day Public Comment period, so our community would not be penalized by the County’s 21 day delay in rectifying their publication errors. THERE IS NOTHING THAT PRECLUDES THE COUNTY FROM DOING THE RIGHT THING BY MAKING A NEW 45 PUBLIC COMMENT PERIOD OR SOME OTHER PROPOSAL.

Finally:

ALL OF THESE ERROR ISSUES MUST BE NOTED AND QUESTIONED IN THE PUBLIC COMMENTS THAT YOU WILL BE PROVIDING TO THE COUNTY ON OR BEFORE THE CURRENT 12/7/17 5:00 PM DEADLINE. IF THE COUNTY CONTINUES TO DO NOTHING, THEN OUR RAISED CONCERNS WILL PROVIDE THE BASIS FOR FURTHER FUTURE LEGAL ACTIONS.

At this stage It is important to keep our eye on the prize of reading, assessing and evaluating and preparing our Public Comment letters. PLEASE LET US KNOW, IF IN YOUR READING OF THE EIR YOU HAVE NOTED SPECIFIC INACCURACIES, POOR OR UNSUPPORTED RATIONALES, MITIGATIONS THAT DON'T PROVIDE REMEDIATION, OR OTHER MITIGATIONS THAT SHOULD BE INCLUDED. THIS IS A TEAM EFFORT WITH MANY EYES AND MINDS MAKING THE DIFFERENCE.

26-b

Thank you for your patience with the intrusion of these emails into your busy lives.
Brad

Response to Letter 26 – Brad Seiser

Response 26-a: The commenter directs “No on 166 Houses Participants” on the Draft EIR and notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1** and **Response 18-a**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 26-b: The commenter directs the “No on 166 Houses Participants” to note specific inaccuracies, poor or unsupported rationales, mitigation measures that don’t provide remediation or missing mitigation measures.

This comment is specific to the review of the Draft EIR and what the “No on 166 Houses Participant” should be reviewing, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The commenter does not raise a significant environmental concern in the comment. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 27 – Brad Seiser (November 15, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Wednesday, November 15, 2017 5:05 PM
To: Kent Hector
Cc: Shasta County BOS
Subject: Re: Tierra Robles Draft EIR Online Documents Error

Importance: High

Dear Kent,

(Apparently, your email arrived just as I was about to send the following. It might be a typo, but the Figures issue was not fixed until Monday, November 13th.)

Thank you for your efforts to begin to rectify the procedural flaws in the 10/24/17 publication of the Tierra Robles Draft EIR. As of Monday, November 13 the County was able to fix the issue of the missing Figures in nine sections of the document. Great work.

Today, I saw on the Planning Department's website an offering to send a CD containing the Tierra Robles Draft EIR to people who either email you or call your offices. Thank you for making this available. Was this done since there was no other apparent fix apparent to be able to download and read Appendices 15.2 and 15.4 from any computer with internet access?

My questions are:

- 1) How are you going to notify the entire community that the "Figures" error has been fixed?
- 2) How are you going to notify the entire community that the Tierra Robles Draft EIR CD is available?
- 3) When is the County going to issue a revised Notice of Availability with a new 45 Day Public Comment Period or extension to the date from which these errors were published?

It continues to be an ongoing concern that our community has lost over 20 days of Public Comment Period and the County has acted in good faith to do the fair and right thing, let alone follow the spirit if not the letter of CEQA, to change the time frame on the Public Comment deadline.

Thank you for your assistance. I look forward to hearing from you.

Warm regards,
Brad Seiser
10603 Northgate Drive
Palo Cedro, CA 96073
530-356-5379

From: Kent Hector
Sent: Wednesday, November 15, 2017 4:55 PM
To: Brad Seiser
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Mr. Seiser,

27-a

27-b

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Response to Letter 27 – Brad Seiser

Response 27-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1** and **Response 18-a**, above. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 27-b: The commenter asks how the technical difficulties in accessing the Draft EIR and associated technical appendices will be fixed.

The commenter is also referred to **Master Response-1**. County staff also responded via email to individual commenters that raised a concern regarding the availability of information with the above statement and again stating the availability of the Draft EIR and related materials at the public counter of the Shasta County Department of Resource Management, Planning Division, at 1855 Placer Street, Suite 103, Redding, California 96001, during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday). Refer to the attached correspondence following this response. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Thursday, November 16, 2017 9:34 AM
To: tmtaylor321@gmail.com
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Mr. Taylor,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 5:23 PM
To: ktaylor16@gmail.com
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Karen Taylor,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 5:21 PM
To: Leslie Golden
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Leslie Golden,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 5:19 PM
To: ykpatton@msn.com
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Yana Patton,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 5:16 PM
To: john.whitmer@yahoo.com
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Mr. Whitmer,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 5:04 PM
To: omaje@frontier.com
Subject: Tierra Robles Development and Errors in online draft EIR

Dear Gunther and Jean Sturm,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 4:59 PM
To: Elizabeth Slowik
Subject: Tierra Robles Development and Errors in online draft EIR

Dear Hank and Liz Slowik,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Wednesday, November 15, 2017 4:55 PM
To: Brad Seiser
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Mr. Seiser,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Letter 28 – Brad Seiser (November 15, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Wednesday, November 15, 2017 5:16 PM
To: Kent Hector
Cc: Shasta County BOS
Subject: Re: Tierra Robles Draft EIR Online Documents Error

I fixed as typo below in paragraph 6. Sorry for my error.
Brad

From: Brad Seiser
Sent: Wednesday, November 15, 2017 5:05 PM
To: Kent Hector
Cc: Shasta County Board of Supervisors
Subject: Re: Tierra Robles Draft EIR Online Documents Error

Dear Kent,

(Apparently, your email arrived just as I was about to send the following. It might be a typo, but the Figures issue was not fixed until Monday, November 13th.)

Thank you for your efforts to begin to rectify the procedural flaws in the 10/24/17 publication of the Tierra Robles Draft EIR. As of Monday, November 13 the County was able to fix the issue of the missing Figures in nine sections of the document. Great work.

Today, I saw on the Planning Department's website an offering to send a CD containing the Tierra Robles Draft EIR to people who either email you or call your offices. Thank you for making this available. Was this done since there was no other apparent fix apparent to be able to download and read Appendices 15.2 and 15.4 from any computer with Internet access?

My questions are:

- 1) How are you going to notify the entire community that the "Figures" error has been fixed?
- 2) How are you going to notify the entire community that the Tierra Robles Draft EIR CD is available?
- 3) When is the County going to issue a revised Notice of Availability with a new 45 Day Public Comment Period or extension to the date from which these errors were published?

It continues to be an ongoing concern that our community has lost over 20 days of Public Comment Period and the County has not acted in good faith to do the fair and right thing, let alone follow the spirit if not the letter of CEQA, to change the time frame on the Public Comment deadline.

Thank you for your assistance. I look forward to hearing from you.

Warm regards,
Brad Seiser
10603 Northgate Drive
Palo Cedro, CA 96073
530-356-5379

From: Kent Hector

Sent: Wednesday, November 15, 2017 4:55 PM
To: Brad Seiser
Subject: Tierra Robles Draft EIR Online Documents Error

Dear Mr. Seiser,

This email is in response to your comments concerning the figures missing from the online version of the Tierra Robles Draft EIR. Please note that this online document was corrected on Wednesday, November 8th and is now complete. We appreciate the public for bringing this matter to our attention.

In regards to viewing the online version of the Tierra Robles Draft EIR Appendices, we have added the following note to this project on the County's website:

****PLEASE NOTE:** Some of the Appendices are very large and may take a long time to download. CD's are available upon request that contain the appendices. To receive a CD, please contact Kent Hector at khector@co.shasta.ca.us or by phone at (530) 225-5532.

Also, no determination has been made as to whether, or for how long, the 45-day Public Comment Period will be extended. At this time, the December 7th deadline for comments is still in effect.

Sincerely,

*Kent Hector, AICP
Senior Planner
Department of Resource Management Department Planning Division
1855 Placer Street Suite 103*

Response to Letter 28 – Brad Seiser

Response 28-a: The commenter submitted a corrected version of the comments provided above in **Letter 27**, above.

The revised comment reflects the correction of a typographical error and does not change the intent of the original comment or Staff's response noted above under **Responses 27-a** and **27-b**, and **Master Response-1**. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 29 – Karen Taylor (November 15, 2017)

Kent Hector

From: Karen Taylor <kstaylor16@gmail.com>
Sent: Wednesday, November 15, 2017 4:38 AM
To: Kent Hector
Subject: Tierra Robles Darft EIR problems

Mr. Kent Hector Sr. Planner Shasta County Planning Department Redding, CA 96073

It has been pointed out there are a number of errors with the rollout of the 10/24/17 Tierra Robles Draft EIR and Public Comment Period. The current 45 day Public Comment Period ending on December 7th continues to be inappropriate given the problems discovered in accessing ALL of this document. It is now 21 days since the initial publication and the County has not complied with their Notice of Availability responsibilities. First, the Appendices sections 15.2 and 15.4 (all zip files of 181 MB and 145 MB respectively) are impossible to view online from our home and the Shasta County Public Library. I tried several times to download and all failed. I then ran a check by downloading a 100MB file and it took a very short amount of time so the error is not in my computer or internet connection. **Surely the County as tech staff who can fix this problem?** These two Appendices, "Tierra Robles Community Services District" and "Biological Resources" are critical to my assessment and evaluation of this project. They must be made available in a satisfactory manner so that everyone can access these Appendices as you can with the rest of Draft EIR. **The inability to access the complete document online impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc. Surely the county doesn't expect that customers be required to drive clear in to the Shasta County Library if they want to view the whole document?**

Unresolved Errors 1. After 21 days it remains virtually impossible to download from a home computer, or library computer the important Appendices – #15.2 Tierra Robles Community Services District and #15.4 Biological Resources Documentation. This problem continues to exist through download methods across different, common internet service providers in our communities. This is regardless of the County's website prescription: **** PLEASE NOTE: Some of the Appendices are very large and may take a long time to download**** The County has not taken the necessary technology steps to rectify this download issue resulting in a continuing burden to those members of our community, who for whatever reason, including but not limited to time, disabilities, transportation etc. lack the necessary access as outlined in the County's Notice of Availability so they can fully assess, and evaluate this document. 2. The County has not brought itself into compliance with the conditions of the original 10/24/17 Notice of Availability by granting a new 45 day Public Comment period, so our community would not be penalized by the County's 21 day delay in rectifying their publication errors. **THERE IS NOTHING THAT PRECLUDES THE COUNTY FROM DOING THE RIGHT THING BY MAKING A NEW 45 PUBLIC COMMENT PERIOD. Because of all the errors noted to date, I request that a new 45 day Public Comment period be started from the date the revised Draft EIR is published and all errors corrected. In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project " to all parties that received the original notice with the revised Public Comment period dates. We expect that the County will do the fair and right thing, in addition to following State CEQA regulations. Thank you for your attention to this matter.**

29-a

Karen Taylor
21205 View Lake Dr
Redding, CA 96003



www.northstategives.org/organizations/riverfront-playhouse/

Response to Letter 29 – Karen Taylor

Response 29-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 30 – Tom Taylor (November 15, 2017)

Kent Hector

From: Tom Taylor <tmaylor321@gmail.com>
Sent: Wednesday, November 15, 2017 6:20 PM
To: Kent Hector
Subject: Tierra Robles Darft EIR Problems

Mr. Kent Hector Sr. Planner Shasta County Planning Department Redding, CA 96073

It has been pointed out there are a number of errors with the rollout of the 10/24/17 Tierra Robles Draft EIR and Public Comment Period. The current 45 day Public Comment Period ending on December 7th continues to be inappropriate given the problems discovered in accessing ALL of this document. It is now 21 days since the initial publication and the County has not complied with their Notice of Availability responsibilities. First, the Appendices sections 15.2 and 15.4 (all zip files of 181 MB and 145 MB respectively) are impossible to view online from our home and the Shasta County Public Library. I tried several times to download and all failed. I then ran a check by downloading a 100MB file and it took a very short amount of time so the error is not in my computer or internet connection. **Surely the County as tech staff who can fix this problem?** These two Appendices, "Tierra Robles Community Services District" and "Biological Resources" are critical to my assessment and evaluation of this project. They must be made available in a satisfactory manner so that everyone can access these Appendices as you can with the rest of Draft EIR. **The inability to access the complete document online impacts all community members who lack access for any reason, including but not limited to, time, disabilities, or transportation issues etc. Surely the county doesn't expect that customers be required to drive clear in to the Shasta County Library if they want to view the whole document?**

Unresolved Errors 1. After 21 days it remains virtually impossible to download from a home computer, or library computer the important Appendices -- #15.2 Tierra Robles Community Services District and #15.4 Biological Resources Documentation. This problem continues to exist through download methods across different, common internet service providers in our communities. This is regardless of the County's website prescription: **** PLEASE NOTE: Some of the Appendices are very large and may take a long time to download**** The County has not taken the necessary technology steps to rectify this download issue resulting in a continuing burden to those members of our community, who for whatever reason, including but not limited to time, disabilities, transportation etc. lack the necessary access as outlined in the County's Notice of Availability so they can fully assess, and evaluate this document. 2. The County has not brought itself into compliance with the conditions of the original 10/24/17 Notice of Availability by granting a new 45 day Public Comment period, so our community would not be penalized by the County's 21 day delay in rectifying their publication errors. **THERE IS NOTHING THAT PRECLUDES THE COUNTY FROM DOING THE RIGHT THING BY MAKING A NEW 45 PUBLIC COMMENT PERIOD. Because of all the errors noted to date, I request that a new 45 day Public Comment period be started from the date the revised Draft EIR is published and all errors corrected. In addition the County should resend and post online a revised "Notice of Availability of an Environmental Impact Report for the Proposed Tierra Robles Planned Development Project" to all parties that received the original notice with the revised Public Comment period dates. We expect that the County will do the fair and right thing, in addition to following State CEQA regulations. Thank you for your attention to this matter.**

Tom Taylor
21205 View Lake Dr.
Redding, CA 96003
549-3529

30-a

Response to Letter 30 – Tom Taylor

Response 30-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1**, above. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 31 – Brad Seiser (November 17, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Friday, November 17, 2017 12:04 PM
To: Kent Hector
Cc: Shasta County BOS; Scott Morgan
Subject: Day 25 Since Procedural Flaws In TR Draft EIR and No Revised NOA

Kent Hector
Senior Planner
Shasta County Planning Dept.

Dear Kent,

Just a quick note to memorialize Day 25 since the 10/24/17 publication of the procedurally flawed Tierra Robles Draft EIR.

While we are pleased that you were successful in fixing the major problem with the "Figures" in 9 sections of the report and are making a CD available of the document to address the still problematic download issue of the Appendices, the County still has not revised the 45 day Public Comment period or made an extension nor communicated to the East County community that these fixes were made. What good is to have access to these corrections and then not communicate through a revised Notice of Availability to the East County community so they can effectively benefit from access to whole document in preparing their Public comments. The County must do the right and fair thing and follow the spirit and regulations of CEQA.

31-a

Thank you for your continuing assistance with the matter.

Brad Seiser for
Citizens For Responsible Rural Development

cc: Scott Morgan, State CEQA Clearinghouse Director

Response to Letter 31 – Brad Seiser

Response 31-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1** and **Responses 18-a, 27-a, and 27-b**, above. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 32 – Jeannette Baugh (November 20, 2017)

November 20, 2017

RECEIVED
SHASTA COUNTY

NOV 22 2017

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Kent Hector, Senior Planner
Shasta County Department Of Resources Management
Planning Division
1855 Placer Street
Suite 103
Redding, Ca. 96001

Re: Tierra Robles Planned Development

Dear Mr. Hector:

I hope you will take a few moments to read my letter and not just put it in the waste basket, or put it through the paper shredder.

32-a

I have been a resident on Boyle Road since 1979, and at that time there was hardly anything around us. Over a period of time I have not only seen additional housing developments, but more traffic on a VERY WINDING NARROW ONE LANE EACH WAY COUNTRY ROAD. Along with the every day traffic, since the construction of Foothill High School, Boyle Road receives heavy traffic use. IT IS A FREEWAY. If you don't think this a serious factor, just put a road strip down to get a realistic count of how many vehicles use Boyle Road on a daily basis. Even getting my morning paper and mail is a everyday challenge, for I have to dodge vehicles refusing to move over, or even slow down.

32-b

There have been wildlife, dogs, cats, and even a horse killed on Boyle Road. With the approval of this project there surely will be more animals either injured or killed, lying on or besides not only on Boyle Road, but the other side roads involved in the proposed project. Just the other day I saw a buzzard lying dead in the middle of Boyle Road. BOYLE ROAD IS AN EXTREMELY DARK ROAD AT NIGHT, WITH NO LIGHTING. Is it going to take a human life or injury to prevent this project from going forward? Also, why have just a few of us been notified about this project and not the whole neighborhood? Meaning, those who live on the side roads that intersect with Boyle Road and Old Alturas Road. I personally have spoken to some of these people, and they have advised me, they didn't even know anything about this project.

32-c

(1)

We moved here because we wanted to live in a RURAL OPEN SETTING without a lot of people, as well as the traffic, which always comes along with more housing developments. therefore, for the life of me, I can't understand why, or believe that the development of the Tierra Robles project is still being considered.

32-d

Not only am I concerned about more houses, noise, traffic, etc., but now we have Bethel Church planning to build a new facility. So, Now my next question is, WHERE IS THE WATER RESOURCES GOING TO COME FROM. Every year Bella Vista Water District has concerns about drought conditions if we don't receive enough rain. With an additional housing development this only puts more strain on an already overwhelming agency. For those of us, including myself, who have lived here for a period of time, WE FACE THIS ISSUE EVERY YEAR. ARE WE GOING TO HAVE ENOUGH WATER? For the past several years, we have had to cut back on our water usage because of the drought situation.

32-e

With our already depleting sheriff department, police department, and fire stations, this proposed project will only cause an increasing hardship on these already stressed agencies. The respond time will be even longer then it already is right now for any incident that happens.

32-f

And as far as the school issue goes in the surrounding area, they are already over crowded. Where are the kids living in the proposed project supposed to go to school? MORE SCHOOLS MEAN HIGHER PROPERTY TAXES.

32-g

If this project is allowed to split the acreage into smaller lots, then those of us who have larger pieces of property should be able to do the same. Can you imagine the impact this will have on the environment then? And, speaking of environmental impact on the area, what about the on-site waste-water treatment facility I understand they are proposing?

32-h

This environmental impact all begins with cutting down of trees, moving the ground around to make room for this project, but most of all the impact it puts on all the wildlife that live and use this area. I understand there are already several vacant lots and houses for sale on the market. If these Tierra Robles lots don't sell, then the damage will be done, and all we will have is A ONCE SERENE OPEN AREA DAMAGED AND GONE FOREVER. This proposed project not only affects those of us who

32-i

live near the site, but for all of those who live several miles around it.

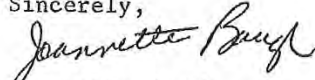
32-i
Cont.

It stands to reason the approval of the proposed project would definitely have a significant impact on this area, ONE THAT WILL BE DETERMENTAL INDEED, if the additional 166 residential development IS ALLOWED TO HAPPEN.

In closing, I would like to quote a comment from a fore-caster with the National Weather Service, "Our winter, unless it's a massive flood, doesn't get you out of a drought. Every little bit helps, BUT WE'VE GOT A LONG, LONG WAY TO GO."

32-j

Sincerely,



Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003

cc: Steve Morgan, District 4 Supervisor
Shasta County Board of Supervisors

November 20, 2017

Shasta County Board Of Supervisors
1450 Court Street
Redding, Ca. 96003

RECEIVED
SHASTA COUNTY
NOV 22 2017
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Re: Tierra Robles Planned Development

Dear Supervisors:

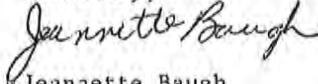
As I have stated in my letter to Mr. Morgan, District 4 Supervisor, I sincerely hope that all of you will take a few moments to read my letter to him, as well as the letter I wrote to Kent Hector, Senior Planner, Shasta County Department Of Resources Management.

To you, this just might sound like a bunch of residents complaining about a proposed project. BUF, IT IS INDEED A VERY SERIOUS CONCERN for not only myself, but for all of those impacted by a decision that WOULD DESTROY OUR COUNTRY WAY OF LIFE. As I mentioned earlier, I have been a resident on Boyle Road since 1979.

32-k

In closing, I would just like to say, THE DECISION ON THIS PROJECT TRULY NEEDS SOME DEEP THINKING.

Sincerely,



Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003

cc: Steve Morgan, District 4 Supervisor
Kent Hector, Senior Planner, Shasta County Department
Of Resources Management

November 20, 2017

RECEIVED
SHASTA COUNTY

NOV 23 2017

Mr. Steve Morgan, District 4 Supervisor
1450 Court Street
Redding, Ca. 96001

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Re: Tierra Robles Planned Development

Dear Mr. Morgan:

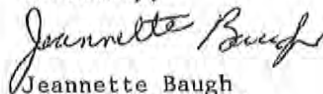
I sincerely hope that you will take a few moments to read my letter, as well as the enclosed. As you are the Supervisor for District 4, the area in which I reside, I am enclosing a copy of the recent letter I wrote to Kent Hector, Senior Planner, Shasta County Department Of Resources Management, regarding the Tierra Robles project consisting of 166 residential parcels.

Myself, including all of those who live within this project, or those impacted by it, DON'T WANT THIS PROJECT APPROVED. IT APPEARS TO ME THAT IT IS THE "BIG MONEY" THAT IS SPEAKING FOR THIS PROJECT, AND NOT THE ACTUAL CONCERNS OR HEALTH OF MYSELF OR THE OTHER RESIDENTS AFFECTED BY THIS PREPOSTEROUS DEVELOPMENT. It is my understanding the person trying to push this through doesn't even live in our area. WE NEED YOU TO STAND BEHIND US AND REPRESENT US IN THIS VERY IMPORTANT MATTER. As a matter of fact, we need the complete support of all The Shasta County Board Of Supervisors. Therefore, I am sending a copy of my letter to them, as well as my letter to Kent Hector.

32-1

In closing, I would like to stipulate again, if this project is approved, THE ONCE SERENE OPEN WILD AREA WE AS RESIDENTS HAVE COME TO LIVE AND ENJOY, WILL BE DAMAGED AND GONE FOREVER.

Sincerely,



Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003

cc: Shasta County Board Of Supervisors
Kent Hector, Senior Planner, Shasta County Department
Of Resources Management

Response to Letter 32 – Jeannette Baugh

Response 32-a: The commenter raises concerns about her comments on the Draft EIR not being fully considered.

Section 15088 of the State *CEQA Guidelines* requires that the Lead Agency evaluate comments on environmental issues received from persons and agencies that reviewed the Draft EIR and prepare written responses addressing each of the comments received. All comments raised by the commenter in her letter from November 20, 2017 are addressed below. This comment does not raise any issue regarding the adequacy of the Draft EIR and no further response is required.

Response 32-b: The commenter raises concerns about increasing traffic volumes, questions the anticipated daily vehicle trips, and expresses safety concerns regarding additional traffic on Boyle Road due to the existing roadway configuration.

The commenter is referred to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, and 17-o**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 32-c: The commenter raises additional concerns about traffic safety, and collisions with domestic animals and wildlife, and questions if it will take the loss of a human life to prevent the project. The commenter also raises concerns about notifications of the project.

The commenter is referred to pages 5.16-6 and 5.16-7 of the Draft EIR (Section 5.16, TRAFFIC AND CIRCULATION) which discloses that there have been four reports of animal related collisions during the study period.

The commenter is referred to **Response 32-b**, above, regarding pedestrian safety. As discussed, improvements by the County for Boyle Road, Old Alturas Road, and Deschutes Road would include shoulder improvements that would serve to enhance existing and future pedestrian movement within the area. The Draft EIR concluded that impacts would be *less than significant*. No change to the Draft EIR is required.

Response 32-d: The commenter provides statements regarding her desire to live in a rural open setting, and the traffic generated by residential developments, and questions why the project is being considered.

The commenter is referred to **Response 32-b**, above, regarding project trip generation and traffic impacts of the proposed project.

While the commenters desire to live in a rural open setting does not raise concerns about the adequacy of the Draft EIR, the analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density.

Response 32-e: The commenter reiterates general concerns about increased housing and traffic, and raises a non-specific concern about increased noise. The commenter also questions water supply, drought, and having to personally cut back on water consumption due to the drought.

The commenter is referred to **Responses 32-b, 32-c, and 32-d** regarding traffic safety. The commenter is referred to **Master Response -3** regarding concerns related to water supply and use. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

With regards to noise, the commenter is referred to pages 5.11-1 through 5.11-26 of the Draft EIR (Section 5.11, Noise). This section provides a complete discussion of noise impacts of the proposed project. As discussed in that chapter, the Draft EIR concluded that project design features as well as mitigation, would result in *less than significant* impacts. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 32-f: The commenter states that there are depleted sheriff services and police services, and fire stations and the proposed project cause increased hardship to these agencies.

The commenter is referred to Draft EIR Section 5.1, AESTHETICS AND VISUAL RESOURCES, Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, Section 5.16, TRAFFIC AND CIRCULATION, and Section 5.17, UTILITIES AND SERVICE SYSTEMS. Each of the referenced topics were evaluated in the Draft EIR and concluded *less than significant* or *less than significant after mitigation*. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 32-g: The commenter states that the schools are already overcrowded and states more schools equals higher taxes.

The commenter is referred to Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS. Page 5.13-13 of the Draft EIR addresses the payment of school fees that would be incurred by the proposed project and would generate approximately \$1,980,048 to be distributed to the local school districts. In addition, Foothill High School, Columbia Elementary School, and Mountain View Middle School have been experiencing a declining enrolment and therefore has capacity to accommodate and increased student population. The Draft EIR concluded that impacts would be *less than significant*. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 32-h: The commenter notes that the proposed project is being allowed to split the acreage into smaller lots and questions the environmental impact should other property owners do the same. The commenter also presents a non-specific question about the proposed on-site wastewater facility.

With regards to the use of smaller lots, the commenter is referred to Draft EIR Sections 3.0 PROJECT DESCRIPTION and 5.10, LAND USE AND PLANNING. The proposed project includes a Zone Amendment and a requested Tract Map approval. As stated on page 3-12 of Section (3.0 PROJECT DESCRIPTION) the Tract Map is requested to divide the property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in side, and six open space parcels totaling 192.7 acres. In addition, as stated on page 5.10-12 of Section (5.10 LAND USE AND PLANNING) the proposed project would require Zone Amendment to apply the Planned Development (PD) zone to the project site.

As stated on page 5.10-11 of the Section (5.10 LAND USE AND PLANNING) the proposed project is consistent with the existing Rural Residential A (RA) General Plan land use designation for the site, and no changes to the existing land use designation is required.

Response 32-i: The commenter raises concern with the effects on trees and wildlife, states that there are existing lots and homes for sale, and is concerned that the proposed lots will not sell resulting in permanent loss of the serene open area.

The commenter is referred to Impact 5.4-1 (Section 5.4, BIOLOGICAL RESOURCES) of the Draft EIR which evaluates oak woodland impacts associated with the proposed project. As noted on page 5.4-38, the project applicant is taking a number of steps to avoid impacts on oak woodlands, will establish several open space preserves and Resource Management Areas (RMAs) totaling 192.7 acres to be managed in perpetuity, and has established setbacks from property lines, stream channels and/or critical natural resources leaving these areas undisturbed. In addition, the Tierra Robles Oak Management Plan prescribes a number of measures that will help maintain and enhance the onsite oak woodlands in perpetuity. Through implementation of Mitigation Measure (MM) 5.4-1a a permanent offsite conservation easement would be established for the preservation of 137.8 acres of blue oak woodland.

Preservation of the Oak Woodlands and open space, both on site and in the off-site conservation easement including onsite stream corridors, would preserve some of the highest wildlife habitat values on the site. In addition, because the onsite preserves are adjacent to the onsite Resource Management Areas (RMAs) (refer to Section 3.0, PROJECT DESCRIPTION, for a full discussion of the RMAs, including preservation goals and long-term maintenance), they provide for enhanced buffering and reduction of edge effects. The onsite preserves are also clearly capable of supporting the same suite of plants and wildlife that occupy the planned development areas; this ability is unlikely to be met in full at offsite preserves. Finally, the onsite preserves provide “islands” and corridors for wildlife use and dispersal, which are particularly valuable in the urbanizing portions of the County. The Draft EIR found that impacts on the oak woodlands and wildlife would be *less than significant*.

Regarding concerns about available housing and housing demand, the commenter is referred to Section 5.12, Population and Housing of the Draft EIR. Page 5.12-1 and 5.12-2 reviews the existing regional and local population trends and regional and local housing trends. The commenter also is referred to Impact 5.12-1 (Population and Housing) on page 5.12-9. The impact discussion states, “The housing goal of the 2014 RHNA for unincorporated portions of Shasta County is 755 units between 2014 and 2019 (2,200 units for the County as a whole). The project proposes to build up to a maximum of 166

new dwelling units with 15 accessory dwelling units onsite. Dwellings would be constructed over a projected buildout period of 10 to 15 years. Assuming an equal number of units over a 10-year buildout, this would equate to approximately 16 dwelling units and 2 accessory unit per year, or 54 total units during the three years of the current housing needs assessment planning period, which runs through December 31, 2019. The project would represent approximately 7 percent of the total housing needs for the three-year period in unincorporated Shasta County and approximately 2 percent of the housing needs for the County as a whole. Therefore, the project's impacts to housing are considered *less than significant*."

For additional information on impacts to trees and wildlife, the commenter is referred to **Response 16-b** and **Response 13-j**. No change to the Draft EIR is necessary.

Response 32-j: The commenter raises concern about the project having a significant and detrimental impact on the project area. The remainder of the comment reflects continued concern about water resources but does not question the adequacy of the Draft EIR.

The commenter is referred to Page 1-1, Section 1.0, PURPOSE OF THE EIR, of the Draft EIR, which summarizes the Purpose of the EIR. As discussed, the EIR is intended to be an informational document that appraises decision-makers and the general public of the potential significant environmental effects of a proposed project. An EIR must describe a reasonable range of feasible alternatives to the project and identify possible means to minimize the significant effect. The Draft EIR goes on to state the purpose of an EIR is to identify 1) The significant potential impacts of the project on the environment and indicate the manner in which those significant impacts can be avoided or mitigated; 2) Any unavoidable adverse impacts that cannot be mitigated; and 3) Reasonable and feasible alternatives to the project that would eliminate any significant adverse environmental impacts or reduce the impacts to a less than significant level.

In conformance with these and other CEQA requirements, the Draft EIR analyses all reasonably foreseeable potential impacts, appropriate mitigation or avoidance measures, unavoidable impacts, as well as a reasonable range of alternatives. All listed elements are fully disclosed within the Draft EIR to fully inform the public and decision makers. No change to the Draft EIR is necessary.

Response 32-k: The commenter requests that her comments are considered by decision makers and reiterates her concern about the project.

The commenter is referred to **Response 32-j**, above. The Draft EIR was written in compliance with State *CEQA Guidelines* and as such has been reviewed and considered by decision makers decision making bodies. As described on page 1-5 through 1-7 (1.0 Introduction and Purpose), the Draft EIR explains describes the CEQA process including the scoping process, completion of an initial study, preparation of a Notice of Preparation, scoping meetings, preparation of this Draft EIR, and publication of a Notice of Completion. Throughout the process and through the process of completing a Final EIR, all pertinent decision makers are involved in the CEQA process and have input for the approval process. No change to the Draft EIR is necessary.

Response 32-l: The commenter requests that her comments are considered by Mr. Steve Morgan, District 4 Supervisor, and reiterates her concern about the project including health, that the project applicant is not local to the area and requests that Mr. Morgan and the Shasta Board of Supervisors support those against the project. The commenter also restates her concern about the loss of open space.

The commenter is referred to **Response 32-a** through **Response 32-k**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No change to the Draft EIR is necessary.

Letter 33 – Christopher L. Stiles of Remy, Moose, Manley, LLP (November 22, 2017)



Christopher L. Stiles
cstiles@rmmenvirolaw.com

November 22, 2017

Via Regular and Electronic Mail

Mr. Kent Hector
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
khector@co.shasta.ca.us

RECEIVED
SHASTA COUNTY
NOV 27 2017
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Re: Tierra Robles Draft Environmental Impact Report Public Comment Period

Dear Mr. Hector:

We are writing on behalf of Mr. Brad Seiser and other Shasta County residents regarding the public review and comment period for the Tierra Robles Draft Environmental Impact Report (Draft EIR). Mr. Seiser previously requested that the comment period be extended due to several deficiencies with the County's initial distribution of the Draft EIR. In its response, the County acknowledged the deficiencies but explained that no determination had been made as to whether, or for how long, the 45-day public comment period will be extended. This letter explains why the public comment period must be extended at least 22 days.

According to the Notice of Availability for the Draft EIR, the 45-day public comment period extends from October 24, 2017 through December 7, 2017. As you are aware, however, the Draft EIR that was initially circulated for public review was incomplete, and the portion of the document that was released for public review was not reasonably accessible to County residents or the public generally. Thus, a comment period that extends only through December 7 would not allow for the full 45-day public review period required by CEQA. (Pub. Resources Code, § 21091, subd. (a); CEQA Guidelines, § 15203.)

The courts are clear that CEQA's procedural requirements are strictly enforced. (See, e.g., *Environmental Protection Information Center, Inc. v. Johnson* (1985) 170 Cal.App.3d 604, 622.) Reviewing courts "have a duty to consider the legal sufficiency of the steps taken by administrative agencies and must be satisfied that these agencies have fully complied with the procedural requirements of CEQA, since only in this way can important public purposes of

33-a

555 Capitol Mall, Suite 800 Sacramento CA 95814 | Phone: (916) 443-2745 | Fax: (916) 443-9017 | www.rmmenvirolaw.com

Mr. Kent Hector
Shasta County Department of Resource Management, Planning Division
November 22, 2017
Page 2

CEQA be protected from subversion.” (*Ibid.*) Accordingly, where an agency fails to fulfill CEQA’s mandatory procedural requirements by, for example, not providing adequate time for public review and comment or failing to properly distribute a Draft EIR, the agency has failed to proceed in the manner required by law and has prejudicially abused its discretion.

Here, the County’s initial distribution of the Draft EIR suffered several flaws that have precluded the public’s ability to review and comment on the document. As Mr. Seiser explained in his previous request for an extension, the Draft EIR released for public review was missing figures in nine sections. Distribution of incomplete copies of a Draft EIR will not suffice under CEQA. (See *Ultramar v. South Coast Air Quality Man. Dist.* (1993) 17 Cal.App.4th 689 [agency violated CEQA’s public review period requirement because the environmental document circulated for public review was missing 12 pages out of the 288-page document].) The County did not fix this error until November 13, 2017—20 days into the noticed review period. The 20-day delay has been detrimental to the public’s ability to review and comment on the Draft EIR.

Further, as also explained by Mr. Seiser, at least two Draft EIR appendices were inaccessible via home and library computers using common community internet service providers. And it appears that hard copies of the appendices were not made available for public inspection. (See CEQA Guidelines, § 15147 [“Appendices to EIRs may be prepared in volumes separate from the basic EIR document, but shall be readily available for public inspection”].) We are aware that, as of November 15, the County is offering the public CDs that include the appendices in an effort to remedy this problem, but that does not make up for the time lost (22 days) prior to November 15.

While our clients appreciate the County’s efforts to correct the deficiencies in the initial Draft EIR circulation, the County cannot comply with CEQA’s procedural requirements unless the public comment period is extended for at least an additional 22 days to allow the public a full 45 days to review and comment on the Draft EIR. We therefore request that the County extend the public comment period to at least December 29, 2017.

We also request that the County issue a revised notice of availability informing the public and interested agencies that the public comment period has been extended. The notice should be posted on the County’s website and distributed to all residents and agencies on the County’s distribution list. If the notice cannot be issued immediately, the County should extend the comment period further—beyond December 29—to account for the delay and to allow for a full, properly noticed public comment period of at least 45-days.

33-a
Cont.

Mr. Kent Hector
Shasta County Department of Resource Management, Planning Division
November 22, 2017
Page 3

Given that the noticed comment period is set to expire on December 7, we would appreciate a prompt response to our extension request. We look forward to hearing from you soon.

33-a
Cont.

Very truly yours,



Christopher L. Stiles

cc: Larry Lees, Shasta County Executive Officer (email only)
Shasta County Board of Supervisors (email only)

Response to Letter 33 – Christopher L. Stiles of Remy, Moose, Manley, LLC

Response 33-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices for interested parties to access and review the Draft EIR and requests an extension to the Draft EIR public review period by 22 days.

The commenter is referred to *Master Response-1* and *Responses 18-a, 27-a, and 27-b* above. No further response or change to the Draft EIR is necessary. Upon receiving notification of complications accessing the Draft EIR, County staff immediately employed several corrective actions to resolve difficulties in retrieving the information, including updating the County’s website and delivering a new copy of technical appendices to the Shasta County Library. County staff also responded via email to individual commenters that raised a concern regarding the availability of information with the above statement and again stating the availability of the Draft EIR and related materials at the public counter of the Shasta County Department of Resource Management, Planning Division, at 1855 Placer Street, Suite 103, Redding, California 96001, during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

Planning Staff evaluated requests for an extension of the public review period and concluded that an extension of the public review period to December 29, 2017 was appropriate. Staff will continue to accept all comments on the Draft EIR and project throughout the entire project environmental review and application process, until the close of the public hearing before the Board of Supervisors. All comments will be included in the record for the project. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 34 – Brad Seiser (November 29, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Wednesday, November 29, 2017 10:21 AM
To: Mary Rickert
Cc: Larry Lees; Kent Hector; Steve Morgan; Chris Stiles
Subject: Re: Assistance with Procedural Flaws - Tierra RobChrisles Draft EIR

Hi Mary,

Thank you for contacting Mr. Lees. Not sure how he is coming up with the "approximate" 15 days. To summarize:

- 1) 10/24/17 - County publishes the Draft EIR with omission errors.
- 2) 11/13/17 - 21 days after initial publication the County fixes the omission error of the missing Figures in 9 sections on County website.
- 3) We are willing to forgo on adding two additional days accounting for the days until the County made a CD available to correct the Appendices download problem.
- 4) We request the County add 21 days (time it took to correct the omissions in the EIR release) to the current 12/7/17 Public Comment deadline, making a new deadline of 12/28/17.
- 5) We are asking the County to re-notice by mail all those people in our community who received the Initial Notice of Availability outlining the new 12/28/17 Public Comment deadline date, as well as, on the County website.
- 6) We are dropping our request that the County start counting the 21 days from the date of the new Notice of Availability publication date.

We trust these facts and our compromise will meet with the approval of yourself, Mr. Lees and the Planning Department.

Thank you very much. We look forward to hearing from the County.

Warm regards,
Brad Seiser
No to Rezoning for 166 Homes Committee

From: Mary Rickert
Sent: Tuesday, November 28, 2017 3:01 PM
To: Brad Seiser
Subject: RE: Assistance with Procedural Flaws - Tierra Robles Draft EIR

Brad:

Larry is in Sacramento but I emailed him and his response was that he thought there would be an approximate 15 day extension. The amount of days it took to get the document fully loaded for viewing.

Have a safe trip.

Mary

From: Brad Seiser [mailto:brad.seiser@frontier.com]
Sent: Sunday, November 19, 2017 12:55 PM
To: Mary Rickert

Subject: Re: Assistance with Procedural Flaws - Tierra Robles Draft EIR
Importance: High

Hi Mary,

Thank you taking the time to respond to my email(s) and for continuing to follow what is happening with this proposed 166 home development. Yes, by all means please follow up with Mr. Lees in whatever way you feel is necessary to solve this impasse with the Planning Department to the East County community's request for a revised 45 day or extended Public Comment period.

By the way, yesterday, after 26 days since the original release of the Draft EIR on October 24, 2017, I received in the mail from the Planning Department a CD containing the complete Tierra Robles Draft EIR with all the Appendices. The only remaining issue to be resolved at this point is the Public Comment period deadline, since the County also fixed on 11/13/17 the 9 sections of the report that were missing their "Figures".

Thank you for your consideration of our request.

Warm regards,
Brad Seiser
Citizens for Responsible Rural Development
10603 Northgate Drive
Palo Cedro, CA 96073
530-356-5379

From: Mary Rickert
Sent: Sunday, November 19, 2017 10:28 AM
To: Brad Seiser
Subject: Re: Assistance with Procedural Flaws - Tierra Robles Draft EIR

Brad:

Yes, I have been reading the emails as they appear. I will forward your email (unless you have an objection) to Larry Lees and discuss how to proceed with the Planning Department.

Thank you for your very professional and courteous approach in dealing with this issue. I have been reading through the document and have some serious questions that need further investigation. My concerns still remain.

So, please let me know if I can forward this email to Mr. Lees.

Mary

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Wednesday, November 15, 2017 4:29 PM
To: Mary Rickert
Subject: Assistance with Procedural Flaws - Tierra Robles Draft EIR

Dear Mary,

I hope this email finds you well both personally and professionally. I am writing to ask for your assistance in working through the issues that our East County community is having with the recent publication of Tierra Robles Draft EIR. As you are likely aware from my previous emails to Senior Planner, Kent Hector, there have been significant procedural flaws with the 10/24/17 publication of this report.

We are pleased and thankful that the County was able to add the missing "Figures" to nine sections of the report on Monday, November 13, 2017, a delay of 20 days since the initial release. This delay of 20 days was detrimental to our community's ability to access and effectively respond to the findings of these sections and the entire report as a whole. This lost preparation time cannot be recovered unless the County issues a new 45 day Public Comment period or extension, commencing on the release date of a fully operational report.

Also, there continues to be online download access problems with two significant sections of the Appendix, 15.2 and 15.4, 'Tierra Robles Community Services District' (zip file of 145 MB) and 'Biological Resources Documentation' (zip file of 185 MB) respectively. As of today, these two files continue to be inaccessible via home and library computers using different, common community internet service providers. Again, this now 22 day delay in having online access to these two documents online, is untenable and we are seeking reasonable relief.

We have discussed these procedure flaws with our attorneys who advise that it is not unreasonable for the County to set a new 45 day Public Comment period or extend the current Comment Period date of December 7th by the number of days it takes to have a fully operational Draft EIR as noted above.

Please use your good offices to work with the Planning Department to help resolve this matter. I believe that some fair and equitable solution exists to solve our community's concerns.

I look forward to hearing from you. Thank you for your efforts on this and other matters that affect the East County.

Warm regards,
Brad Seiser
10603 Northgate Drive
Palo Cedro, CA 96073
530-356-5379

34-a
Cont.

Response to Letter 34 – Brad Seiser

Response 34-a: The commenter notes technical difficulties in accessing the Draft EIR and associated technical appendices and requests an extension to the Draft EIR public review period.

The commenter is referred to **Master Response-1** and **Responses 18-a, 27-a, 27-b,** and **33-a**, above. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 35 – Philip G. Marquis (December 2, 2017)

December 2, 2017

Kent Hector
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer St., Suite 103
Redding, CA 96001

RECEIVED
SHASTA COUNTY
DEC 04 2017
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Dear Mr. Hector:

I have looked at the supplemental EIR for the Tierra Robles Subdivision and have several concerns.

My main concern focuses on Bella Vista Water supplying the water for homes in this proposed subdivision. Bella Vista Water has a system that is aged and unable to keep up with the current demands in the Bella Vista/ Palo Cedro corridor. During the summer months when the pumps are running at the various stations operated by Bella Vista Water, we receive acceptable water pressure of around 40 pounds. Once fall sets in, the pumps are taken offline to save money presumably because the hobby farms present in our area do not need the amount of water needed in the summer. This forces most of us in the ridges along the West side of Deschutes road to be content with the water pressure provided by the height of the water in the storage tank on Stillwater.

This reduces the water pressure to between 20 and 30 pounds, often lower. The water flows slowly and showers with automatic temperature adjusting controls deliver either a changing extremely cold or hot shower without any warning. If the storage tank falls below a certain level, we see virtually zero water pressure and hence no flow.

I have addressed this concern with Bella Vista Water many times with no resolve.

Adding 166 homes, with their water demands increases the chances that we along the ridges, will be at extremely reduced pressure or no water.

In addition, Bella Vista Water is subject to discriminatory treatment from water allocated by the Bureau of Reclamation because of the order in which water rights are dispensed. In drought years, Bella Vista Water must buy water from other suppliers with better water rights. As a result, during the drought of 2014-2015, we lost 6-7 mature trees because there was insufficient water allocation to water them. All of this in spite of my having an extremely efficient water delivery system. And of course, our water rates increase astronomically.

Should this subdivision be approved, I want to see a concrete commitment from Bella Vista Water to improve their delivery system insuring adequate, constant water delivery pressure for all users before the subdivision goes in.

In addition, I want to see Bella Vista Water negotiate improved deliveries from the Bureau of Reclamation. I want better insulation from the destructive water reductions imposed by Bella Vista Water as a result of water restrictions by the Bureau of Reclamation again before the subdivision goes in.

35-a

35-b

Without an Ironclad agreement to accomplish these two conditions, I believe Bella Vista Water must not be allowed to supply water to the Tierra Robles Subdivision.

35-b
Cont.

A secondary problem is related to the traffic concerns on Old Alturas Road during construction and after occupancy by the 166 home sites. Old Alturas Road along the section from 7 Lakes Road westerly is in very poor condition, with repeated and advanced checking occurring to the pavement. This is an indication of the road base not being sufficiently robust or with very poor drainage to handle the traffic on it now. Construction traffic will only worsen these conditions.

The intersection posed by the new road leading to the Tierra Robles Subdivision, 7 Lakes Road and Old Alturas Road occurs at a sharp curve with limited visibility. This will inevitably lead to increased traffic on Old Alturas Road in both directions and the attendant potential for serious traffic problems. In an easterly direction, Old Alturas road enters a steep downhill gradient with sharp drops on either side. This is already a safety hazard without increased traffic.

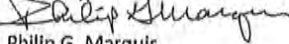
35-c

Access to the Tierra Robles Subdivision from Boyle Road means an increased traffic presence on Old Alturas Road in a westerly direction. While this section of Old Alturas Road in a westerly direction is in much better shape than the section from Boyle Road to 7 Lakes Road, the intersection of Old Alturas Road and Boyle Road is a problem. I have seen many drivers taking risks when turning from Boyle Road onto Old Alturas Road.

Should this subdivision be approved, major improvements to Old Alturas Road from Boyle Road to 7 Lakes Road and the section of Old Alturas Road with steep gradients must be improved before the subdivision is allowed to proceed.

Thank you for your time reviewing these comments.

Sincerely,



Philip G. Marquis
11707 Homestead Lane
Redding, CA. 96003

Response to Letter 35 – Philip G. Marquis

Response 35-a: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water and provide adequate water pressure to the proposed project as well as existing residents.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 35-b: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project and existing residents and raises concerns regarding existing water infrastructure.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 35-c: The commenter cites concerns about old Alturas Road with construction traffic and project traffic. The comments also raise safety concerns for road alignment, sharp curves, and steep slopes off shoulders. The commenter also requests improvements to Old Alturas Road from Boyle Road to Seven Lakes Road.

The commenter is referred to Section 5.16, TRAFFIC AND CIRCULATION, of the Draft EIR (specifically pages 5.16-27 and 5.16-28). As noted, the impacts and safety performance of Alturas Road from Boyle Road to Seven Lakes Road is discussed. Mitigation Measure 5.16-2 requires the installation of warning signs and advance street name plaques at eight intersections. The Draft EIR concluded that impacts would be *less than significant*. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 36 – Renee Ottzman (December 3, 2017)

December 3, 2017

Mr. Kent Hector, Senior Planner
Shasta County Dept. of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

RECEIVED
SHASTA COUNTY
DEC 06 2017
DEPT OF RESOURCE MGMT
PLANNING DIVISION

RE: Tierra Robles revised Draft EIR

Of particular concern is the proposed waste-water and dispersal facility. In accordance with the latest EIR:

#1: "On site infrastructure for the conveyance, treatment and dispersal of the waste-water generated on site. The treatment and dispersal of the waste-water will be managed on site with the operation and maintenance performed by the Tierra Robles CSD.

Formation of a Community Service District (CSD) as provided under the authority of Government Code Section 61000...etc.

Concerns:

a- Are there any waste treatment sites of similar or equal capacity in northern California? A site visit to such a facility would be extremely helpful.

b- On-site monitoring? Who would be hired for this and who would serve on the CSD..elected, appointed or subcontracted to a third party? Community means local so who in Redding is qualified to oversee this endeavor? Who is responsible in case of a spill or other malfunction?

c- The plot map does not show the exact location of the treatment facility other than to say it would be "centrally located." An exact location would be appreciated. Would it be visible from Boyle Road?

#2: Accessory Dwelling Unit – Gov. Code Sect. 65852.2. Allows accessory dwelling units in single-family and multi-family zones providing additional RENTAL housing as an essential component in addressing housing needs in California.

Comment: Under "Long Term Operation" all 166 approved residential lots would be entitled to an accessory dwelling. Even though it is "estimated" 15 lots would potentially have secondary units, there could literally be hundreds.

I feel strongly this development should fall under a HOME OWNERS ASSOCIATION. This requirement should be made a part of the EIR by setting the parameters to preserve the aesthetics of the community going forward.

IMPACT 5.12.1 – Long Term Operation: (Paragraph 5) "Dwellings would be constructed over a projected build-out period of 10 to 15 years.

With an extended build-out projected to be between 10 and 15 years, it is imperative that all accessory dwellings be of the same materials and standards as the primary dwelling to include exteriors (stucco, trim colors, windows, roofing, etc.) as well as driveway surfaces, curbs, gutters, fencing, restriction against mobile homes, fireplace (wood burning, gas, elect.), pools, RV parking, livestock (horses, chickens, etc.) These should be controlled and managed by the HOA.

36-a

36-b

December 3, 2017


*Ltr. To Kent Hector
Planning Div., Shasta Co. Dept. of Resource Mgmt.
Page 2*

I have spent quite a bit of time reading through the many aspects of this development's EIR. It has many complicated and far reaching implications for the local community and surrounding homeowners. To say most are unhappy about this development is almost an understatement. However, in keeping with the public comment parameters, I have addressed only two areas of concern even though there are others which are significantly troubling as well.

36-c

I look forward to hearing of future updates.

Respectfully submitted,



*Renee Ottzman
10371 Surrey Lane
Redding, CA 96003
rlottzman@ymail.com*

Response to Letter 36 – Renee Ottzman

Response 36-a: The commenter asks about the wastewater treatment site and where it is located within the project area. The commenter also asks about other similar waste treatment sites and doing a site visit to such a facility. The commenter also questions the on-site monitoring and who would be responsible for it.

The commenter is correct that that Draft EIR does not identify a specific site for the wastewater treatment plant and states that the wastewater treatment site would be centrally located. The commenter is referred to Section 3.0, PROJECT DESCRIPTION, (page 3-15 and page 3-22) for a detailed description of proposed community wastewater collection and treatment system. Wastewater from the proposed project would be collected via individual residential septic tanks, transferred to a community collection system, treated, and then recycled for roadway median landscape irrigation. This system must obtain the requisite Central Valley Regional Water Quality Control Board (CVRWQCB) Waste Discharge Requirements permit.

The comment regarding wanting to know where the wastewater treatment plant would be specifically located is noted. The wastewater treatment plant would be located to best serve the proposed project and would be developed in an area within the project footprint and in an area of proposed disturbance. The exact location, however, is not known.

Regarding the commenters questions regarding similar wastewater treatment plants and an associated site visit; such a request is outside the scope of this CEQA document, outside the responsibility of the Shasta County, and the request cannot be accommodated.

The proposed project includes mitigation measures that would be monitored by qualified parties to the satisfaction of Shasta County. Should the proposed project be approved a Final EIR would be prepared. California Public Resources Code §21081.6 requires public agencies to adopt mitigation monitoring or reporting programs (MMRP) whenever certifying an Environmental Impact Report (EIR) or a Mitigated Negative Declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process. Accordingly, the Final EIR would contain a MMRP in accordance with State *CEQA Guidelines* § 15097 Mitigation Monitoring or Report. Subsection (a) of the Guideline states:

“This section applies when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation;

however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.”

The MMRP would list each mitigation measure to include the entire text of the mitigation measures. The MMRP also could include the implementation phase (when the measure must be implemented), the monitoring phase (how often the measure must be monitored), the enforcing agency (who is responsible for ensuring the measures are implemented, monitored, and successful). The MMRP also requires the initials of the monitor, date each monitoring action took place, and any pertinent remarks or notes regarding the mitigation measure(s). Typically, the monitor also will prepare a monitoring report and present the report to the enforcing agency for their review and approval. Implementation and use of the MMRP will ensure that mitigation is properly implemented. No change to the Draft EIR is necessary.

Response 36-b: The commenter notes the potential for hundreds of accessory dwelling units and states that development should include a homeowner’s association (HOA) and it should be made a part of the EIR. The commenter also states the accessory dwelling units be of the same design to the primary residence and should be controlled and managed by the HOA.

The commenter is referred to page 3-31 of Section 3.0, PROJECT DESCRIPTION, for the design requirements of ancillary structures which would include accessory dwelling units. The Draft EIR states, that the Tierra Robles Architectural Design Guidelines apply to all structures constructed on the home-sites. This includes ancillary structures such as gazebos, storage sheds, detached garages, guest houses, pool houses, garbage enclosures, etc. Home-site owners will not be allowed to construct any ancillary structures until full architectural review of the plans and specifications are complete. All detailed construction plans applicable to the construction of a home will be needed for any ancillary structure including a site plan, elevations, material selections, colors, etc. The design of all ancillary structures must be compatible with the architecture of the home. Materials and color selections should utilize the same elements used on the home.

The proposed project includes 166 lots and although each lot may have one accessory unit, the maximum number of potential accessory units would limited be 166.

The proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County Local Agency Formation Commission (LAFCo). The TRCSD would be used as a means to oversee and implement the plans and facilities within the development and they would oversee the Tierra Robles Design Guidelines; Tierra Robles Oak Woodland Management Plan; Tierra Robles Wildland Fuel/Vegetation Management Plan, Open Space Management, and Resource Management Area Management and Oversight; Road Maintenance; Storm Drain Maintenance; and Waste Water Collection, Treatment and Dispersal Facilities. As such, the TRCSD would largely act as an HOA in addition to having more responsibility in the management of the proposed project. No change to the Draft EIR is necessary.

Response 36-c: The commenter relates her own dissatisfaction with the proposed project as well as that of other residents in the surrounding area and makes a non-specific reference to the far-reaching implications of the proposed project.

This comment is specific to the commenter's opposition of the project, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The commenter does not raise a significant environmental concern in the comment. No further response is necessary, and no changes to the Draft EIR have been made as a result of this comment. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 37 – Mary Severson (December 4, 2017)

Kent Hector
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

RECEIVED
SHASTA COUNTY
DEC 04 2017
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Dear Mr. Hector:

In response to the 2017 "revised" EIR for the Tierra Robles Planned Development, I find that the EIR still doesn't address the detrimental effect of increased population density to a rural residential area or the degradation of wildlife habitat it would impose.

37-a

(1) We are already paying recently increased property tax fees for Palo Cedro schools. These fees will, no doubt, continue to increase with more students being added.

37-b

(2) Traffic is stalled through Palo Cedro already from the school traffic at certain times of day. We would have increased traffic to and from Redding whether going through Palo Cedro to and from Hwy. 44, Boyle Road, or Hwy. 299 with the two colleges and increased traffic from the recently approved Bethel Complex. The Northgate exit sits on the top of a blind hill. Boyle, Swede Creek and Deschutes are a dangerous intersection, especially when school traffic is present and at rush hours.

37-c

(3) The EIR admits there would be a Bella Vista Water shortage in times of draught. Can we believe that "another source" of water will be available?

37-d

(4) Would the development residents possibly use the "open" spaces for shooting, motorcycling riding and other noise creating activities? We already have a noise factor with the near by gun club and other development activities.

37-e

(5) Our natural environment and wildlife will suffer another loss of habitat.

(6) There already is a shortage of safety protection. Our home burned in the 1999 Jones fire. We received neither evacuation notice or any fire suppression assistance then. What could we expect with 166 additional homes?

37-f

People live out here for a reason. We don't want the population density and all the negative impacts that brings.

37-g

Thank you for your consideration of our concerns and deny this project.

Mary Severson
Palo Cedro

Response to Letter 37 – Mary Severson

Response 37-a: The commenter asserts that the Draft EIR does not adequately address the detrimental effect of increase population growth to a rural area, and impacts to wildlife habitat.

The analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density. No change to the Draft EIR is required.

Regarding comments about population growth, the commenter is referred to Section 5.12, POPULATION AND HOUSING of the Draft EIR. Page 5.12-9 under Impact 5.12-1 discloses that the proposed 166 units and potential 15 accessory dwelling units would result in an increased population growth over a 10 to 15 year horizon of 445 residents. Although the proposed project would result in direct population growth, the proposed project would result in 22 fewer lots than what would be allowed by the Shasta County General Plan. In addition, the proposed project is consistent with and would not result in an exceedance of the Shasta Regional Transportation Agency (SRTA). The Draft EIR concluded impacts would be *less than significant*. No changes to the Draft EIR is required.

Regarding impacts to wildlife, the project proposed project includes onsite preserves that include the principal onsite stream corridors, which provide some of the highest wildlife habitat values on the site. Because the onsite preserves are within the onsite Resource Management Areas (RMAs) (refer to Section 3.0, PROJECT DESCRIPTION, for a full discussion of the RMAs, including preservation goals and long-term maintenance), they provide for an enhanced buffering and reduction of edge effects. The onsite preserves are also clearly capable of supporting the same suite of plants and wildlife that occupy the planned development areas; this ability is unlikely to be met in full at offsite preserves. Finally, the onsite preserves provide "islands" and corridors for wildlife use and dispersal, which are particularly valuable in the urbanizing portions of the County.

In addition, the Tierra Robles Oak Management Plan prescribes a number of measures that will help maintain and enhance the onsite oak woodlands in perpetuity. Plan implementation would provide for ongoing monitoring and maintenance of the oak woodlands, promote oak regeneration, ensure that a variety of tree size-classes are represented onsite, promote retention of snags and downed trees, maintain acorn production (which is essential for wildlife), and reduce fire hazards, especially the hazard of catastrophic wildfire.

Mitigation Measure (MM) 5.4-1a requires a permanent offsite conservation easement to be established for the preservation of 137.8 acres of blue oak woodland. As required by Mitigation Measure (MM) 5.4-1b, the onsite areas classified as Open Space would be protected through establishment of conservation easements and deed restrictions to ensure protection of oak woodland values. Mitigation Measure (MM) 5.4-1c requires RMAs to be maintained in perpetuity. The RMAs would be managed for their oak woodland habitat values and for fire-hazard reduction, would provide a degree of connectivity with larger wildlife habitats and corridors, and would maintain a woodland structure capable of supporting nesting birds and small- to medium-sized wildlife species.

With implementation of Mitigation Measure (MM) 5.4-1a, Mitigation Measure (MM) 5.4-1b, and Mitigation Measure (MM) 5.4-1c, impacts on the oak woodlands would be *less than significant*. No changes to the Draft EIR is required.

For additional information on impacts to trees and wildlife, the commenter is referred to **Response 16-b** and **Response 13-j**.

Response 37-b: The commenter makes a non-specific comment regarding the raising of property taxes to pay for school.

The commenter is referred to Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS. Page 5.13-13 of the Draft EIR addresses the payment of school fees that would be incurred by the proposed project and would generate approximately \$1,980,048 to be distributed to the local school districts. In addition, Foothill High School, Columbia Elementary School, and Mountain View Middle School have been experiencing a declining enrolment and therefore has capacity to accommodate and increased student population. The Draft EIR concluded that impacts would be *less than significant*. No changes to the Draft EIR is required.

Response 37-c: The commenter cites traffic concerns within Palo Cedro and increased traffic volumes to and from Redding and Highway 44, Boyle Road, and Highway 299 because of the two college's and recently approved Bethel Complex. The commenter also expresses concern about the Northgate Drive exit, and intersections of Boyle Road, Sweede Creek Road, and Deschutes especially when school traffic is present.

The commenter is referred to Section 5.16, Traffic and Circulation, of the Draft EIR. Figure 5.16-4, EXISTING PLUS PROJECT INTERSECTION TRAFFIC VOLUMES, which provide information on traffic volumes at selected intersections along all the listed roadways except Sweede Creek Road. All intersections with the exception of Airport Road and SR-44 are projected to operate at or above the threshold Level of Service (LOS) during AM and PM peak hours. Mitigation Measure MM 5.16-1 was included to reduce these impacts. A total of four intersections (Deschutes Road and Old Forty-Four Drive, Deschutes Road and Cedro Lane, Deschutes Road and SR-44 westbound ramps, and Deschutes Road and eastbound ramps) were evaluated in the Draft EIR and with mitigation, would operate above the threshold LOS during AM and PM peak hours. The Draft EIR concluded that impacts would be *less than significant*. No change to the Draft EIR is required.

Please refer to **Response 23-b** regarding the use of Northgate Drive, which will be gated and used as a secondary project site access for emergencies only. Regarding roadway safety, please refer to **Responses 4-b, 5-f, 14-b, 17-f, 17-n, 17-o, 32-b, 35-c,** and **Response 37-c**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No changes to the Draft EIR is required

Response 37-d: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 37-e: The commenter raises concerns about increased noise from activities such as shooting and motorcycle riding in the proposed open spaces and how that would affect future homeowners.

As discussed on Page 3-12 of Section 3.0 PROJECT DESCRIPTION, management of the proposed project will be done by a Community Services District (CSD) formed and operated in accordance with California Government Code §61000 et. Seq. The CSD for the proposed project would be named the Tierra Robles Community Services District (TRCSD) and would be endowed with a wide range of powers. The TRCSD will be responsible for overseeing and implementing the Tierra Robles Design Guidelines; as well as management of all open space to include the Tierra Robles Oak Woodland Management Plan; Tierra Robles Wildland Fuel/Vegetation Management Plan; Open Space Management; and Resource Management Area Management and Oversight. It will be incumbent on the TRCSD to determine allowable uses within the overall management area, and all property owners would be made aware of all covenants and conditions regarding use of all properties within the Tierra Robles project area. No changes to the Draft EIR are required.

Response 37-f: The commenter raises concerns about the provision of safety protection specifically fire protection services and increased demand due to the increased 166 homes of the proposed project.

The commenter is referred to Impact 5.13-1 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the Draft EIR which evaluates impacts to fire protective services. As noted on page 5.13-12 through 5.13-13, the proposed project is within the Shasta County Fire Department/CAL FIRE Station 32 response area, which has adequate capacity to serve the project area. While, the Draft EIR recognizes that the proposed project would add demand to existing fire and emergency services, the proposed project would pay impact fees. Impact fees are reviewed on an annual basis to ensure they are commensurate with the facilities and services needed. In addition, property taxes generated from the proposed project would result in increased revenues to the General Fund that would assist in offsetting increased costs associated with fire protection services. The proposed project would be required to pay \$1,459 per single family unit for fire protection services and each parcel with \$1,000 or more in improvements must pay a \$20 annual fee specifically for purchase of fire apparatus.

The proposed project includes wildfire hazard protections including the use of defensible space, implementation of a Wildland-Fuel Vegetation Management Plan, and proper hydrant spacing, meeting fire flow requirements, ensuring access and roadway requirements are met, and that all project elements meet the Shasta County Fire Safety Standards, *Uniform Fire Code*, and applicable sections of the *California Safety Code of Regulation* and *National Fire Prevention Association Standards*. In addition, all projects and structures would be reviewed by the Shasta County Fire Marshall for compliance with all pertinent State and local requirements. These elements of the proposed would reduce the risk of wildland fires within the proposed project site as well as reduce the

risk of wildfire spreading to other nearby areas. The DRAFT EIR concluded that impacts would be *less than significant*. No change to the Draft EIR is required.

Response 37-g: The commenter reiterates her concern about the impacts of population growth and makes a non-specific comment about the negative impacts that it brings. The commenter then requests that the proposed project be denied.

The commenter is referred to **Response 37-a**, above, regarding impacts associated with population growth. The Draft EIR analyses all reasonably foreseeable potential impacts, appropriate mitigation or avoidance measures, unavoidable impacts, as well as a reasonable range of alternatives. All listed elements are fully disclosed within the Draft EIR to fully inform the public and decision makers. No change to the Draft EIR is necessary.

Letter 38 – Anita Brady (December 6, 2017)

Kimberly Hunter

From: Resource Management
Sent: Wednesday, December 06, 2017 10:01 AM
To: Kimberly Hunter
Subject: FW: Protest of Tierra Robles Development Plan

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax



From: Anita Brady [mailto:anitabrady41@gmail.com]
Sent: Wednesday, December 06, 2017 9:47 AM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Protest of Tierra Robles Development Plan

Water, Water, Everywhere?????

Here in the northstate, this seems to be our mantra. There is so much water stored in local lakes/water projects, we seem to forget that it isn't ours. Adding homes into a geographic region that has a compromised source of water is a big mistake.

Having spent a good portion of the last 6 years under drought conditions, the Bella Vista Water District spent several of those years with very low allotments from the Bureau of Reclamation. These cutbacks were passed onto its individual customers. As a long-time customer of the water district, we have made adjustments over numerous drought spells. We let the lawn go in the 1990s, we only irrigated garden and landscaping at night, and were very careful with household water use.

This past drought found us with dramatic mandated usage decreases and high water bills for what we used. We spent money on retrofitting our toilets with low flow flush ones, and still had extremely high water bills.

The City of Redding has just approved a huge expansion project by the Bethel Church with magically will be supplied with Bella Vista Water District. This monstrosity supposedly will only add the equivalent of 30 household hookups to the system—that truly is an unbelievably small number and certainly far from the truth of what the actual water usage will be. They are going to have more than one thousand trees planted, a child care facility, kitchen and restaurant that can feed more than one thousand people in a short time. There will be up to several thousand people on the campus every day of the week, and they will each be flushing toilets a couple times a day. The mitigation plan that has been approved for this project is a joke. It will in no way mitigate water available for BVWD customers during extended drought.

onto its individual customers. As a long-time customer of the water district, we have made adjustments over numerous drought spells. We let the lawn go in the 1990s, we only irrigated garden and landscaping at night, and were very careful with household water use.

38-a
Cont.

This past drought found us with dramatic mandated usage decreases and high water bills for what we used. We spent money on retrofitting our toilets with low flow flush ones, and still had extremely high water bills.

The City of Redding has just approved a huge expansion project by the Bethel Church with magically will be supplied with Bella Vista Water District. This monstrosity supposedly will only add the equivalent of 30 household hookups to the system—that truly is an unbelievably small number and certainly far from the truth of what the actual water usage will be. They are going to have more than one thousand trees planted, a child care facility, kitchen and restaurant that can feed more than one thousand people in a short time. There will be up to several thousand people on the campus every day of the week, and they will each be flushing toilets a couple times a day. The mitigation plan that has been approved for this project is a joke. It will in no way mitigate water available for BVWD customers during extended drought.

38-b

On that note-- Where is the water for Tierra Robles going to come from? This is outrageous!! It is a huge burden on the water district as it exists and its customers who were required to dramatically cut our usage during the last extended drought. We were literally not flushing our low-flow toilets each time we used them! We let the lawn die. We were in constant fear of a fire and no water coming out of the hydrant on the corner of our property.

38-c

Speaking of fires—The ingress and egress planned for traffic of Tierra Robles is inadequate. This is a terrible plan. In the case of emergency, there would be a massive backup of evacuees.

38-d

Just as I protested the Bethel Expansion, I know that my appeal here will fall on deaf ears. Developers, McConnell, Win-River, and Bethel Church rule the county and the city of Redding. I guess my frustration is showing.

38-e

Regards,
Anita Brady
12076 Fawn Dr.
Redding, CA 96003
530-945-5824

Response to Letter 38 – Anita Brady

Response 38-a: The commenter raises concerns regarding Bella Vista Water District’s (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 38-b: The commenter raises concerns regarding Bella Vista Water District’s (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 38-c: The commenter raises concerns regarding Bella Vista Water District’s (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 38-d: The commenter raises concerns about the ingress and egress to the proposed project during a fire emergency.

The commenter is referred to Impact 5.13-1, in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the Draft EIR which evaluates impacts to fire protective services. As noted on page 5.13-12 through 5.13-13, the proposed project is within the Shasta County Fire Department/CAL FIRE Station 32 response area, which has adequate capacity to serve the project area. As described, the proposed project would be designed to ensure proper emergency access and meet roadway requirements. The proposed project would conform to all of the Shasta County Fire Safety Standards, *Uniform Fire Code*, and applicable sections of the *California Safety Code of Regulation* and *National Fire Prevention Association Standards*, which would ensure safety access (ingress and egress) to the proposed project is adequate and impacts would be *less than significant*. No changes to the Draft EIR is required.

Response 38-e: The commenter notes that she protested the Bethel Expansion and asserts that developers rule the county and City of Redding.

This comment is specific to the commenter’s opposition of the Bethel expansion project and the perceived role of the developers, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 39 – Nathan G. Hayler (December 6, 2017)

Kent Hector

From: Nathan Hayler <natecorp1@gmail.com>
Sent: Wednesday, December 06, 2017 9:42 PM
To: Kent Hector
Subject: Tierra Robles Draft EIR comments
Attachments: Tierra Robles Draft EIR comments.pdf

Mr. Hector,
Please accept the attached file "Tierra Robles Draft EIR comments pdf" as my submission of public comment in response to the Draft EIR of the proposed Tierra Robles project.

39-a

Regards,
Nathan G. Hayler, PE

Nathan G. Hayler, PE
Registered Civil Engineer
111 Anderson Lane, Trinidad, CA 95570
Natecorp1@gmail.com

Ken Hector
Senior Planner
Shasta County division of planning
1855 Placer St. Suite 103
Redding CA 96001

December 06, 2017

RE: Public Comment for the Draft EIR for the Proposed Tierra Robles Planned Development Project.

Dear Mr. Hector,

I have reviewed the Draft EIR submitted for public comment on behalf of the property owners of the parcel located at 21212 Oak Knoll Road which is immediately adjacent to the proposed project location. It is my professional opinion that there are additional potential impacts that should be addressed in section 5.17.4 that can reasonably contribute to additional impacts related to Hydrology and Water Quality, Biological Resources, Hazards and Hazardous Materials, Recreation, and most importantly Public Health that are not considered in the Draft EIR.

As noted in section 3.0 PROJECT DESCRIPTION, the proposed project would provide a dual-plumbing wastewater drain system (Graywater) that would allow diversion of flow from clothes washing machines, showers, and tubs to discharge in drought resistant landscaping. Though the report does mention that the graywater systems would be installed under permit with the Shasta County Building Division and the Shasta County Environmental Health Department would "REVIEW" all plans for graywater discharge to the ground, there is no discussion as to the actual impacts that can arise from discharging untreated graywater. It should be noted that untreated graywater is defined under California code as wastewater and not reclaimed water.

The EPA "2012 Guidelines for Water Reuse" discusses potential risks associated with the reuse of untreated graywater. As referenced in the guide, untreated graywater has the potential to carry human feces as well as other human waste as a result of showering, bathing, washing clothing such as soiled undergarments/diapers, and miscellaneous exposures to the plumbing system. The guide states

"For a graywater system, it is assumed that a building or homeowner would take extraordinary care in source control of contaminants and ensure pathogen-free graywater, an assumption that could be questionable in a certain percentage of cases."

The EPA continues to discuss the risks of harmful chemicals entering the graywater system such as detergents, soaps, bleach, cleaning chemicals, other harmful chemicals that can enter the graywater system. It is again extremely important that the discharger use extraordinary measures to prevent such discharges.

39-b

The Draft EIR fails to address these risks and/or discuss mitigation that would adequately assure source control is in place to prevent discharging human waste and hazardous chemicals into landscaping at 166 discharge locations which have above acceptable risk to create run off.

39-b
Cont.

The draft EIR does not discuss the potential impacts associated with having untrained and/or uncertified homeowners in control of operation of diverting the graywater system which is classified as a wastewater system. If a homeowner fails to properly operate the system, there is a greater that acceptable risk of having runoff of untreated graywater into stormwater systems and ultimately into waters of the US.

39-c

The Draft EIR fails to discuss the potential impacts of discharging potentially tens of thousands of gallons per day of untreated graywater with great potential for carrying hazardous chemicals and human waste and what impacts this may have on other environmental factors studied in this report. Below is a small list highlighting Impacts that have the potential to be significant or greater than significant that was not discussed in the Draft EIR:

1. Hydrology and Water Quality- Discharge of harmful chemicals and human waste can have "potential to harm beneficial uses" of waters of the US which is in clear violation of the NPDES and the Clean Water Act.
2. Biological Resources- Poned water can be potential drinking locations for local wildlife. Ingestion of hazardous chemicals can lead to death and illness of wildlife. Flooding of wastewater into upper surfaces of the ground can lead to exposure of chemicals to burrowing animals leading to injury and death.
3. Hazards and Hazardous Materials- Point source discharge of chemicals into the untreated wastewater system will lead to illegal discharge.
4. Recreation- One of the listed beneficial uses of the adjacent watershed is Recreation. Discharges of pollutants from untreated graywater systems into this watershed has potential to limit recreation.
5. Harm to Public Health- Exposure to human waste and hazardous chemicals known to be found in graywater can lead to a whole list of harm to public health.

39-d

Though untreated graywater systems have potential to be a useful water recycling system when used in an appropriate setting with a discharger that uses strict control of point source pollutants, It is inappropriate in the setting of a subdivision of 166 parcels with inadequate engineering controls to limit runoff or point source pollution. The Draft EIR is negligent in discussing these likely impacts or alternatives that should be considered.

39-e

I urge you not to adopt this draft EIR and require the applicant to address impacts related to untreated graywater systems and develop viable alternatives that minimize such impacts.

Regards,



Nathan G. Hayler, PE

cc: client

Response to Letter 39 – Nathan G. Hayler

Response 39-a: The commenter requests responses be made to a document attached to the e-mail. The comment is noted and responses to comments are shown immediately below in **Response 39-b** through **Response 39-e**.

Response 39-b: The commenter raises concerns about the proposed project and use of grey water diversion for irrigation of landscaping and makes comment that the DRAFT EIR does not list all of the potential risks of using untreated grey water for this purpose.

Please refer to Response 17-b, above, for further discussion on the grey water system and potential risks of using grey water for irrigation purposes.

The commenter is correct that Chapter 3.0, PROJECT DESCRIPTION, describes a portion of the grey water diverter system. Page 3-29 of the Draft EIR states, “Individual homes would be constructed with a partial dual-plumbing wastewater drain system (grey water) that complies with Chapter 16 of the California Plumbing Code. This would allow diversion of flow from washing machines, showers, and bath tubs to a manual diverter valve. Typical operations would direct flow to provide subsurface irrigation for appropriate drought tolerant trees and shrubs within the individual yard, reducing domestic water demand. During periods of rainfall the flow would be directed to the onsite septic tank. Design criteria for landscaping selection, dispersal system criteria, as well as for operation and maintenance of the system would be included in the Covenants, Conditions, and Restrictions (CC&Rs) for the proposed project.”

The commenter also is correct that Section 5.17, UTILITIES AND SERVICE SYSTEMS, discusses the grey water system and that the Shasta County Environmental Health Department would review and permit all grey water discharges to the ground. Accordingly, page 5.17-19 of the Draft EIR states, “A separate Shasta County Sewage Disposal System permit would be required. Grey water diversion systems would be installed under permit with Shasta County Building Division and the Shasta County Environmental Health Department would review all plans for grey water discharge to the ground. Each individual parcel would require a sewage disposal system permit issued by Shasta County Environmental Health Department for the installation of septic tank and pump system.”

As discussed in **Response 17-b**, above, conformance to California Plumbing Code Chapter 15, Alternate Water Sources for Nonportable Applications, and obtaining proper permits through the Shasta County Environmental Health Department would ensure impacts associated with any health risk effects of the proposed grey water system are less than significant. No change to the Draft EIR is required.

Response 39-c: The commenter states that the Draft EIR does not discuss the potential impacts associated with future homeowners’ inexperience with controlling the grey water system and that this creates a risk of having untreated grey water enter into stormwater systems and waterways.

The commenter is referred to **Response 39-b**, above. Conformance with Chapter 15 - Alternate Water Sources for Nonpotable Applications would help ensure that

homeowners properly maintain their respective systems. In addition, as discussed above, following the permitting process through the Shasta County Environmental Health Department would ensure impacts associated with any health risk effects of the proposed grey water system are *less than significant*. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 39-d: The commenter states that the Draft EIR failed to analyze the potential impacts of the grey water system and the potential to discharge untreated water, which could contain chemicals and human waste, into the environment.

The commenter is referred to **Response 39-b**, above. Conformance with Chapter 15 - Alternate Water Sources for Nonpotable Applications, would help ensure that homeowners properly maintain their respective systems. In addition, as discussed above, following the permitting process through the Shasta County Environmental Health Department would ensure impacts associated with any health risk effects of the proposed grey water system are *less than significant*. This includes potential impacts from the greywater systems to Hydrology and Water Quality, Biological Resources, Hazards and Hazardous Materials, Recreation, and Harm to Public Health. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 39-e: The commenter reiterates concerns regarding the grey water system and the potential for untreated water to be discharged into the environment, potentially increasing impacts to hydrology, water quality, biological resources, recreation, public health, and hazards and hazardous materials.

The commenter is referred to **Responses 39-b, 39-c, and 39-d**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 40 – Sue and Randy Brix (December 7, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 07, 2017 7:55 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles subdivision

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax

-----Original Message-----

From: Susan Brix [mailto:suebrix@icloud.com]
Sent: Wednesday, December 06, 2017 4:58 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles subdivision

I live just over the hill from the proposed subdivision and use Boyle and Old Altria's almost every day going into town. The traffic has gone from hardly any from 20-30 years ago to pretty crowded now. I've almost gotten hit 3 times at the roundabout from drivers not knowing how to use it. Increasing the traffic there would be horrible. Plus Old Altria's is built for increased traffic.

40-a

Water is also a huge concern. HUGE. It's already looking like we may be in for another drought this year and when we had to reduce 5% the year before from already having everything on drip and taking short showers, it was difficult. We have 400 grapevines that we have invested a lot of money in and had to pay penalties to keep them alive. The City just approved Bethel which will have a huge increase on Bella Vista water. Adding a new subdivision will not be good unless you can insure that we will never have a drought again.

40-b

We moved to Palo Cedro 40 years ago to get out of the "busy" city of Redding. Palo Cedro residents do not want a mini Redding. We like the less traffic and quietness of the country.

40-c

Has the subdivision been told that several times a week they will hear the guns at the gun club? It doesn't bother us, but I'm sure it would bother many.

40-d

Plus, in the future, they may want to cut through to Cholet Drive getting to Deschutes. We do not need more traffic in our neighborhood.

40-e

My husband and I are against this subdivision

40-f

Sue and Randy Brix

Response to Letter 40 – Sue and Randy Brix

Response 40-a: The commenter raises concerns regarding the volume of traffic on Boyle Road and Old Alturas Road and raises safety concerns at the existing roundabout.

No issue or adequacy of the Draft EIR was raised by the commenter; however, Staff offers the following response in regard to increased vehicle traffic and safety. Project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (10.09 daily trips per unit) and Apartment (6.65 daily trips per unit) has been used to estimate the trip generation for the proposed project. With regards to safety concerns along Boyle Road and Old Alturas Road, the commenter is referred to page 5.16-27 and page 5.16-28 of the Draft EIR (Section 5.16, TRAFFIC AND CIRCULATION).

For Old Alturas Road (Deschutes to Seven Lakes Road), it is estimated that 17 percent of the project traffic will use this section of roadway which will increase the Average Daily Traffic (ADT) by 27 percent in the *Existing Plus Project* conditions and by 23 percent in the *Year 2035 Plus Project* conditions. The increase in traffic, in combination with the overall very low traffic volumes and LOS A conditions, is not expected to significantly increase the rate of collisions. Safety mitigation was not identified along this segment of Old Alturas Road.

Old Alturas Road (Boyle Road to Old Oregon Trail), it is estimated that 61 percent to 62 percent of the project traffic will use this section of roadway which will increase the ADT by 24 percent in the *Existing Plus Project* conditions and by 22 percent in the *Year 2035 Plus Project* conditions. A collision rate 9 percent higher than the statewide average for similar facilities is not statistically significant and is considered to be within a normal and expected range. The increase in traffic, in combination with the LOS A conditions and the modern roadway, is not expected to significantly increase the rate of collisions. Safety mitigation was not identified along this segment of Old Alturas Road.

Table 5.16-15- Year 2035 Plus Project Roadway Level of Service on Page 5.16-34 of the DRAFT EIR, shows that Boyle Road (west of Dechutes Road) would operate at a Level of Service (LOS) A. No change to the Draft EIR is required.

Response 40-b: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 40-c: The commenter notes that they moved to Palo Cedro to be outside of the City of Redding and they like the lack of traffic and quiet.

This comment is specific to the commenter's decision to move to Palo Cedro, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The commenter does not raise

a significant environmental concern in the comment. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is required.

Response 40-d: The commenter questions the disclosure of the existing gun club and potential noise impacts.

Please refer to **Response 17-s**, above. The proposed project would add a condition of approval that would disclose the present of the gun club to all future residents. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 40-e: The commenter states that future residents will want to cut through to Cholet Drive in order to access Deschutes Road, thus increasing traffic on Cholet Drive.

Please refer to **Response 13-e**, above. Trip distribution from the two proposed entrances of the project site is graphically depicted in Figure 5.16-3, PROJECT TRIP DISTRIBUTION, of the Draft EIR, page 5.16-16. There would be two entrances to the proposed project, one accessing Boyle Road and one accessing Old Alturas Road. There would be no access to Cholet Drive, as shown in Figure 3-6, PROPOSED TENTATIVE MAP. No further response is necessary and no change to the Draft EIR is required. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 40-f: The commenter opposes the project.

This comment is specific to opposition of the project, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is required.

Letter 41 – Dewayne and Marcia Ellenwood (December 7, 2017)

December 7, 2017

RECEIVED
DEC 07 2017
County of Shasta
Permit Counter

Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Tierra Robles Planned Development

Dear Mr. Hector:

As homeowners and residents of a property located near the proposed project, we would like to voice our concerns. Though it appears that a great deal of planning has taken place and six open parcels of land totaling 192.7 acres has been incorporated into the proposed plans, the 166 residents proposed to be built is quite a significant number. Our family moved here from the Bay Area in 2004 to escape the hustle and bustle of city life and the traffic it includes; and are disheartened to be notified of this building proposal. There is no doubt that going forward with this project will disturb the quiet county life-style that we have so become accustomed to and enjoy. It will bring a significant change to the environment with increased noise levels and added traffic. Additionally, the wildlife in the area will suffer tremendously. Many of the animals will likely be driven away; as their homes, grazing places, etc. will be destroyed during the construction phase of the project.

41-a

We understand that growth and development are to be expected in every community; however, it seems that this project is simply not necessary and will cause an imbalance in the environment not only for the wildlife of the area, but for all of the residents and homeowners alike. This project will put a strain on many of our already limited resources; atop the list, the Bella Vista Water District's water supply. Added homes to the area means more people, vehicles, traffic pollution, noise, etc. Ultimately, more development will be necessary in the form of an increased number of roadways, as well as needed modifications to the existing ones, for instance. Sewage/septic, waste removal, power lines, phone lines, etc. are all issues to be considered as well, which we are sure have been noted in the reports from the previously conducted studies.

41-b

Again, this is an unnecessary project; as there are many homes and properties in the area that are currently for sale, and have been for months and some for years. This project proposal is not about necessity. It appears to be all about money. Unfortunately, the surrounding areas and all of its inhabitants will suffer because of it.

41-c

The city of Redding and the communities nearby are already struggling to keep up with current demands of much needed job opportunities and resources. Developing land and creating additional housing, which will take away from our country life-styles and the beauty of the area, is not the answer!

41-d

We hope that you and the committee charged with deciding whether to go forward with this project look closely at all of the information presented in the reports describing how it will impact our community and its wildlife. Furthermore, we ask that you be responsible in your decision making process; and mindful that there is no doubt they will both be directly affected by these decisions. Our family as well as many others in the area are extremely concerned; as we cannot foresee how this proposed project will benefit us or the environment in any way.

41-e

Thank you for your consideration.

Sincerely,



Dewayne & Marcia Ellenwood
(10580 Green Oaks Lane)

Response to Letter 41 – Dewayne and Marcia Ellenwood

Response 41-a: The commenter recognizes the planning efforts but states the 166 units is a significant number. The commenter states that the proposed project will result in a significant change to the environment, change the rural character of the area, and increase noise and traffic, and impact the wildlife in the area.

Regarding the commenters concern about changing the rural character of the area, the analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density. No change to the Draft EIR is required.

Regarding impacts to noise and traffic, the commenter is referred to Section 5.11, NOISE and Section 5.16, TRAFFIC AND CIRCULATION, respectively. Noise Impacts area discussed on pages 5.11-15 through 5.11-24 in Impacts 5.11-1 through 5.11-4, which discuss project related noise increases during construction and operation of the proposed project, and from increased traffic generated by the proposed project. As discussed in Impact 5.11-1, the proposed project would implement mitigation which would limit construction related noise and reduce impacts to *less than significant*. Noise Impacts discussed in Impacts 5.11-2 through 5.11-3, were concluded to be *less than significant* and no mitigation was required. Impact 5.11-5 on page 5.11-24 describes the cumulative noise impacts and concluded that the project would not result in significant short or long-term stationary noise impacts.

Traffic related impacts are discussed on pages 5.16-22 through 5.16-38. Impacts 5-16.1 and 5-16.2 incorporate mitigation to reduce impacts to the Airport Road and SR-44 ramps to *less than significant*, and mitigation to improve safety at eight intersections along Deschutes Road. The Draft EIR concluded that these impacts also were reduced to *less than significant*. Regarding concerns related to related to emergency access and conflicts with adopted plans, the Draft EIR concluded impacts were *less than significant*.

Two mitigation measures for cumulative traffic impacts also would be incorporated to the proposed project. Page 5.16-38 of the Draft EIR appropriately identifies these improvements for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13). However, as stated in the Draft EIR, neither intersection is currently part of the County's existing road impact fee program. As a result, full implementation as described in Mitigation Measure (MM) 5.16-3 and Mitigation Measure (MM) 5.16-4 cannot be assured by the project applicant and the Draft EIR correctly discloses that a *cumulatively considerable and significant and unavoidable impact* would result.

Regarding the impact conclusion discussed immediately above, page 5.16-38 continues explaining that the Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential unit or no-residential building square footage. The proposed project may contribute to this program, and should Shasta County update the fee program to include the Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) intersections; the payment of

applicable fair-share costs towards a programmed improvement would result in a *cumulatively less than significant* impact at each intersection.

Regarding impacts to Biological Resources the commenter is referred to Section 5.4, BIOLOGICAL RESOURCES. Impact 4.5-1 and Impact 4.5-4, with the implementation of eleven mitigation measures concluded *less than significant* impacts, and Impact 4.5-2 and 4.5-3 were concluded *less than significant* without any mitigation. Cumulative impacts to BIOLOGICAL RESOURCES are discussed on pages 5.4-55 through 5.4-56. Cumulative impacts to riparian habitat, wetlands, special-status species, and critical habitat, with seven of the listed mitigation measures would be *less than significant*. Cumulative impacts to Annual Grassland and Oak Woodland, however, even with mitigation, are disclosed as being *significant and unavoidable*. No changes to the Draft EIR are required.

Response 41-b: The commenter states that while growth and development are expected in every community, the project is not needed and will cause an environmental imbalance for wildlife and homeowners. The commenter also states that proposed project will strain the limited water supply, increase vehicles, traffic pollution, and noise and result in additional development and roads, and require more sewage, waste removal, power lines, phone lines. The commenter recognizes that these things are sure to have been noted in the report.

The commenter is correct that all the aforementioned concerns are discussed and disclosed in the DRAFT EIR. The commenter is referred to **Response 41-a**, above. Regarding the Bella Vista Water District's (BVWD) ability to supply water to the proposed project, the commenter is referred to **Master Response-3**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Regarding sewage, waste removal, powerlines, and phone lines, the commenter is referred to Section 5.17, UTILITIES AND SERVICE SYSTEMS. As discussed on page 5.17-18 through 5.17-22, the proposed project would utilize an on-site wastewater treatment facility that would only be used for the proposed units and the Draft EIR concludes impacts would be *less than significant*. Impacts from solid waste disposal, and installation of other power and phone lines also were concluded to be *less than significant*. In addition, all impacts in Section 5.18, ENERGY CONSUMPTION, were *less than significant*. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No change to the Draft EIR is required.

Response 41-c The commenter states that the proposed project is unnecessary.

This comment is specific to the commenter's opinion that the project is unnecessary, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The commenter does not raise a significant environmental concern in the comment. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is required.

Response 41-d The commenter makes a comment regarding the community and job opportunities and resources. The commenter also states that the proposed project will create additional housing and take away from the country lifestyle and beauty of the area.

Although, the comment does not question the adequacy of the Draft EIR, staff offers the following response in regard to increased vehicle traffic and safety. The commenter is referred to Section 5.12, POPULATION AND HOUSING of the Draft EIR. Page 5.12-9 under Impact 5.12-1 discussion discloses that the proposed 166 units and potential 15 accessory dwelling units would result in an increased population growth over a 10- to 15-year horizon of 445 residents. Although the proposed project would result in direct population growth, the proposed project would result in 22 fewer lots than what would be allowed by the Shasta County General Plan. In addition, the proposed project is consistent with and would not result in an exceedance of the Shasta Regional Transportation Agency (SRTA). The Draft EIR concluded that the associated impacts would be *less than significant*. No changes to the Draft EIR are required.

Regarding job opportunities, the commenter is referred to Chapter 6.0, GROWTH-INCLUDING IMPACTS. As discussed on Page 6-4, the proposed project would result in up to 20 construction jobs, the proposed project would result in the generation of revenue to the County from property taxes and fees which would be available to fund public services and capital improvements. The proposed project was found to have a positive impact on the County General Fund and generate a surplus of 72,000 dollars.

Lastly, the commenter raises concerns about detracting from the beauty of the area. Section 5.1, AESTHETIC AND VISUAL RESOURCES identifies that although the project would result in a visual change both short-term and long-term, and result in cumulative impacts, the Draft EIR concluded that impacts would be *less than significant*. No changes to the Draft EIR are required.

Response 41-e The commenter provides closing remarks restating concerns about impacts to the community and wildlife. The commenter requests decision makers be responsible in the process and reflect on the proposed project.

The commenter does not raise any additional environmental concern. The remarks are noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. The commenter is referred to **Response 41-a** through **Response 41-d**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 42 – Brad Seiser (December 7, 2017)

Kent Hector

From: Brad Seiser <brad.seiser@frontier.com>
Sent: Thursday, December 07, 2017 4:32 PM
To: Rick Simon
Cc: Kent Hector; Kimberly Hunter
Subject: Re: Tierra Robles Draft EIR - Comments Submitted Via E-mail

Dear Mr. Simon,
Thank you for trusting the process to work for appropriate email responses sent within the established public review and comment period, regardless of when they are retrieved or processed by the County. We will all look forward to moving on to other endeavors once this process concludes. Have a Merry Christmas and a Healthy, Happy and Prosperous New Year.
Warm regards,
Brad Seiser

From: Rick Simon
Sent: Thursday, December 7, 2017 8:30 AM
To: brad.seiser@frontier.com
Cc: Kent Hector ; Kimberly Hunter
Subject: [!! SPAM] RE: Tierra Robles Draft EIR - Comments Submitted Via E-mail

Mr. Seiser,

The County will accept all comments received during the established public review and comment period.

Richard W. Simon, AICP
Director
Shasta County Department of Resource Management
1855 Placer Street, Redding, CA 96001
(530) 225-5789

From: Brad Seiser [mailto:brad.seiser@frontier.com]
Sent: Wednesday, December 06, 2017 3:59 PM
To: Kimberly Hunter <khunter@co.shasta.ca.us>
Cc: Chris Stiles <CStiles@rmmenvirolaw.com>
Subject: Re: Tierra Robles Draft EIR - Comments Submitted Via E-mail

Dear Ms. Hunter,

I called around noon today and asked the question about whether email could be used to send in Public Comment and if so, what address to use. The woman on the phone gave me the email address you referenced below. Unfortunately, she did not add the information about Mr. Hector leaving and that your dept. could not "guarantee that the comments would be retrieved within the comment period".

Based on the phone information I received, prior to receiving your email below, I sent out a message to over 760 families advising they could use email to submit their comments by the deadline of 12/29/17 at 5:00 p.m. I am requesting that use your good offices to do whatever it takes to retrieve these emails so they will be received by the deadline. I would like to think the County would like to do everything it could to receive all of

the Public's Comments on time, rather than what is convenient for someone's schedule or workload. I would think the County would honor all receipts that are dated and time stamped to the deadline which would appear in the header of the email, such as the date and time of your email below, regardless of when I opened your email this afternoon.

Please confirm that the County will honor the date and time stamps of the Public Comments received, regardless of when the County decides to retrieve them from the email box.

Thank you,
Brad Seiser for
No Re-Zoning for 166 Homes Committee

From: Kimberly Hunter
Sent: Wednesday, December 6, 2017 2:12 PM
To: brad.seiser@frontier.com
Cc: Kent Hector
Subject: Tierra Robles Draft EIR - Comments Submitted Via E-mail

Good afternoon Mr. Seiser,

Email comments may be sent to the general e-mail address (resourcemanagement@co.shasta.ca.us) for the Resource Management Department with "Tierra Robles DEIR Comment" in the subject line.

Please note that a confirmation of receipt will not be sent, and we cannot guarantee that the comments will be retrieved within the comment period. For those reasons, and the fact that Mr. Hector will be leaving at the end of the comment period, we do not encourage commenters to rely on email for submitting written comments for the Tierra Robles Draft EIR.

Best Regards,

Kim Hunter
Planning Division Manager
Shasta County Department of Resource Management
1855 Placer Street Suite 103
Redding, CA. 96001
Department Main Line (530)225-5532



From: Brad Seiser [mailto:brad.seiser@frontier.com]
Sent: Tuesday, December 05, 2017 8:31 AM
To: Kent Hector <khector@co.shasta.ca.us>
Subject: Email Public Comments for Tierra Robles Draft EIR?

Hi Kent,

Good morning. Folks have been asking me if Public Comments for the Tierra Robles Draft EIR can be submitted to you via email. Is email an option versus snail mail or hand delivery? If sent by email, will you be able to send a confirming received message? Thank you. I appreciate all the extra work you and your staff have done to revise and communicate the new deadline.

Warm regards,
Brad Seiser

42-a
Cont.

Response to Letter 42 – Brad Seiser

Response 42-a: The commenter does not address any adequacy issues with the content of the Draft EIR, but is posing questions to the County regarding the comment period and expressing concern that not all comments will be received or addressed due to confusion regarding the e-mail address the comments should have been sent to.

Please also refer to **Master Response-1** and **Responses 18-a, 27-a, and 27-b**, above. County staff responded to this e-mail, ensuring the commenter that all comments received during the established commenting period will be addressed. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is required.

Letter 43 – Michael Papillo (December 7, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 07, 2017 7:55 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles Subdivision proposal

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax

-----Original Message-----

From: papillo [mailto:papillo@frontiernet.net]
Sent: Wednesday, December 06, 2017 6:06 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles Subdivislon proposal

Hello Resource Management Team,

I am a local resident of Palo Cedro and am the active Real Estate Broker owner of North Country Properties. I am all in favor of building good responsible housing and quality public growth for our community. The Tierra Robles subdivision isn't within the parameters of what is needed for our area. I say this for the below reasons.

43-a

1. Traffic on Boyle Rd. will become dangerous for school children and other commuters due to the winding narrow corridor. Especially during the morning hours between 7:30 am to 9:00 am and evening hours between 2:30 pm and 5:30 pm. Most of the traffic will be on Boyle Rd. Old Alturas Rd.. Very hazardous in my opinion.

43-b

2. Bella Vista Water District is already over capacity during drought conditions. Water pressure is already compromised.

43-c

3. Poorly planned septic/waste disposal to the subdivision is an obvious health hazard. The septic systems that are being offered by the engineers of the subdivision are not proven to be sufficient for our type of hard pan ground. This factor alone should be revisited and looked closely at by resource management.

43-d

4. Fire provisions for CDF response. The 1999 Jones fire went through this subdivision with out any stoppage.

43-e

Sincere regards,

Michael Papillo

North Country Properties

Response to Letter 43 – Michael Papillo

Response 43-a: The commenter states his position as a real estate broker and says that the Tierra Robles project is not needed for the area.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 43-b: The commenter questions the anticipated daily vehicle trips, mentions morning and evening hours alluding to heavier traffic, and expresses safety concerns regarding additional traffic on Boyle Road and Old Alturas Road.

Project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (10.09 daily trips per unit) and Apartment (6.65 daily trips per unit) has been used to estimate the trip generation for the proposed project. The Apartment category was utilized in the analysis to capture daily trips associated with up to 15 accessory dwelling units.

For all study intersections, existing weekday AM and PM peak hour counts were conducted. All intersections are analyzed during the weekday AM and PM peak hour period. The AM peak hour is defined as the one continuous hour of peak traffic flow counted between 7 AM and 9 AM. The PM peak hour is defined as the one continuous hour of peak traffic flow counted between 4 PM and 6 PM.

With regards to safety concerns along Boyle Road and Old Alturas Road, the commenter is referred to **Response 14-b**, above which refers to pages 5.16-27 and page 5.16-28 of the Draft EIR in Section 5.16, TRAFFIC AND CIRCULATION. The discussion in the listed Response and Section 5.16 addresses this commenters concerns. No change to the Draft EIR is required.

Response 43-c: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 43-d: The commenter is concerned about the feasibility of the proposed wastewater treatment system. The Commenter requests the system be re-evaluated.

Page 3-22 of Chapter 3.0 PROJECT DESCRIPTION describes the wastewater systems stating that it was designed to meet the requirements of the Waste Discharge permit issues by the Regional Water Quality Control Board (RWQCB) for the total buildout of the development. The system will incorporate Individual Septic Tanks, a Community Collection System, Community Wastewater Treatment System, and a Community Wastewater Dispersal System. Specifically, the Wastewater Dispersal System would

include drip lines 6 to 12 inches below the surface, divided into multiple zones to minimize the effective locating rate to the receiving soil and provide system redundancy.

The commenter is referred to Page 5 of the Brown and Mills, Inc. Preliminary Geotechnical Investigation which discussed the soils of the site. The commenter also is referred to pages 12 and 14 which describe the engineered fill material that would be used within the proposed project site. Pages 5.6-12 through 5.6-13 of Section 5.6, GEOLOGY AND SOILS, Impact 5.6-4, evaluated the on-site soils being adequate to support an alternative wastewater disposal system. The Draft EIR discussed that the wastewater pumped to the central treatment facility for secondary disinfection and dispersed to landscaped areas via drip dispersal system. The Draft EIR does disclose that the onsite are often difficult to excavate due to cementation and hardpan layers and wastewater infiltration into these soils is limited. Therefore, the greywater disposal strategy includes dispersal of greywater and treated wastewater into shallow landscaped soils, which is appropriate. Impacts were found to be less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

The commenter is referred to **Responses 13-d, 17-b, and 17-j** for information regarding the grey water reuse system, disinfection, odor management, and safety measures to ensure impacts are less than significant.

Response 43-e: The commenter raises concerns about the provision of fire safety services.

Impact 5.13-1 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the Draft EIR which evaluates impacts to fire protective services. As noted on page 5.13-12 through 5.13-13, the proposed project is within the Shasta County Fire Department/CAL FIRE Station 32 response area, which has adequate capacity to serve the project area. While, the Draft EIR recognizes that the proposed project would add demand to existing fire and emergency services, the proposed project would pay impact fees. Impact fees are reviewed on an annual basis to ensure they are commensurate with the facilities and services needed. In addition, property taxes generated from the proposed project would result in increased revenues to the General Fund that would assist in offsetting increased costs associated with fire protection services. The proposed project would be required to pay \$1,459 per single family unit for fire protection services and each parcel with \$1,000 or more in improvements must pay a \$20 annual fee specifically for purchase of fire apparatus.

The proposed project includes wildfire hazard protections including the use of defensible space, implementation of a Wildland-Fuel Vegetation Management Plan, and proper hydrant spacing, meeting fire flow requirements, ensuring access and roadway requirements are met, and that all project elements meet the Shasta County Fire Safety Standards, *Uniform Fire Code*, and applicable sections of the *California Safety Code of Regulation* and *National Fire Prevention Association Standards*. In addition, all projects and structures would be reviewed by the Shasta County Fire Marshall for compliance with all pertinent State and local requirements. These elements of the proposed would reduce the risk of wildland fires within the proposed project site as well as reduce the risk of wildfire spreading to other nearby areas. The DRAFT EIR concluded that impacts would be less than significant. No change to the Draft EIR is required.

Letter 44 – Bobbi Pollett (December 7, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 07, 2017 7:55 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles proposed subdivision

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax

-----Original Message-----

From: Bobbi [mailto:birds_n_bling@frontier.com]
Sent: Wednesday, December 06, 2017 6:24 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles proposed subdivision

To whom it may concern:

It is clear that there are many serious unresolved problems and potential difficulties that are red flags with this project. People in this area are trying to bring these problems to light before the decision is made to move forward. Those responsible for researching these problems need to get accurate information from professionals. I do not want more problems, more water restrictions, more traffic causing unsafe roads, or any other issues because this project selfishly moved forward and build the homes proposed. Please consider an area more appropriate for this project.

Sincerely,
Bobbi Pollett
Resident of Palo Cedro
Sent from my iPad

44-a

Response to Letter 44 – Bobbi Pollett

Response 44-a: No issue or adequacy of the Draft EIR was raised by the commenter, but the commenter voices concerns regarding water restrictions and traffic causing unsafe roads, and requests a different location for the proposed project to be considered. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Regarding traffic concerns, the commenter is referred to Section 5.16, TRAFFIC AND CIRCULATION and for issues related to traffic and traffic safety.

Regarding water restrictions, the commenter is referred to **Master Response-3**.

Regarding alternatives, the commeter is referred to **Master Response-1**. State *CEQA Guidelines* requires that, “an EIR describe a reasonable range of Alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluates the comparative merits of the alternatives.” The commenter is referred to Chapter 7.0, ALTERNATIVES TO THE PROPOSED PROJECT.

Pages 7-3 through 7-4 of Chapter 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, in the Draft EIR discuss the potential use of an Alternative site. As notes, the key question and first step in the decision whether to include in the EIR an analysis of alternative sites is whether any of the significant impacts of the project would be avoided or substantially lessened by relocating the project. Only locations that would avoid or substantially lessen any of the significant impacts of the project need be considered for inclusion in the EIR (State *CEQA Guidelines*, §15126.6[f][2][A]).

Alternative site evaluations are most relevant for projects carried out by public agencies and other entities that hold large tracts of land in multiple locations, where there is a choice in project placement. One Alternative site for the proposed project, however, does exist and was evaluated. This site is located in the Bella Vista area, generally located adjacent to an on the north side of State Route 299E, due north of the junction of State Route 299E and Deschutes Road. It should be noted that the planned residential use of the proposed project site would remain even if this project were to occur elsewhere.

If the project site were developed with a project similar to that of the proposed project, similar significant impacts on air quality, agricultural resources, biological resources and greenhouse gases would occur. Therefore, moving the proposed project to this site could potentially exacerbate these significant impacts or result in similar impacts and would not contribute to minimizing, reducing, or avoiding potentially significant impacts of the proposed project. In addition, alternative locations for this project are considered infeasible due to the absence of other similar land holdings in central Shasta County owned by the project applicant (State *CEQA Guidelines* §15126.6[f][1]). Lastly, this alternative site is not of sufficient size to meet most of the basic objectives of the proposed project and this offsite alternative was eliminated from further review. No change to the Draft EIR is required.

Letter 45 – Susan (December 7, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 07, 2017 11:36 AM
To: Kimberly Hunter
Subject: FW: Sub division off North Gate in Palo Cedro

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax

-----Original Message-----

From: Susan [mailto:scedartree@aol.com]
Sent: Thursday, December 07, 2017 11:12 AM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Sub division off North Gate in Palo Cedro

I am writing to say that I believe a subdivision with 166 homes would be a bad impact on our community, with the traffic and lack of water. Ranchettes on 20 acres would be more suitable for our area. It should not be about the tax dollars/ revenues. We do not have the infrastructure to hold that many homes. I hope this gets to the proper person. Thanks, Susan

45-a

Response to Letter 45 – Susan

Response 45-a: No issue or adequacy of the Draft EIR was raised by the commenter, but the commenter voices concerns regarding the lack of water and traffic. The commenter notes that units on 20-acre parcels would be more appropriate, that the project should not be about tax dollars, and that adequate infrastructure does not exist for that many homes. The commenter raises no other specific concern. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Regarding water resources and the Bella Vista Water District providing water to the project site, the commenter is referred to **Master Response-3**.

The commenter is referred to Section 5.16, TRAFFIC AND CIRCULATION, regarding traffic concerns.

In relation to the commenters suggestion that 20-acre Ranchettes would be more appropriate, the commenter is referred to Chapter 7.0, ALTERNATIVES TO THE PROPOSED PROJECT. Page 7-1 describes what State *CEQA Guidelines* requires for analysis of a reasonable range of Alternative. State *CEQA Guidelines* requires, “an EIR describe a reasonable range of Alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluates the comparative merits of the alternatives.”

The Draft EIR analyzes in detail four project alternatives including the “No Project” Alternative, a “No Project/Development in Accordance with Existing Zoning” Alternative, a “Non-Clustered Large Lot” Alternative, and a “Reduced Density” (25% Reduction) Alternative. In addition, there were four Alternatives that were eliminated from further consideration for their failure to meet basic project objectives; or that they were infeasible; or would not avoid significant environmental impacts.

Although none of the Alternatives analyzed in the Draft EIR evaluated 20-acre Ranchettes, the Draft EIR does comply with CEQA requirements and does provide for, and evaluate a reasonable range of alternatives. While this comment does not require a change to the Draft EIR, the comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 46 – Stephanie Isacc (December 7, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 07, 2017 11:36 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles EIR Public Comments

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax



From: stephanie isaac [mailto:stephisaac57@gmail.com]
Sent: Thursday, December 07, 2017 11:06 AM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles EIR Public Comments

Please do not change the zoning restrictions for this and any other development until infrastructure has been improved and water availability has increased. It makes no sense to increase the burden upon the existing infrastructure and resources we all currently share and for which we all pay. With current weather patterns and yet again looming drought possibilities, it makes no sense to change the zoning. We, already, pay large bills for our precious resource, please do not create the need for greater expense.
Stephanie Isaac.

46-a

Response to Letter 46 – Stephanie Isacc

Response 46-a: The commenter requests that the zoning for the site not be changed until adequate infrastructure and water is available. No issue or adequacy of the Draft EIR was raised by the commenter; however, Staff offers the following response regarding water resources, infrastructure, and cost.

Regarding concerns about water resources and the Bella Vista Water District providing water to the project site, the commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**.

Regarding concerns about the zoning change of the site the commenter is referred to **Master Response -2**.

Regarding the commenters statements about other infrastructure, they do not raise an issue of adequacy with the Draft EIR and the commenter is referred to Section 5.16 TRAFFIC AND CIRCULATION, Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Section 5.18, ENERGY CONSUMPTION, which discuss and disclose impacts associated with infrastructure.

Letter 47 - Gary and Anne Schoenberger (December 10, 2017)

12/10/17

MR Kent Hector, Senior Planner
Shasta County Department of
Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

RECEIVED
SHASTA COUNTY

DEC 15 2017

Dear MR Hector:

DEPT OF RESOURCE MGMT
PLANNING DIVISION

We are writing to you regarding
the Tierra Robles Planned
Development between Boyle Road
and Old Alturas Road in Shasta Co.

47-a

We are very opposed to this
development. We live off of Boyle
Road. We moved to this area
because it is rural, small quiet
community. We see a lot of wildlife
on our property. This development
would have a huge impact on that.

47-b

The traffic on Boyle is already
very busy. Adding 166 homes
would increase the accidents
that we already have.

47-c

Our water was restricted during the drought by Bella Vista. This is an ongoing issue. Will we be restricted more and will the rates increase?

47-d

Another concern will be the smell from the waste water sewer plant.

47-e

We are also concerned that the subdivision will negatively impact our property values. Will our taxes go up.

47-f

The current zoning is 5 acre lots. They want to change it to 3. This will ~~decrease~~ decrease the rural setting and increase the population.

47-g

Also the developer is from Southern CA. He doesn't care what impact this will have on our community. All he cares about is the money he will be making!

47-h

Sincerely

Gary F. Schoenberger
Gary Schoenberger

Anne Schenk
Anne Schoenberger

PO Box 1293
Palo Cedro,
CA 96073

Response to Letter 47 – Gary and Anne Schoenberger

Response 47-a: The commenters note the reasons for their letter.

This comment is introductory and includes an overview of the commenter’s concerns. Responses to specific comments are addressed below in **Response 47-b** through **Response 47-h**. No additional response is required.

Response 47-b: The commenters state they are opposed to the development and that they moved here because it is rural, small, and would impact wildlife but do not question the adequacy of the Draft EIR.

While the commenters desire to live in a rural open setting, this comment does not raise concerns about the adequacy of the Draft EIR. The analysis contained in the Draft EIR specifically evaluated the proposed project’s consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project’s proposed zoning and density. No change to the Draft EIR is required.

Regarding wildlife, the commenters are referred to Section 5.4, BIOLOGICAL RESOURCES, for a discussion of impacts to wildlife. The commenter is also referred to **Responses 3-a** through **3-v**, and **Response 37-a**. The Draft EIR concluded that with mitigation, impacts to wildlife would be *less than significant*. No changes to the Draft EIR are required.

Response 47-c: The commenters note that Boyle Road is already very busy and the additional traffic would increase accidents.

The commenter is correct that the proposed project would increase traffic on Boyle Road. Project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (10.09 daily trips per unit) and Apartment (6.65 daily trips per unit) has been used to estimate the trip generation for the proposed project. The Apartment category was utilized in the analysis to capture daily trips associated with up to 15 accessory dwelling units. Regarding a discussion of traffic safety, the commenter is referred to Section 5.16, TRANSPORTATION AND TRAFFIC, and **Responses 4-b, 5-f, 14-b, 17-f, 17-n, 17-o, 32-b, 35-c, 41-a, and 43-b**. This comment is introductory and includes an overview of the commenter’s concerns.

Response 47-d: The commenters note previous water restrictions and questions the potential for future restrictions from the Bella Vista Water District.

The commenter is referred to **Master Response-3**. Existing users will not see water use reductions any sooner or to any greater degree than currently experiencing as a result of the project. Bella Vista Water District (BVWD) water supply depends on its long-term Central Valley Project (CVP) contract to purchase water from the USBR, as well as existing groundwater wells within BVWD’s service area. As discussed by BVWD, BVWD faces dry-year water supply challenges and is actively working to improve conditions. Due to the structure of BVWD’s CVP contract, the demands of the proposed project will not

exacerbate the shortage conditions faced by existing users. This comment is introductory and includes an overview of the commenter's concerns. No further response is required.

Response 47-e: The commenters raise a question about odors that may result from the water treatment plant.

The commenter is referred to **Responses 13-d, 17-b, 17-j, and 43-d** for information regarding the grey water reuse system, disinfection, odor management, and safety measures to ensure impacts are less than significant.

Response 47-f: The commenters question property values and ask if their property taxes will go up.

State *CEQA Guideline* §15358(b) state that effects analyzed under CEQA must be related to a physical change to the environment. With regard to the commenters concern of negative impacts to their property values, the actual determination of the property value effect is difficult since so many variables can affect the sale price of a residence. In the appraisal process, the appraiser looks at "comparable" units which have recently sold in a similar area of the development. The actual property value effect on housing units cannot be known until the first unit is sold after implementation of the project. However, even if property value changes were to occur following implementation of the project, the changes would not reuse to the level of "Physical changes" as defined by the State *CEQA Guidelines* §15064. No change to the Draft EIR is required.

Response 47-g: The commenters state the change in zoning would change the rural setting and character of the surrounding area and would increase population.

The commenter is referred to Table 5.10-1, EXISTING GENERAL PLAN AND ZONING – LAND USE ASSUMPTIONS, on Page 5.10-3 of Section 5.10, LAND USE AND PLANNING. The table indicates the existing zoning of the site consists of 74.4 acres of Rural Residential 3-acre minimum(R-R-BA-3); 315 acres of Rural Residential 5-acres minimum (R-R-BA-5); and 325.6 acres of Unclassified (U). The commenter is correct that the proposed project would change the zoning as the proposed project would require a Zone Amendment to apply the Planned Development (PD) zone district to the existing Rural Residential (R-R), with a minimum lot area of three to five acres (R-R-BA-3) and (R-R-BA-5) and Unclassified (U) zoning districts.

Regarding the commenters statement pertaining to changing the rural setting, the commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density.

The commenters are referred to Section 5.12, POPULATION AND HOUSING, of the Draft EIR. Page 5.12-9 under Impact 5.12-1 discussion discloses that the proposed 166 units and estimated 15 accessory dwelling units would result in an increased population growth over a 10 to 15-year horizon of 445 residents. No change to the Draft EIR is required.

Response 47-h: The commenters state that the developer is not local, does not care about impacts to the community, and only cares about the money to be made.

This comment does not raise any issue regarding the adequacy of the Draft EIR and no further response is required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project.

Letter 48 – James and Tresa Griffith (December 11, 2017)

COMMUNICATIONS

JAN 9 2018

Courtney Mathews

RECEIVED

DEC 11 2017

CLERK OF THE BOARD

From: Courtney Mathews
Sent: Monday, December 11, 2017 8:39 AM
To: James Griffith; Shasta County BOS
Cc: Clerk of the Board
Subject: RE: Tierra Robles Draft EIR Comment

Thank you James. Your email and attachment will be distributed as correspondence to the Board of Supervisors for the January 9, 2017 meeting. Please bring 10 copies if you wish the Board to have the document for review at the December 12, 2017 meeting. If you have any further questions please contact us. Thank you.

Courtney Mathews
Deputy Clerk of the Board | 530-225-5261

Shasta County Board of Supervisors
Clerk of the Board | 530-225-5550
1450 Court Street Suite 308B
Redding, California 96001-1673

-----Original Message-----

From: James Griffith [mailto:flynpig1@gmail.com]
Sent: Sunday, December 10, 2017 3:35 PM
To: Shasta County BOS
Subject: Tierra Robles Draft EIR Comment

Please include the attached PDF document into the public comments on the Tierra Robles Draft EIR. If this is not possible and I need to bring in a copy for each Supervisor please let me know.

Thank You,

James Griffith

COMMUNICATIONS-DISTRIBUTION

All Board Members

Additional Copies to:

CEO/Analyst

DRM

Board Members Received

Personal Copies

No Distribution Made

page 1 of 7

Mr. Kent Hector
Shasta County Resource Management, Planning Dept
1855 Placer St Suite 103
Redding, CA 96001

Shasta County Board of Supervisors
David Kehoe (Dist 1)
Leonard Moty (Dist 2)
Mary Rickert (Dist 3)
Steve Morgan (Dist 4)
Les Baugh (Dist 5)

1450 Court St
Redding, CA 96001

My Response to the Tierra Robles Draft EIR

I have been a resident of Palo Cedro since 1999 and I moved here specifically for the rural community and lifestyle, with the expectation that with the county zoning it would remain that way. I am also an agricultural water user on the Bella Vista Water system. I only learned of the Tierra Robles project in November 2017 and these are my first comments on the issue.

48-b

I have copied several sections from the Draft EIR published on the Shasta County website and included them in my comments below. The copied portions are in *italics*, my response is in **bold**.

5.17 UTILITIES AND SERVICE SYSTEMS

Page 5-17-9 Telephone

AT&T provides telephone, internet, and television services to the majority of the Redding area and areas south of Boyle Drive, while Frontier Telephone provides service to Palo Cedro, Bella Vista, Millville, and areas north of Boyle Drive. The proposed project is located within the Frontier local service area. Currently, the proposed project has no telephone landline infrastructure or services; however, existing Frontier facilities are located along Boyle Drive. Extension of service infrastructure from Boyle Drive would occur below ground and implemented concurrent with project implementation.

48-c

Internet Services

*AT&T or a wireless internet service provider such as HughesNet, have the existing infrastructure to provide internet access to the proposed project. Internet would be provided via DSL or wireless, and television service is expected to be provided by a satellite provider. Currently, there are no cable services located within the proposed project boundaries and there does not appear to be any existing cable service to nearby residences. **According to the 11.0 Organizations and Persons Consulted, Frontier Communications has not even been consulted. However, AT&T has been consulted and they are not going to provide any services. See page 11-4.***

page 2 of 7

Why even mention AT&T unless the study is trying to imply that AT&T is an option? Everyone that I have spoken with that lives in the Frontier service area already experiences significant slow speeds in DSL and even loss of service regularly. Frontier tech support has told me many times that the reason for this is that there is high demand and too many people using the system. This needs to be addressed or this project will only make access to phone and internet even worse for those currently living in the Frontier service area.

48-c
Cont.

From the Tully and Young Memorandum dated April 26, 2017

Page 10

2.2.3 Summary of Residential Demand Factors

The indoor and outdoor residential demand factors are presented in Table 2-1. Combined, each lot is estimated to use 0.45 acre-feet per year for lots with only primary homes, and 0.48 for the 15 lots with secondary units. These estimates are extremely conservative. During the drought restrictions placed on agricultural users we were allotted .61 af per year and we were told that was the minimum for health and safety. During the drought years there were mandated conservation efforts to reduce water demand. The estimated water usage is so low that there is no room for conservation during dry years.

48-d

From the Draft EIR, 5.17 UTILITIES AND SERVICE SYSTEMS

Page 5.17-4

Water

Normal and Dry-Year Supply Reliability

BVWD depends on its long-term contract to purchase water from the USBR and their groundwater wells. As a water provider that is predominantly reliant upon the CVR, BVWD is subject to significant water supply uncertainty and shortages due to dry hydrologic conditions, compounded by operational and regulatory constraints both directly and indirectly related to the Federal Endangered Species Act (FESA). The water supply reliability goal of BVWD is to meet 100 percent of demand in normal years.

48-e

During single dry year conditions, BVWD's water supplies are projected to be insufficient to meet demand. That's just a single dry year!

As shown in Table 5.17-4, SINGLE DRY YEAR SUPPLY AND DEMAND, this shortfall is projected to exceed 7,000 AF. The agricultural amounts were maintained to show the impact of a multiple-dry year for the consideration of the supplemental supply program BVWD offers to agricultural customers. In just a single dry year BVDW's own projections show a shortfall of 7000 AF! Bella Vista Water District has entered into long term contracts through 2030 with USBR and 2045 with ACID. These contracts were entered into before the additional demands of this project were needed. That means that the project water will have to come from the water intended for the districts users that are currently in place. This will be significant during drought years. Here's why.

Water restrictions are based upon unconstrained water usage years. If we were to have a drought in the years shortly after the project began, water usage would be restricted to

page 3 of 7

BVWD based on the water usage before the additional 166 houses. The water needed for these additional houses would have to come from the current users unless BVWD and it's water suppliers enter into new agreements.

48-e
Cont.

I don't believe that putting additional demands on the Bella Vista Water system will be good for anyone currently on the BVWD system. It will likely benefit the water district through increased fees per gallon of water pumped, but have negative impact on current users. I am currently an agricultural user who has had their water reduced to health and safety minimums and had to let my hay field die during the drought years. BVWD has already stated that even in a single dry year they are unable to meet the demand.. The water I was allotted during the drought years would not even cover my house and animals without having to buy supplemental water for thousands of dollars (which is not a guaranteed source), even with my personal mitigation measures which have already cost thousands more dollars., and I was allotted 30% more than what these lots are estimated to use in an unconstrained year.

48-f

BVWD is paid higher fees from residential users than from agricultural users per gallon of water. BVWD will likely have a financial benefit from this project and that may create a conflict of interest if they are in support of this project.

15.9 TRAFFIC IMPACT STUDY

Page 10

Old Alturas Road (Deschutes Rd to 7 Lakes Rd):

This section of rural roadway has a collision rate 33% higher than the statewide average for similar facilities. It is estimated that 17% of the project traffic will use this section of roadway which will increase the ADT by 27%.

The increase in traffic, in combination with the overall very low traffic volumes and LOS A conditions (documented in a subsequent section of this report), is not expected to significantly increase the rate of collisions. How can you, in good faith, state that a road already which has a 33% higher than average accident rate, increase ADT by 27% and then state that this will not significantly increase traffic accidents? This is slight of hand, they mention accident rates, not accidents! There will be an increase in accidents, even if the rates remain the same because the ADT has increased!

48-g

Old Alturas Road (Boyle Rd to Old Oregon Trail):

The collision rate is 9% higher than the statewide average for similar facilities. It is estimated that 61%-62% of the project traffic will use this section of roadway which will increase the ADT by 24% in the Existing Plus Project conditions and by 22% in the Year 2035 Plus Project conditions.

A collision rate 9% higher than the statewide average for similar facilities is not statistically significant and is considered to be within a normal and expected range.

However, when there is an increase of ADT by 24%, will the number of accidents still be insignificant?

Deschutes Road (Boyle Rd to SR 44):

The collision rate is 38% higher than the statewide average for similar facilities. Just south of Boyle Road, it is estimated that 15% of the project traffic will use this section of roadway which will increase the ADT by 5%. As stated in the study, this section is already 38% above the average for traffic collisions. This section includes a school zone with significant pedestrian traffic during the start and end of school and special events. The study makes no comment on how the increase in ADT will impact accidents or accident rates that are already high! This project will only increase the number of accidents due to the increased ADT.

48-g
Cont.

Currently lanes are so narrow that traffic is required to cross the double yellow lines in order to pass a bicycle, and pedestrians must walk on very narrow shoulders only inches from the roadway.

48-h

Old Oregon Trail (Old Alturas Rd to SR 44)

This section of road was not commented on in this study, this is remarkable for several reasons.

- **This section of road is expected to have an increase in ADT significant enough to recommend mitigation at SR 44 (intersections #10 and #11).**
- **The increase cannot be inferred from the intersection data (#8 and #9) found in this study because of flawed data.**
- **This section contains 4 intersections listed in this study (#8,#9,#10,#11).**
- **This section of road also contains Columbia Elementary School and a school zone.**

48-i

Yet no comments on this section of road in the traffic study.

Pages 35-36

Existing Plus Project: Project Mitigation

The following improvements are proposed to provide acceptable operations at intersections where a project significant impact is identified. Table 17 presents the mitigated LOS operations assuming these improvements. There is already an example stated in this study where another mitigation project was planned and funded in 2008, yet still has not been constructed. Airport Road at SR 44 w/b.

48-j

In addition, there will be a significant traffic safety impact on the Deschutes Road (Boyle Rd to SR 44) segment. Why is there no mention that this "significant traffic safety impact" will occur in a school zone!

48-k

Intersection 10: Airport Road & SR 44 WB Ramps:

This TWSC intersection is projected to operate at an unacceptable LOS F during both AM and PM peak hours during Year 2035 conditions. This intersection meets the peak hour signal warrant under Year 2035 AM and PM peak hour conditions. The following improvements will provide adequate capacity to result in acceptable LOS C or better conditions.

- *Install a Traffic Signal OR*
- *Install a Modern Roundabout*

Significance after Mitigation

Project mitigation is to pay traffic impact fee or/and fair share contribution towards the construction of these improvements. The stated improvement was planned and funded in 2008. So this improvement was planned and funded in 2008, yet 9 years later has not been built.

48-l

Intersection 13: Boyle Road & Deschutes Road:

This TWSC intersection is projected to operate at an unacceptable LOS F during AM peak hour Year 2035 conditions. This intersection meets the peak hour signal warrant under Year 2035 AM peak hour conditions. The following improvement will provide adequate capacity to result in acceptable LOS E or better conditions.

- *Install an All-Way Stop Control*

Significance after Mitigation

*Project mitigation is to pay traffic impact fee or/and fair share contribution towards the construction of these improvements. The project impact till the improvement is constructed is unavoidable and significant. **There is already an example stated in this study where another this mitigation project was planned and funded in 2008, yet still has not been constructed.***

48-l
Cont.

Deschutes Road (Boyle Rd to SR 44):

Installation of the following is recommended for Existing Plus Project conditions:

- *Caltrans standard W2 intersection warning signs with W16-8P advance street name plaques at Lassen View Drive, Beryl Drive, Sunny Oaks Drive, Wesley Drive, Robledo Road, Oak Meadow Road, Oak Tree Lane, and Coloma Drive. **If simply installing signs at the street corners will have a significant impact on traffic safety, why has the county not installed them already on a road that has an accident rate 38% above average?***

48-m

Old Oregon Trail at Old Alturas Rd (Intersection #8)

The traffic counts shown are questionable. The AM traffic existing counts (151-113) are the same as the existing plus (151-113). The PM traffic existing counts (158-121) are the same as the existing plus (158-121). An obvious error!

48-n

Omni-Means Technical Memorandum Dated August 17, 2017

Intersection 13 – Deschutes Road & Boyle Road

This un-signalized intersection is projected to operate at LOS F in the weekday AM peak hour. Although this intersection operates at an unacceptable LOS F in the "no project" condition, the proposed project creates a significant impact by causing the delay to increase by more than 5 seconds per vehicle. The following improvement is proposed to mitigate the project impact to less than significant:

- *Construct an All-way Stop Control*

So the way to increase the LOS on Boyle is to decrease the LOS on Deschutes! This will require traffic on Deschutes currently traveling at 50+MPH to have to come to a full stop while in a curve.

48-o

Significance After Mitigation

*Project mitigation is to construct the proposed improvements stated within the previous section. After mitigation, project generated impacts will be considered less than significant. **However, no mention of how this all-way stop will impact the traffic traveling at 50+ MPH on Deschutes.***

PROJECT TRIP DISTRIBUTION

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According to the study, 20% of project traffic is expected to use Old Oregon Trail between Old Alturas Rd and SR 44, causing the ADT to change from 8031 to 8386. This increase leads to a recommended mitigation of installing a traffic signal/roundabout.

48-p

The study also shows that 15% of project traffic is expected to use Deschutes Rd between Boyle Rd and SR 44 causing the ADT to change from 8495 to 8761. This increase leads to a recommended mitigation of installing a street name signs along Deschutes Rd.

Why does Old Oregon Trail, with an ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and Deschutes Rd, with 8761 and an accident rate 38% above average not need none?

**5.16 TRAFFIC AND CIRCULATION
 MITIGATION MEASURES**

48-q

Level of Significance After Mitigation: The improvements identified for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) are not currently part of any current Shasta County improvement plan or fee program. As a result, full implementation as described in MM 5.16-3 and MM 5.16-4 cannot be assured by the project applicant. This is considered to be a cumulatively considerable and significant and unavoidable impact. There is currently no plan to implement any mitigation measures at the 2 intersections most adversely impacted by this project.

Recommended Mitigation Measures

Utilities

48-r

- Construct telephone and internet facilities adequate for the existing and existing plus demand.

Water

48-s

- BVWD has stated that they are unable to meet current demand with a single dry year. I don't know how the water demand can be mitigated.

Traffic

48-t

- Construct shoulders along Boyle Road, Old Alturas Road and Deschutes Road adequate for pedestrians and bicycles.
- Construct left turn lanes along Deschutes Road between Berkeley Road and Boyle Road.
- Construct pedestrian sidewalks or pathways along Deschutes Road north of Foothill High School to Boyle Road.
- Construct a traffic signal/roundabout at Deschutes and SR 44 w/b.

Questions I believe need to be addressed:

48-u

- Why has telephone and internet service not been addressed?
- How can the homes conserve water during drought years when they are only estimated to use only 2/3 of the drought allotment given to other BVWD users?
- Why is it even under consideration to add 166 homes to a water system that says "During single dry year conditions, BVWD's water supplies are projected to be insufficient to meet demand"?
- Why are the school zones not addressed?

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- Has anyone studied the Foothill High school and Columbia Elementary school traffic patterns when school starts and ends? If not shouldn't this be studied? If yes, why has that not been included in this report? | 48-v
- Will the county actually install the traffic mitigation measures recommended in the EIR? If yes then when will they be installed? | 48-w
- If a 4 way stop at Deschutes and Boyle is done to mitigate traffic issues on Boyle, why does the study not address how that will negatively impact traffic on Deschutes? | 48-x
- Why was there no traffic study of Old Oregon Trail from Old Alturas Rd to SR 44?
- Will the flawed data at intersection #8 be corrected?
- Why does a road with and ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and a road with 8761(375 more) needs none? | 48-y
- If trip distribution causes a signal/roundabout to be recommended at Airport Road at SR 44, why is there no recommendation for a signal/roundabout at Deschutes Road and SR 44?

Using the year 2035 impacts may be required by regulation, but this implies to the general public that the traffic will gradually increase through 2035. In fact the traffic will increase to full impact rather quickly (as soon as the homes are occupied), and even before that there will be the construction traffic. No doubt the developer will try to have all homes sold as soon as possible, creating full impact as soon as possible. | 48-z

School zones are created specifically for traffic, yet there is no mention of the traffic impact through 2 school zones. The Omni-Means study states traffic in the area of Foothill High School will have a "significant traffic safety impact" on this section of Deschutes Rd, but even then, no mention that there is even a school or school zone in the area to be impacted. There is also no mention of the Columbia Elementary school on Old Oregon Trail or North Cow Creek Elementary school 1/4 mile east of Deschutes and Boyle. | 48-aa

I believe that this traffic study has been conducted with the intent of minimizing, as much as possible, anything that would negatively impact this project, rather than a good faith effort of studying the significant environmental impacts of this project. At this point the project puts the needs of the developer and it's 166 lots ahead of those already living in the impacted area. | 48-bb

Lastly, many in Palo Cedro still remember the objections brought before the BoS and Planing Commission during the planning stages of Foothill High School. Many of the concerns that were ignored or minimized in the EIR have become reality. When viewed with the memory of that process and how the community is now impacted by school traffic, I don't believe any benefit to the community will outweigh the problems. | 48-cc

It is because of the significant negative environmental impacts and negative quality of life impacts that I am profoundly opposed to the Tierra Robles project as it is currently planned.

James & Tresa Griffith
 22209 Oak Tree Ln
 Palo Cedro, CA 96073

Response to Letter 48 – James and Tresa Griffith

Response 48-a: The commenter requests that an PDF attached to his e-mail be included to the public comments. The commenter is responding to by the Deputy Clerk of the Board advising him that the attachment will be distributed to the board of Supervisors. The comment is noted here, and responses to comments made in the attached PDF are shown immediately below in **Responses 48-b** through **48-cc**.

Response 48-b: The commenter makes a non-specific comment regarding the rural community and lifestyle of the area, states a desire to live in a rural open setting, expresses concerns regarding Bella Vista Water District’s water supply, and notes that further comments are provided in the letter.

Regarding the rural community and lifestyle, the commenter is referred to **Master Response-2**. The analysis contained in the Draft EIR specifically evaluated the proposed project’s consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). This comment is introductory and includes an overview of the commenter’s concerns. No further response is required and no change to the Draft EIR is required.

With respect to BVWD’s water supply, the commenter is referred to **Master Response-3**, and **Responses 7-a** through **7-p**. This comment is introductory and includes an overview of the commenter’s concerns. No further response is required.

The commenters also state that he has several comments on the Draft EIR. These comments are address below in **Response 48-c** through **Response 48-cc**. This comment is introductory and includes an overview of the commenter’s concerns. No further response is required.

Response 48-c: The commenter questions the communication with the telephone and internet service providers who serve the Redding area and questions who will serve the project and brings up issues related to quality of internet service.

The commenter is correct that Frontier Communication is not listed in Section 11.0 ORGANIZATIONS AND PERSONS CONSULTED but on page 5.17-9 of Section 5.17, UTILITIES AND SERVICE SYSTEMS, Frontier Communications is discussed. Regarding inclusion of AT&T in the discussion, AT&T is discussed because as stated on Page 5.17-9, AT&T provides telephone, internet, and television services to the majority of the Redding area and areas south of Boyle Drive, which Frontier Telephone provides service to Palo Cedro, Bella Vista, Millville, and areas north of Boyle Drive. The question of internet quality, however, is not an issue for CEQA. State *CEQA Guidelines* § 15358(b) state that effects analyzed under CEQA must be related to a physical change in the environment. In regard to the proposed project, the discussion focuses on the physical extension of utility lines, including telephone and cable, that could have a physical impact on the environment. As discussed, any extension of these lines would occur with areas already proposed to be disturbed, such as roadways and residential footprints. Therefore, the extension of these lines would not result in any additional environmental impacts not previously disclosed. No changes to the Draft EIR are required.

Response 48-d: The commenter questions the water use rates used in the Draft EIR and expresses concern that there is no room for conservation during dry years.

Please refer to **Master Response-3, Response 7-m, and Response 7-n**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 48-e: The commenter notes that BVWD's projections show a shortfall in water supply during a single dry year and that the project will take water from other intended BVWD users, thus the increase in water demand would be significant during drought years.

The commenter is referred to **Master Response-3, Response 7-m, and Response 7-n**. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 48-f: The commenter does not comment on the adequacy of the Draft EIR but restates concerns regarding the adequacy of water supply, impacts to current users, and questions that BVWD will benefit from higher residential water costs. The commenter also restates his use as an agricultural user and highlights personal measures taken to reduce water consumption.

The commenter is referred to **Master Response-3, Response 7-a through Response 7-p, Responses 48-d, and Response 48-e**. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 48-g: The commenter questions the accident rates and how the increase in average daily trips (ADT) will affect the accident rates and the number of accidents.

With regards to safety concerns along Boyle Road and Old Alturas Road, the commenter is referred to **Responses 4-b, 5-f, 14-b, 17-f, 17-n, 17-o, 32-b, 35-c, 41-a, and 43-b**, above, which refers to pages 5.16-27 and page 5.16-28 of the Draft EIR in Section 5.16, TRAFFIC AND CIRCULATION. The discussion in the listed Response and Section 5.16 addresses this commenters concerns. No change to the Draft EIR is required.

Response 48-h: The commenter notes that the lanes on Deschutes Road are so narrow that cars must cross a double yellow line to pass cyclists and pedestrians must walk on a narrow shoulder.

Although this comment does not question the adequacy of the Draft EIR, the commenter is referred to **Responses 4-b, 5-f, 14-b, 17-f, 17-n, 17-o, 32-b, 35-c, 41-a, and 43-b**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 48-i: The commented states that the roadway segment on Old Oregon Trail from Old Alturas Road to SR-44 was not analyzed and should be analyzed given that mitigation measures are recommended at Intersections #10 and #11, this section contains 4 intersections listed in the study (Intersection #8 through Intersection #11), and the roadways segment includes an elementary school zone.

The Draft EIR analyzes roadway segments in Section 5.16, TRAFFIC AND CIRCULATION. Specific to Old Oregon Trail, this roadway segment was analyzed north of Old 44 Drive (Segment #7). As shown in Table 5.16-6, EXISTING ROADWAY LEVEL OF SERVICE, Old Oregon Trail (north of Old 44 Drive) currently operates at LOS C and has 8,031 ADT. As shown in Table 5.16-9, EXISTING PLUS PROJECT ROADWAY LEVEL OF SERVICE, Old Oregon Trail (north of Old 44 Drive) would continue to operate at LOS C with 8,386 ADT. Under cumulative conditions, Old Oregon Trail would operate at LOS E with 11,195 ADT in Year 2035 with the proposed project (refer to Table 5.16-15, YEAR 2035 PLUS PROJECT ROADWAY LEVEL OF SERVICE).

Roadway segments are analyzed differently than intersections and have different criteria for LOS. Intersection LOS criteria are provided in Table 5.16-4, LEVEL OF SERVICE CRITERIA FOR INTERSECTIONS, while roadway segment LOS criteria are provided in Table 5.16-5, LEVEL OF SERVICE CRITERIA FOR ROADWAYS. Therefore, a roadway segment that operates within acceptable LOS with the introduction of traffic from a project, may also have specific intersections that operated at unacceptable LOS and require mitigation measures. Please refer to Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, for further details regarding the thresholds and analysis of the study area roadways and intersections. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-j: The commenter notes mitigation listed in Table 17 and comments that another mitigation project was planned and not built in 2008.

The commenter is correct that mitigation was planned and funded but not built in 2008. That project will now be constructed as part of the proposed project. This will not result in any impacts not identified in the Draft EIR, and no changes to the Draft EIR are required.

Response 48-k: The commenter asks why there was no mention that the significant traffic safety impact on Deschutes Road (Boyle Road to SR 44) would occur in a school zone.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, provide analysis of the proposed project on traffic and circulation. As discussed in Section 5.16.3, METHODOLOGY AND GUIDELINES, roadway segments and intersections are analyzed based on level of service. The focus is therefore on stop delay per vehicle (in seconds) for intersections and average daily trips (ADT) for roadway segments. Traffic impacts are based on the standards identified in Section 5.16.7, STANDARDS OF SIGNIFICANCE, of Section 5.16, TRAFFIC AND CIRCULATION, of the Draft EIR. This sections states:

“In accordance with State *CEQA Guidelines*, the effects of a project are evaluated to determine whether they would result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. The criteria used to determine the significance of impacts may vary depending on the nature of the project. According to Appendix G of the State *CEQA Guidelines*, the proposed

project would have a significant impact related to traffic and circulation, if it would:

- *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections). Refer to Impact 5.16-1 and Impact 5.16-5 in Section 5.16.9, CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES, below.*
- *Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highway. Refer to Impact 5.16-1 and Impact 5.16-5 in Section 5.16.9, CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES, below.*
- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Refer to Impact 5.16-2, below.*
- *Result in inadequate emergency access. Refer to Impact 5.16-3, below.*
- *Result in inadequate parking capacity. Refer to AREAS OF NO PROJECT IMPACT, below.*
- *Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks). Refer to Impact 5.16-4, below.*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Refer to AREAS OF NO PROJECT IMPACT, below.*

Based on these standards, the effects of the proposed project have been categorized as either a *“less than significant”* impact or a *“potentially significant”* impact. Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a *“significant and unavoidable”* impact.”

Therefore, all areas are analyzed equally, whether within a school zone or outside of a school zone. This is because all drivers in California must pass the California driving test and must obey all speed limits, stop signs, signals, and rules deemed necessary for any given area. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration

during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-l: The commenter restates language from the Tierra Robles Traffic Impact Study in reference to intersections #10 and #13 and makes comment regarding the aforementioned mitigation that was not completed.

The commenter is referred to **Responses 4-b, 5-f, 14-b, 17-f, 17-n, 17-o, 32-b, 35-c, 41-a, 43-b, and 48-i**. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-m: The commenter restates the text of mitigation measure 5.16-1 and questions why the County has not yet installed the proposed signage.

The question posed by the commenter is beyond the scope of this Draft EIR. For the purposes of this Draft EIR, State *CEQA Guidelines* § 15126.2 (a). The Significant Environmental Effects of the Proposed Project. The EIR shall identify and focus on the significant environmental effects of the proposed project.” Accordingly, the placement of the signage is now being discussed within scope of the proposed project. No Changes to the Draft EIR are required.

Response 48-n: The commenter questions the traffic counts shown for the intersection of Old Oregon Trail and Old Alturas Road (Intersection #8). The commenter states that the existing and existing plus project AM and PM traffic numbers are the same.

It is true that the modeling includes the same numbers for the northbound and southbound through lanes. It is also true that the trips are also the same numbers for southbound right turn, east bound left turn, east bound right turn and northbound left turn in both described conditions for AM – leaving six turning movements at Old Oregon Trail and Old Alturas Road (Intersection #8) with differing numbers. In the PM the same trip numbers are used for northbound left turn, southbound left turn, the southbound through lane and eastbound left turn – leaving eight turning movements at Intersection No. 8 with differing trip numbers. It is not a mistake or error to have duplicate trip assignments for various modeling scenarios.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the draft EIR provide analysis of the proposed project on traffic and circulation. As discussed in Section 5.16.5, TRIP GENERATION AND DISTRIBUTION, project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (ITE Code 210) has been used to estimate the trip generation for the proposed project. Table 5.16-8, PROJECT TRIP GENERATION, on page 5.16-15 of the Draft EIR, provides a summary of the land use and quantities (i.e., units) for the proposed project, along with corresponding ITE land use codes from which trip generation characteristics were established and analyzed. As shown in Table 5.16-8, it is estimated that the proposed project would generate approximately 1,774 new daily trips, with 135 vehicle trips generated during the AM peak hour and 175 vehicle trips generated during the PM peak hour period.

As discussed on page 5.16-15 of the Draft EIR, the directional trip distribution and assignment of project-generated trips were estimated based on an understanding of existing and projected future traffic flows and travel patterns within the vicinity of the proposed project site, location of local and regional housing and employment/commercial centers in relation to the proposed project site, and supplemented by the use of the Shasta County Regional Travel Demand Forecast model. The directional trip distribution for the proposed project is graphically depicted in Figure 5.16-3, PROJECT TRIP DISTRIBUTION.

As discussed in Section 5.16.3, METHODOLOGY AND GUIDELINES, intersection LOS is calculated for all control types using the *Synchro 8* software by Trafficware, implementing the methods documented in the HCM 2010. For signalized intersections and all-way-stop-controlled (AWSC) intersections, the intersection delays and LOS are average values for all intersection movements. For two-way-stop-controlled (TWSC) intersections, the intersection delays and LOS are representative of those for the worst-case movement.

Based on the above trip generation models and trip distribution models, the traffic numbers at the intersection of Old Alturas Road and Old Oregon Trail Road differ. While some movements at the intersection remain the same between existing and existing plus project scenarios, other movements differ. The traffic volumes on Old Alturas Road increase in the AM peak hour heading away from the project site, while they increase in the PM peak hour heading toward the project site on Old Alturas Road. Similarly, traffic movements from Old Oregon Trail Road onto Old Alturas Road head towards the project site increase as well. The traffic volumes that the commenter refers to are the through movements on Old Oregon Trail Road, and thus are not affected by the proposed project. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-o:The commenter restates some of the text the Tierra Robles Traffic Impact Study, May 2015, supplemental Technical Memorandum August 17, 2017, and questions the use of an all way stop.

The commenter is correct that proposed mitigation includes installation of an all way stop. Page 5.16-38, lists mitigation measure 5.16-4 which reads, "*Boyle Road & Deschutes Road (Intersection #13)*. Prior to recordation of a final map or issuance of a building permit (whichever occurs first), the project applicant shall pay the pro-rated cost share representing 11 percent of the cost of upgrading the existing two-way-stop-controlled intersection to all-way-stop-controlled intersection. The fee shall be established based on an engineer's cost estimate of the improvements prepared by the project applicant and approved by the Shasta County Public Works Department."

Because the proposed project would be required to pay eleven percent of the cost of the all way stop control, under Level of Significance After Mitigation, Page 5.16-38 further states, "The improvements identified for the intersections of *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)* are not currently part of any current Shasta County improvement plan or fee program. As a result, full implementation as described in MM 5.16-3 and MM 5.16-4 cannot be assured by the

project applicant. This is considered to be a cumulatively considerable and *significant and unavoidable* impact.

The Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in MM 5.16-3 and MM 5.16-4, should Shasta County update the fee program to include the *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)* intersections. The payment of applicable fair-share costs towards a programmed improvement would result in a cumulatively *less than significant* impact at each intersection. No changes to the Draft EIR are required.

Response 48-p The commenter restates information regarding vehicle trips. The commenter questions why mitigation measure 5.16-3, which requires a pro-rated 13% share for a single/multi-lane roundabout at Old Alturas Road & Old Oregon Trail (Intersection #8), while the intersection of SR 44 and Deschutes Road with 8,761 ADT (with project) does not.

On Page 5.16-14 in Table 5.16-6 Existing Roadway Level of Service in Section 5.15 TRAFFIC AND CIRCULATION shows that the ADT on Old Oregon Trail (north of Old 44 Drive) would be 8,031, and in Table 5.16-9 Existing Plus Project Roadway Level of Service shows that the ADT on Old Oregon Trail (north of Old 44 Drive) would have an ADT (with project) of 8,386. Regarding Deschutes Road (north of Old 44 Drive), Table 5.16-6 also shows an existing ADT of 8,495, and Table 5.16-9 shows that Deschutes Road (north of Old 44 Drive) would have an ADT (with project) of 8,761.

Page 5.16-28 of Section 5.16 TRAFFIC AND CIRCULATION recognizes the 38 percent collision rate on Deschutes Road (Boyle Road to SR-44). This page also recognizes that approximately 85 percent of the collisions occurred during daylight conditions and 56% were rear-end collisions. South of Boyle Road, it is estimated that 15 percent of the project traffic will use this section of roadway which will increase the ADT by 5 percent in both the *Existing Plus Project* and *Year 2035 Plus Project* conditions. Immediately north of SR-44, it is estimated that 7 percent of the project traffic will use this section of roadway which will increase the ADT by 1 percent in both the *Existing Plus Project* and *Year 2035 Plus Project* conditions. The installation of intersection warning signs in accordance with MM 5.16-2, at various locations along Deschutes Road between Boyle Road and SR-44, would serve to notify drivers of upcoming driveways. Impacts for both *Existing*, *Existing Plus Project*, and *Year 2035 Plus Project* conditions were concluded to be reduced to *less than significant* levels.

Response 48-q The commenter states that there is currently no plan to implement any mitigation measures at Old Alturas Road and Old Oregon Trail (Intersection #8) and Boyle Road and Deschutes Road (Intersection #13).

The commenter is correct that no mitigation is proposed for Deschutes Road and Old Alturas Boulevard (Intersection #2). As discussed on page 5.16-25 in Section 5.16 TRAFFIC AND CIRCULATION, Table 5.16-10 Existing Plus Project Intersection Level of Service, the intersection would operate at level of service (LOS) C during AM Peak hours, and LOS B during PM Peak hours. In both cases the warrant was not met for needed traffic improvements; refer to Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9,

TRAFFIC IMPACT STUDY, of the Draft EIR. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-r: The commenter recommends mitigation for telephone and internet services resulting in the construction of telephone and internet facilities adequate for existing and existing plus project demand.

The commenter is referred to **Response 48-c**, above. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-s: The commenter questions that how water demand can be mitigated.

The commenter is referred to **Master Response-3** and **Responses 48-d, 48-e, and 48-f**, above. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-t: The commenter recommends mitigation for traffic, shoulder width, intersection lane movements, pedestrian facilities, and intersection controls.

The commenter is referred to **Responses 48-g** through **48-q**, above. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-u: The commenter paraphrases previous questions related to telephone and internet service, water conservation, dry-year concerns related to water use, and school zones.

The commenter is referred to **Response 48-c** related to telephone and internet, **Responses 48-d, 48-e, and 48-f**, related to water, and **Responses 48-h, 48-k, and 48-m** related to schools. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-v: The commenter questions the traffic study having accounted for the schools in the area.

The schools in the area were accounted for and addressed in numerous locations within the Draft EIR. Specifically related to traffic and circulation, Page 5.16-7 and Page 5.16-8 of Section 5.16 of TRAFFIC AND CIRCULATION address the data collection and recognizes the schools in the area stating that they were in session but no known special events were occurring. Page 5.16-13 addressed traffic signal warrants and states that the signal warrant criteria are based upon several factors, including the volume of vehicular and pedestrian traffic, frequency of accidents, and location of school areas. Page 5.16-30, under Impact 5.16-4 addresses pedestrian and bicycle facilities and recognizes that

schools are more than 2 miles from the project site. Impacts to pedestrians and bicycle were found to be less than significant.

Response 48-w: The commenter questions if the County will install the listed traffic mitigation and asks when the mitigation will be installed.

Should the proposed project be approved, the County will ensure that the applicant ensure that all listed mitigation be implemented. State *CEQA Guideline* § 15126.4(2) states, "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of the adoption of a plan, policy, regulations, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design."

Regarding the commenter question of the timing of mitigation. As stated on Page 5.16-26 of Section 5.16 TRAFFIC AND CIRCULATION, Mitigation Measure 5.16-1 Airport Road & SR-44 WB Ramps would be implemented, "prior to the issuance of a building permit that would allow construction of the first residence." Mitigation Measure 5.16-2, required the Caltrans standard W2 intersection warning signs, "prior to issuance of a building permit that would allow construction of the first residence. Both Mitigation Measures 5.16-3 and 5.16-4 requiring pro-rated cost sharing would be implemented, "prior to recordation of a final map or issuance of a building permit (whichever comes first)." No changes to the Draft EIR are required.

Response 48-x: The commenter asks how a four-way stop at Deschutes Road and Boyle Road would impact traffic on Deschutes Road.

Please refer to **Response 17-o** and **Response 37-c** regarding impacts to Deschutes Road and the mitigation involving a four-way stop. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-y: The commenter questions why Old Oregon Trail from Old Alturas Road to SR-44 is not mentioned in the traffic study. The commenter asserts that the data regarding the intersection of Old Alturas Road and Old Oregon Trail (Intersection #8) is flawed. The Commenter restates questions regarding proposed mitigation for signals/roundabouts at certain intersections but not at others.

The commenter is referred to **Responses 4-b, 5-f, 14-b, 17-f, 17-n, 17-o, 32-b, 35-c, 41-a, 43-b, 48-i, 48-o, and 48-p**. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-z: The commenter states that using the Year 2035 impacts may be required by regulations, but this implies to the general public that the traffic will gradually increase through 2035.

As discussed in Section 5.16, TRAFFIC AND CIRCULATION, and in Appendix 15.9, TRAFFIC IMPACT STUDY, the traffic impacts are looked at under existing and future conditions. The first, existing conditions, is analyzed with and without the project to determine the

proposed project's impact on existing traffic facilities. The second, Year 2035, is analyzed with and without the project to determine the cumulative impacts of the proposed project. Therefore, the proposed project's traffic impacts are analyzed for conditions when the project is fully occupied and again in Year 2035, using Shasta County's growth rates and assumptions from the Shasta County General Plan. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-aa: The commenter restates concerns regarding impacts associated with traffic in school zones.

The Commenter is referred to **Responses 48-i, 48-k, 48-t, 48-u, and 48-v**, above. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 48-bb: The commenter states that he believes the Traffic Study was conducted to minimize impacts and was not a good faith effort to studying the significant environmental effects of the project.

Project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (10.09 daily trips per unit) and Apartment (6.65 daily trips per unit) has been used to estimate the trip generation for the proposed project. The Apartment category was utilized in the analysis to capture daily trips associated with up to 15 accessory dwelling units.

The commenter is referred to page 5.16-1 of Section 5.16 TRANSPORTATION AND TRAFFIC, which lists the sources used to analyze the potential environmental impacts related to traffic and circulation, including: 1) Caltrans. *Guide for the Preparation of Traffic Impact Studies*. December 2002; 2) City of Redding. *Bikeway Action Plan 2010-2015*. April 2010; 3) City of Redding. *Redding General Plan 2000 – 2020*. October 2000; 4) City of Redding. *Traffic Impact Assessment Guidelines*. January 2009; 5) Shasta County. *2030 Shasta County Travel Demand Model (SCTDM)*; 6) Shasta County. *Shasta County 2010 Bicycle Transportation Plan*. 2010; 7) Shasta County. *Shasta County General Plan*. September 2004; and 8) Shasta County. *Regional Transportation Plan*. No changes to the Draft EIR are required.

Response 48-cc: The commenter raises concerns about a previous EIR in which it is claimed concerns were ignored. The commenter also reiterates opposition to the proposed project.

This comment does not question the adequacy of the Draft EIR. The comment will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Letter 49 – Philip G. Marquis (December 11, 2017)

December 11, 2017

Kent Hector
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer St., Suite 103
Redding, CA 96001

Dear Mr. Hector:

I have previously sent a letter explaining my opposition to the Tierra Robles Subdivision and have some additional comments.

Because the proposed Subdivision would possibly unfavorably impact the now insufficient water pressure within the Welsh pumping system to existing customers, I ask:

Before approving this development, Bella Vista Water District at the expense of the Developer must conduct a Hydraulic test of the Welsh pumping system to assess the current pressures and available flows within the system and assess accurately the impact of building this subdivision on existing customers. All data resulting from the hydraulic tests must be made publically available by Bella Vista Water District to their customers prior to approval of the Subdivision.

49-a

Any deficiencies must be addressed and corrected prior to approval of this project. This hydraulic test was not conducted as part of the Draft EIR and is not included in the data presented.

Regarding Traffic:

The traffic study is currently flawed as it was conducted in May 2013 and does not reflect current roadway flows and conditions. The traffic study does not mitigate the dangerous intersection posed by the new road leading to the Tierra Robles Subdivision, 7 Lakes Road and Old Alturas Road in both directions which has a sharp curve and limited visibility. The traffic study must be updated and address the current conditions. Turn lanes must be added to ensure safe turns into and out of the development at the expense of the Developer. This must be made a condition of the Subdivision approval.

49-b

Please add these comments to my previous submission dated 12-2-2017.

Thank You

Sincerely,



Philip G. Marquis
11707 Homestead Lane
Redding, CA. 96003

Response to Letter 49 – Philip G. Marquis

Response 49-a: The commenter states that the Bella Vista Water District, at the expense of the developer must conduct a hydraulic test of the Welsh pumping system and make all results available to customers prior to approval of the subdivision. The commenter notes that no such hydraulic test was conducted as part of the Draft EIR and is not included to the data presented. The comment is noted and the commenters request will be forwarded to the appropriate decision makers for their review.

The commenter is correct that a hydraulic test was not conducted as part of the environmental review for this Draft EIR. State *CEQA Guidelines* do not require the preparation of a hydraulic test. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 49-b: The commenter expresses concern that the Traffic Study does not reflect current roadway flows and conditions, does not mitigate for the dangerous intersection that would occur at the proposed north entrance and Seven Lakes Road and Old Alturas Road. The commenter requests the addition of turn lanes to ensure safe turns into and out of the project site and requests that this be a condition of approval.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR, analyze the Old Alturas Road and Seven Lakes Road intersection (Intersection #3). As shown in Table 5.16-10, EXISTING PLUS PROJECT INTERSECTION LEVEL OF SERVICE, this intersection is a two-way stop controlled intersection and will operate at level of service (LOS) A in the AM and PM directions. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 50 – Gregory Marshall (December 13, 2017)

Kimberly Hunter

From: Resource Management
Sent: Wednesday, December 13, 2017 2:35 PM
To: Kimberly Hunter
Subject: FW: Boyle Road Development

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax



From: Gregory Marshall [mailto:49deneb@gmail.com]
Sent: Tuesday, December 12, 2017 4:09 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Boyle Road Development

To Whom It May Concern:

I am a former resident of the area where this developer hopes to build a subdivision. As a former resident, I have no immediate stake. BUT:

This is the most ridiculously bad idea to hit the area since the Jones Fire. If you were to take a poll of all residents within 2 miles of this site, 99 percent of them would oppose it, and a significant number would start reaching for their guns. People buy property in this area to ESCAPE the subdivision world. Boyle Road will have to be turned into a 4-lane thoroughfare (or else there will be 20-car backups at the stop signs). The general traffic level will make Boyle Road look like Dana Drive. And the disruption and traffic interference during the construction period – 5 years, more? – will be insane.

This entire idea is insane. Does the county government really have to cater to the money grubbers behind this project? If you would like, I will drive around the Redding area for an afternoon and come back with about 10 sites that would be much more suitable for a subdivision.

PLEASE protect the Boyle Road area and residents from this assault.

Gregory Marshall
1576 Santa Fe Avenue
Redding 96003

50-a

50-b

50-c

Response to Letter 50 – Gregory Marshall

Response 50-a: The commenter states that he is a former resident of the area and provides subsequent comments about the proposed project. The commenter does not question the adequacy of the Draft EIR and does not raise a substantive question about the proposed projects ultimate appropriateness for the site, and does not directly raise an environmental issue. The comment will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Response 50-b: The commenter is opposed to the proposed project. The commenter states that people buy property to escape and alludes to the project being a subdivision. The commenter states Boyle Road will need to be widened and claims traffic during construction will be “insane”. Although the commenter does not question the adequacy of the Draft EIR and does not raise a substantive question about the validity of the environmental analysis contained in the Draft EIR, the commenter is provided the following response.

The analysis contained in the Draft EIR specifically evaluated the proposed project’s consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project’s proposed zoning and density. No change to the Draft EIR is required.

The proposed project does not propose not analyze the widening of Boyle Road. The commenter is referred to page 5.16-34, Table 5.16-15 Year 2035 Plus Project Roadway Level of Service in Section 5.16 TRANSPORTATION AND TRAFFIC. Boyle Road (west of Deschutes Road) is projected to have 1,847 average daily trips (ADT) and operated at the Level of Service (LOS) A. No changes to the Draft EIR are required.

Response 50-c The commenter questions the County catering to the money grubbers and offers to find a better site for the proposed project.

The commenter does not question the adequacy of the Draft EIR and does not raise a substantive question about the proposed projects ultimate appropriateness for the site, and does not directly raise an environmental issue. In addition, pages 7-3 through 7-4 in Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, of the Draft EIR Discussion the potential use of an Alternative site. As noted, the key question and first step in the decision whether to include in the EIR an analysis of alternative sites is whether any of the significant impacts of the project would be avoided or substantially lessened by relocating the project. Only locations that would avoid or substantially lessen any of the significant impacts of the project need be considered for inclusion in the EIR (State *CEQA Guidelines*, §15126.6[f][2][A]).

For additional discussion regarding Alternatives, the commenter is referred to **Master Response-1, Response 44-a, and Response 45-a**. This comment will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Letter 51 – Scott Grant (December 14, 2017)

Kent Hector, Senior Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street
Redding, CA 96001

December 14, 2014

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DEC 16 2017
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Dear Kent Hector,

Thank you for receiving responses and questions regarding the proposed Tierra Robles Planned Development. Below are our substantive concerns:

51-a

Increases in housing density are almost always associated with increased crime. We chose to live in an area where crime rates are very low to primarily protect our families and secondarily to protect our property. Even if the county hired an extra deputy to strictly patrol the new development, assuming the increased property tax revenue could handle that expenditure, the deputy will nevertheless be frequently called to other higher priority crimes or to backup other law enforcement officers.

51-b

We chose to live in an area that matched our aesthetic desires – 5 acre parcels with homes spread out and exactly opposite the crowded nature of city living.

51-c

We live in an area where drought is relatively common and water, while plentiful, is allocated toward state-wide needs. If water allotments in drought years are already significantly curtailed, how will the limited Bella Vista Water District resources be able to handle the drought scenario we just experienced while trying to service 166 additional homes?

51-d

While we innately desire the owner of this property to be able to develop their investment, and we recognize that if it is well done, it can add to the value of the surrounding community, we are hesitant. It cannot be emphasized enough that the potential increases in crime are our single greatest concern. A possible resolution to ameliorate the risk of increased crime may be to keep the cost of each new home at or above the average of the homes in the surrounding community. Without research, we would estimate that cost to be above \$450,000. Another possible resolution to the loss of the aesthetic qualities of country living may be relieved if the few parcels along Boyle lane maintain their 5 acre parcel status.

51-e

If the requested rezoning is based solely on greed in any form, then this development cannot be accomplished amicably. However, if the development proceeds at a pace appropriate to consumer demand, if agreements between the developer and the county maintain square footage relative to acreage size that keeps the total cost of each new home above the community average, and if the limited water supply needs are resolved, then I would encourage the development of this property.

51-f

Thank you for taking the time to consider the thoughts and concerns on my neighbors and myself.

51-g

Respectfully submitted,



Scott Grant
10349 Maddelein Lane
Palo Cedro, CA 96073

Response to Letter 51 – Scott Grant

Response 51-a: The commenter thanks the County for receiving his comments and indicates other comments further below in his letter.

No change to the Draft EIR is required. Responses to the commenter’s concerns are provided below in **Response 51-b** through **Response 51-g**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 51-b: The commenter speculates that the increased housing densities will increase crime and alludes that law enforcement services will not be adequate.

The commenter is referred to Section 5.13, PUBLIC SERVICES AND UTILITIES. Page 5.13-13 states that the proposed project would bring additional annual revenue from local property and sales taxes that would offset demand for law enforcement services by funding increases in personnel, training and equipment. In addition, payment of development impact fee’s (\$789 per single-family unit) would further offset costs. The Draft EIR concludes that impacts to law enforcement services would be *less than significant*. No change to the Draft EIR is required.

Response 51-c: The commenter states they chose to live on 5-acre parcels, which is the opposite of city living.

This comment does not question the adequacy of the Draft EIR. The commenter, however, is referred to Section 5.1, AESTHETICS AND VISUAL RESOURCES, and **Master Response-2** for a discussion of proposed housing densities. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 51-d: The commenter raises concerns regarding Bella Vista Water District’s (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 51-e: The commenter reiterates concerns about increases in crime, loss of aesthetic value, and density of the proposed development.

The commenter is referred to **Response 51-b, 51-c, 51-d, Master Responses-2, and Master Response-3**. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

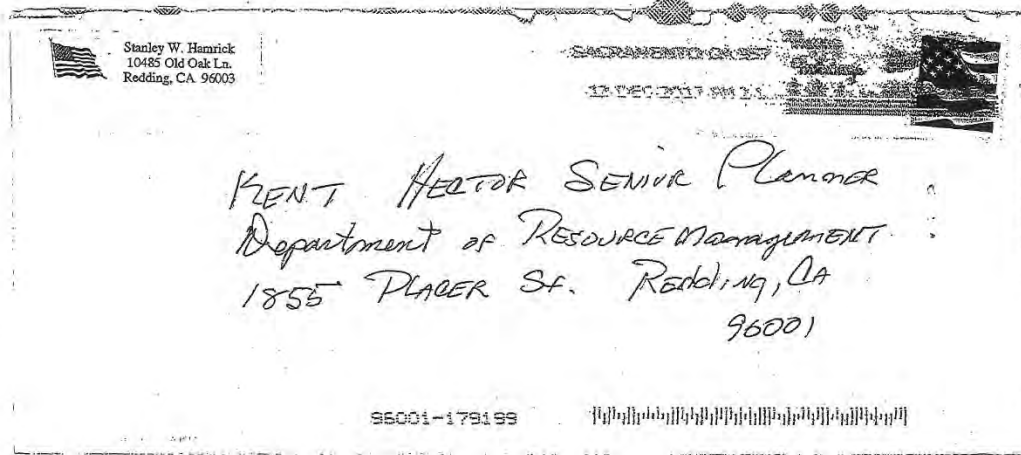
Response 51-f: The commenter states that if the development proceeds at a pace commensurate with consumer demand, maintains high enough property values, residential square footage relative to acreage size, and ensures water supply, he could support the project.

The comment will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Response 51-g: The commenter expresses thanks for considering his thoughts and those of his neighbor.

The comment will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Letter 52 – Stanley W. Hamrick (December 15, 2017)



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PLANNING DIVISION

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Neighbors worried about subdivision east of Redding

Damon Arthur, Record Searchlight Published 4:31 p.m. PT Dec. 11, 2017



(Photo: Damon Arthur/Record Searchlight)

With a 166-home subdivision planned for her semi-rural neighborhood east of Redding, Virginia Siemens is not happy with what the future holds for the area.

While the developer says neighbors in the area will scarcely notice the new homes going in, Siemens isn't buying it.

"You get that many families out there, then they're going to build more stores or something to accommodate them. So it's just the wider roads, more stores, then we're just incorporated into Redding," Siemens said.

Siemens isn't the only resident concerned about more traffic on roads in the area, about 5 miles east of Redding, off Boyle and Old Alturas roads.

Britt Baker, who lives along Old Alturas Road, said over the past 16 years she has watched the number of vehicles whiz by her house steadily increase.

"If you increase that by a whole housing development you're going to have just one steady stream, and everyone speeds around here anyways so it's going to be really dangerous too," Baker said.

Shasta County planning officials are taking public comment on an environmental impact report that analyzes how the proposal would affect traffic in the area. The report also looks at the effects of water use, sewage and sanitation, wildlife, air quality, noise and other issues.

Comments on the report can be sent to Kent Hector, senior planner, Shasta County Department of Resource Management, Planning Division, 1855 Placer St, Redding, CA 96001.

Comments are accepted until Dec. 29.

Richard Simon, the county's resource management director, said the Tierra Robles development is the largest proposed development that has been submitted to the county in several years.

"It's pretty unusual for the unincorporated area of the county," Simon said. "It's a pretty good-sized project anywhere."

The developer, Geringer Capital of Beverly Hills, wants to change the zoning to allow homes to be built on lots ranging in size from 1.38 acres to 6.81 acres on 715 acres of land west of Deschutes Road, south and east of Old Alturas Road and north of Boyle Road.

52-a

Response to Letter 52 – Stanley W. Hamrick

Response 52-a: The commenter photo copied an article entitled “Neighbors worried about subdivision east of Redding,” dated December 11, 2017. Across the heading of the article, the commenter hand wrote, “You must be kidding?” and “No.”

The commenter does not question the adequacy of the Draft EIR and does not the raise a substantive question about the proposed projects ultimate appropriateness for the site, and does not directly raise an environmental issue. The comment and article will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Letter 53 – Sue Harbert (December 17, 2017)

December 17, 2017

Kent Hector Senior Planner

Shasta County Department of Resource Management

Re: Tierra Robles Development

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DEC 20 2017

County of Shasta
Permit Counter

ZONE AMENDMENT

This property is currently zoned for agricultural land and agricultural operations. If the land zoning is change we would be losing grazing land. Grazing land of 1050 animals. We need to protect our grazing land!

53-a

TRAFFIC SAFETY

There are no plans in the ERI to upgrade Boyle Road.

There needs to be some changes to Boyle Road. The existing conditions of Boyle Road will not handle the volume of traffic.

Off of Boyle Road between Old Alturas and Deschutes there are 20 or more individual street (homes on each street with access onto Boyle Road) and 57 each individual driveways with access to Boyle Road. Total of 77 access points to Boyle Road and who knows how many homes/ vehicles. Nothing was found in the current EIR covering this.

53-b

Construction starts there will be heavy equipment. Among this will be multiple vehicles. These vehicles will have to enter off Boyle Road, when approaching from the west turning onto Tierra Robles, there will be no left turn lane. It needs a left turn lane.

If 60% if resident will be using Boyle Road to empty from Tierra Robles, there needs to be changes to Boyle Road. 1.) Boyle Road needs to widened 2.)left turn lane add to turn into Tierra Robles street 3.) Bike path is needed and pedestrians path needs to be added. (There is no bus service therefore some children walk and ride the bikes to school. There are runners and biker use Boyle Road.) Shoulders are narrow and need to be improved.

There are numerous obstructions on Boyle Road. One example: is when exiting Maddelein Lane the hill left onto Boyle Road left (west approximately 600') is/has always problem with cars speeding over the hill in both directions on Boyle

53-c

Road. The direction going west on Boyle Road is even shorter to new main road from the subdivision. This has not been addressed at all and needs to be.

Boyle Road has peak traffic flow times. The high school and North Cow Creek are among these high traffic times.

53-d

And another 166 homes will increase the traffic. Boyles Road needs to be improved!

53-e

WASTE WATER TREATMENT

Where will this building be located in the plan? The plan states it will be centrally located, where?

Will there be daily testing of the plants?

Will the greenhouse gases emissions, put out by this plant, be harmful to land, vegetation's, trees, animals and humans?

53-f

Who will be doing the monitoring of the treatment plant?

Is there any worry of an accidental spill from this treatment plant?

If so, would it be harmful to the land, vegetation, trees, animals and humans?

Will there be a smell at certain times of day or certain time of the year? How will this be addressed?

I could go on and on with questions, this is enough for now.

I am submitting November 9, 2012 again.

Sue Harbert

Palo Cedro, CA 96073



COPY

**PUBLIC SCOPING
SUGGESTIONS/COMMENTS**

**TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT**

Name: *SUE A. HARIBERT*

Agency:

Mailing Address: *10274 MADDELEIN LN.
PALO CEDRO CA 96073*

Phone Number: *(530) 223-3251*

Comments: *SEE ATTACHMENT*

You never returned call of 10-27-12

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

What will be the necessary changes and/or requirements to the school properties?

53-g

Who will pay for the necessary changes to the schools, taxpayers?

People that purchase the smaller properties will not desire the same type of lifestyles as the purchasers of the larger properties. There should not be mixed zoning for the parcels.

53-h

Enough for now, looking forward to next public meeting!

Sue Harburt

Response to Letter 53 – Sue Harbert

Response 53-a: The commenter notes that the proposed project would require a zone change and a loss of grazing land that the commenter states needs protection would result.

The commenter is correct that the proposed project does include a zone amendment, which would change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U), to a Planned Development (PD) zone district. Page 5.2-11 of Section 5.2 AGRICULTURAL RESOURCES discussed that 687.87 acres of the proposed project is designated by the California Farmland Mapping and Monitoring Program (FMMP) as grazing land, of which approximate 154.6 acres would remain. Page 5.2-14 concludes that individually this impact would be less than significant. Mitigation Measure 5.2-2 discussed on page 5.2-19, establishes an off-site agricultural conservation easement that shall provide a grazing capacity of 1,044 Animal-Unit Months (AUMs). Although this mitigation would help offset the impacts, the DRAFT EIR properly concludes that a significant and unavoidable impact would result.

The comment will be referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. No change to the Draft EIR is required.

Response 53-b: The commenter makes various observations about Boyle Road, including the existing configuration, the adjacent homes that use Boyle Road for access, and mentions increased construction traffic. The commenter states that a left turn is needed into Tierra Robles, Boyle Road needs to be widened, a bike a pedestrian path is needed, and shoulders need improvement.

With respect to construction traffic, heavy equipment will be used during construction and that worker trips would increase. As discussed on pages 5.16-28 through 5.16-29 of the DRAFT EIR, some traffic delays during project construction would be expected. A Traffic Management Plan (TMP) to address road closures, maintaining access, noticing, adequate sign posting, detours, and permitted hours of construction would be implemented to minimize disruptions. The use of these measures would result in less than significant short-term construction impacts.

With respect to traffic concerns, including Boyle Road, please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 32-b, 40-a, 43-b, and 47-c**, above. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 53-c: The commenter notes numerous obstruction on Boyle Road but only notes the hill prior to Maddelein Lane specifically. The speed limit on Boyle Road is posted as 45 miles per hour.

With respect to traffic concerns, including Boyle Road, please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 32-b, 40-a, 43-b, and 47-c**, above. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 53-d: The commenter states that Boyle Road has peak traffic flow times, with the high school and North Cow Creek being among these high traffic times.

With respect to traffic concerns, including Boyle Road, please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 32-b, 40-a, 43-b, and 47-c**, above. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 53-e: The commenter reiterates that Boyle Road needs to be improved.

The commenter is referred to **Responses 52-b, 53-c, and 53-d**, above. No changes to the Draft EIR are required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 53-f: The commenter questions where the wastewater treatment plant would be located and if there is daily testing, greenhouse gas emissions, monitoring and treatment, concerns about accidental spills, and odors.

The commenter is referred to Section 3.0, PROJECT DESCRIPTION, (page 3-15 and page 3-22) for a detailed description of proposed community wastewater collection and treatment system. Wastewater from the proposed project would be collected via individual residential septic tanks, transferred to a community collection system, treated, and then recycled for roadway median landscape irrigation. This system must obtain the requisite Central Valley Regional Water Quality Control Board (CVRWQCB) Waste Discharge Requirements permit. The wastewater treatment plant would be located to best serve the proposed project and would be developed in an area within the project footprint and in an area of proposed disturbance. The exact location, however, is not known.

The commenter is referred to **Responses 13-d, 17-b, and 17-j** for information regarding the grey water reuse system, disinfection, odor management, and safety measures to ensure impacts are less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Regarding Greenhouse Gas Emissions, the commenter is referred to Section 5.7, GREENHOUSE GASES AND CLIMATE CHANGE. Pages 5.7-13 through 5.17-16 disclose the emissions and associated impacts of the proposed project and proposed mitigation to reduce the level of impact. The Draft EIR concludes and properly discloses that impacts related to greenhouse gas emissions would exceed thresholds both at the project level and cumulatively and are considered significant and unavoidable. No changes to the Draft EIR are required.

Response 53-g: The commenter questions needed changes to school and asks who will pay and alludes to raising of property taxes.

The commenter is referred to Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS. Page 5.13-13 of the Draft EIR addresses the payment of school fees that would be incurred by the proposed project and would generate approximately \$1,980,048 to be distributed to

the local school districts. In addition, Foothill High School, Columbia Elementary School, and Mountain View Middle School have been experiencing a declining enrolment and therefore has capacity to accommodate and increased student population. The Draft EIR concluded that impacts would be *less than significant*. For additional details, refer to **Response 37-b**. No changes to the Draft EIR is required.

Response 53-h: The commenter makes a statement that people purchasing smaller lots will not want the same lifestyle as those purchasing larger lots.

Comments regarding the proposed project's ultimate appropriateness for the site or comments that do not directly raise an environmental issue are referred to decision-makers, in this case the Planning Commission and Shasta County Board of Supervisors, for further consideration as part of the deliberative process. Differing desires of potential future property owners do not constitute or rise to the level of a "Physical changes" as defined by the State *CEQA Guidelines* §15064. No change to the Draft EIR is required and the opinion does not warrant a detailed response under CEQA.

The commenter states there should not be mixed zoning for the parcels. The proposed project does not propose to mix zoning. The proposed project includes a zone amendment, which would change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U), to a Planned Development (PD) zone district. The commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density

Letter 54 – Jacqueline Matthews (December 21, 2017)

December 21, 2017

Shasta County Department of Resource Management
Planning Division
Attn: Kent Hector
1855 Placer Street, Suite 103
Redding, CA 96001

RECEIVED

DEC 21 2017

County of Shasta
Permit Counter

COMMENTS ON ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED TIERRA ROBLES PLANNED DEVELOPMENT PROJECT

Dear Mr. Hector:

I am a resident living in the vicinity of the proposed Tierra Robles Planned Development Project (Project) and have major concerns regarding potential traffic impacts along Old Alturas Road. In 2016, I purchased a home along Old Alturas Road, just west of the proposed project outlet onto Old Alturas Road and Seven Lakes Road. In the year that I have resided in the area, I have observed significant traffic along Old Alturas Road (between Old Oregon Trail and Deschutes Road). I have concerns regarding increased traffic from the Project along Old Alturas Road, north of Boyle Road to Deschutes Road, as follows:

- 1) The road is highly travelled at commute times and is a popular route to Redding for residents living in Bella Vista. 54-a
- 2) This stretch of road is narrow with no shoulders.
- 3) Trees are immediately adjacent to the road north of Seatac Lane.
- 4) Wildlife cross the road daily (deer, turkey, turtles, coyotes).
- 5) There are frequent wildlife and domestic animal fatalities.
- 6) Drivers traverse the road at a high rate of speed. The posted speed limit is 40 miles per hour, but drivers easily hit speeds in excess of 60 miles per hour.
- 7) Significant flooding occurs along this stretch of road during the winter time. I observed significant flooding during the 2016/2017 winter on Old Alturas Road at 1) the crossing of the ephemeral stream east of Easy Street and 2) at Clough Creek at Seven Lakes Road in excess of five times. These flood events occurred after short intense rain bursts and prevented homeowners living in the area from accessing their residences. Any increased impervious areas from the Project will only compound flooding and traffic issues. 54-b
- 8) Increases in noise from construction and residential traffic going to and from the Project. 54-c
- 9) Fire danger is high/extreme in this area. Additional traffic and residences will only compound the fire danger. 54-d

I have reviewed the *Traffic and Circulation Section* of the Environmental Impact Report (EIR) and believe it to be inadequate for the following reasons:

- 1) The EIR did not adequately consider that the stretch of Old Alturas Road, from Seven Lakes Road to Boyle Road, will likely be used by a large portion of residents that reside on the northern side of the Project to enter the City of Redding; this section of Old Alturas is currently used by many residents of Bella Vista as a 'short-cut' into the City and it is the preferred route over Hwy 299. This stretch of road is narrow with no shoulders, abundant wildlife, and many residences. 54-e

Suggestions: Reassess the number of residents that will use the stretch of Old Alturas Road, from Seven Lake to Boyle road, to access Redding. Include Old Alturas Road, from Seven Lakes

Mr. Kent Hector
December 21, 2017

2

Road to Boyle Road, in the discussion on pages 5.16-6 and 5.16-7. Propose mitigation measures for this stretch of Old Alturas, such as, flashing speed limit signage and installation of paved shoulders along the road for safety. And/or propose an alternative or additional outlet onto Deschutes Road.

54-e
Cont.

- 2) Page 5.16-6 does not include complete statistics on the reported number of collisions for the section of Old Alturas Road from Deschutes Road to Seven Lakes Road. The text of the document seemingly ends in the middle of the statistics.

54-f

Suggestions: Include the statistics on the 6 reported collisions in 2015 and include that the collision rate of 33 percent is statistically significant. Include mitigation measures for this stretch of Old Alturas Road, at a minimum, the installation of paved shoulders. And/or propose an alternative or additional outlet onto Deschutes Road.

- 3) All of the Figures in Section 5.16, seven in total, were not accessible online and therefore not available for public review/comment.

54-g

The outlet from the Project onto Old Alturas is a safety hazard, for the reasons discussed in Items #1-9 above. The EIR is inadequate for the reasons discussed in #1-3; additional analysis and mitigation measures are necessary as discussed under "Suggestions". Outlet alternatives for the Project, to help address the items detailed in this letter, are discussed below.

Project Outlet Alternatives:

- 1) Include an outlet from the Project onto Deschutes Road *in lieu* of the outlet onto Old Alturas. An outlet onto Deschutes Road from the eastern portion of the Project is a preferred alternative to the outlet onto Old Alturas because appropriate road infrastructure already exists on Deschutes (i.e. paved shoulders, wider lanes, not subject to regular winter flooding). An additional outlet onto Deschutes Road would also improve fire safety access to the eastern portion of the project, which is in an extreme fire danger area.
- 2) Include an *additional* outlet onto Deschutes Road (for a total of three Project outlets (1-Boyle Road, 2-Old Alturas Road, 3-Deschutes Road)). An additional outlet onto Deschutes Road would break up traffic volume, reducing driver hazards, noise, and wildlife impacts. The additional access point would improve fire safety access to the Project.

54-h

I employ you to seriously consider requiring road mitigation measures (as proposed in this letter) on Old Alturas from Deschutes Road to Boyle. Moreover, I employ you to seriously consider requiring an additional outlet onto Deschutes Road to help reduce traffic impacts and improve safety in this rural area.

54-i

Respectfully,



Jacqueline Matthews
Resident along Old Alturas Road
jcmatthews81@gmail.com

ec: Kimley-Horn and Associates, Inc., Sacramento, services@kimley-horn.com

Response to Letter 54 – Jacqueline Matthews

Response 54-a: The commenter states concern regarding traffic on Old Alturas Road north of Boyle Road to Deschutes Road because the road is highly travelled, is narrow with no shoulders, areas have trees adjacent to the roadway, and there are collisions between vehicles and wildlife/domestic animal.

Please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 32-c, 35-c, 40-a, and 43-b**, above, regarding traffic and safety. Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR provide further detail regarding traffic impacts. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-b: The commenter states that significant flooding occurred along Old Alturas Road north of Boyle Road to Deschutes Road during 2016 – 2017 and is concerned impervious surfaces built as part of the proposed project will increase flooding risk.

The commenter is referred to Page 5.19-18 in Section 5.9, HYDROLOGY AND WATER QUALITY, which discussed the potential for increased flooding. The Draft EIR discussed infiltration, runoff, and how new impervious surfaces can affect hydrology and may affect downstream flooding. The Draft EIR concluded that there was no change in the pre- and post-development flow of Clough Creek due to the use of onsite LID facilities to retain the additional storm water runoff that would result from roof impervious areas significantly reduces the total impervious area of the basin.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-c: The commenter makes a statement regarding increased noise from project related traffic entering and exiting the site.

Regarding traffic noise, please refer to **Response 41-a**, above. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-d: The commenter notes that fire danger is high and the project will compound the issue.

The commenter is referred to **Response 43-e**. The Draft EIR concluded that impacts would be less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-e: The commenter requests that traffic impacts be reassessed for Old Alturas Road from Seven Lakes Road to Boyle Road and requests that mitigation such as flashing speed limit signs and paved shoulders be required.

Please refer to **Responses 14-b, 35-c, 40-a, and 49-b**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-f: The commenter states that the Draft EIR does not include complete statistics on the number of collisions for the section of Old Alturas Road from Deschutes Rod to Seven Lakes Road. The commenter states that the collision rate of 33 percent is statistically significant. The commenter requests mitigation measures including paved shoulders.

The text on page 5.16-6 of the Draft EIR has been revised to include all six primary collision factors so that the EIR now includes: 1 DUI, 1 hitting an animal, 1 unsafe speed, and 2 improper turn. With this revision, the EIR text matches the information in Appendix 15.9, TRAFFIC IMPACT STUDY.

With respect to project-specific impacts related to traffic and safety, please refer to Responses 14-b, 32-c, 40-a, and 48-p, above. Please also refer to Impact 5.16-2 in Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, for additional details on traffic and safety related impacts. As discussed in Impact 5.16-2, the section of Old Alturas Road between Deschutes Road to Seven Lakes Road is curvilinear and narrow with roadside obstructions. This section of rural roadway has a collision rate 33 percent higher than the statewide average for similar facilities. It is estimated that 17 percent of the project traffic will use this section of roadway which will increase the ADT by 27 percent in the Existing Plus Project conditions and by 23 percent in the Year 2035 Plus Project conditions. The increase in traffic, in combination with the overall very low traffic volumes and LOS A conditions, is not expected to significantly increase the rate of collisions. Less than significant impacts would occur in this regard.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-g: The commenter notes technical difficulties in accessing the figures in Section 5.16, TRAFFIC AND CIRCULATION, of the Draft EIR.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-h: The commenter expresses concern that the currently proposed access from the project site to Old Alturas Road is a safety hazard and suggests project outlet alternatives including an outlet from the project site to Deschutes Road, either in addition to the currently proposed outlets or in lieu of the currently proposed outlet to Old Alturas Road.

With respect to project-specific impacts related to traffic and safety, please refer to **Responses 14-b, 32-c, 40-a, 48-p, 54-e, 54-f, and 54-g**, above. With respect to project site access, because of biological restrictions, the resource management areas (RMAs)

identified on-site, and the proposed site plan (refer to Figure 3-6, PROPOSED TENTATIVE MAP, of the Draft EIR), no access is currently proposed to Deschutes Road. In addition, currently there is no feasible access between the project site and the existing roadway network that would not require right-of-way acquisition from neighboring parcels. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 54-i: The commenter restates the position of requesting road mitigation and requesting an additional outlet to Deschutes Road.

Please refer to **Response 54-a** through **Response 54-h**, above. No new issue or adequacy of the Draft EIR was raised by the commenter that was not discussed above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 55 – Maggie Freeman (December 22, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 22, 2017 8:16 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles Subdivision

Tracie Huff

Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax



From: mconlinn@citlink.net [mailto:mconlinn@citlink.net]
Sent: Thursday, December 21, 2017 12:11 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles Subdivision

Dear Sir,

I will be brief.

I oppose this subdivision because there is not enough water, not enough sheriff's deputies, not adequate roadways, and it appears the sewage facility will line up with the end of our street.

Mark me down as opposed to this subdivision.

Maggie Freeman
11386 Easy St.
Redding, Ca 96003
530-549-4270

55-a

Response to Letter 55 – Maggie Freeman

Response 55-a: The commenter opposes the project and states reasons such as lack of water supply, lack of Sheriff services, inadequate roadway networks, and potential location of the sewage facility.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

With respect water supply, the commenter is referred to **Master Response-3**, as well as **Responses 7-a** through **7-p**. With respect to traffic impacts and the roadway infrastructure, refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 32-b, 40-a, 43-b,** and **47-c**, above. With respect to the wastewater facility (sewage facility), please refer to **Responses 13-d, 17-b, 17-j, 43-d** and **53-f**, above.

For additional information regarding public services and utilities and service systems, including the proposed sewage facility, the commenter is referred to Draft EIR Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, and Section 5.17, UTILITIES AND SERVICE SYSTEMS, which concluded that each of the referenced topics were evaluated in the Draft EIR and concluded *less than significant* or *less than significant after mitigation*.

Letter 56 – Rick Thompson (December 22, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 22, 2017 8:17 AM
To: Kimberly Hunter
Subject: FW:

Tracie Huff
Administrative Secretary I
Shasta County Resource Management
1855 Placer Street
Redding CA 96001
(530) 225-5532 Phone
(530) 245-6468 Fax



From: Rick Thompson [mailto:rickt2100@gmail.com]
Sent: Thursday, December 21, 2017 3:02 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject:

No on terrace robes project,there is already to much unmonitored traffic on these roads,not enough water

56-a

Response to Letter 56 – Rick Thompson

Response 56-a: The commenter states opposition to the proposed project stating issues related to water and monitoring traffic.

No issue or adequacy of the Draft EIR was raised by the commenter. However, the commenter is referred to **Master Response-3** regarding concerns about water supply. The commenter is referred to Section 5.16 TRAFFIC AND CIRCULATION for a discussion of traffic impacts. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No change to the Draft EIR is necessary.

Letter 57 – Christie Smith (December 22, 2017)

12/22/2017
VIA EMAIL

Kent Hector, Senior Planner, Kim Hunter, Director
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Redding, CA 96001

Mr. Hector

Re: Tierra Robles Planned Development

Please consider the following comments, questions, concerns, and conditions of approval regarding the Tierra Robles Planned Development:

57-a

1. This is a proposed development of 166 units. Are these parcels excluded from having an accessory dwelling unit such as in-law quarters? If not, then each parcel could request an accessory dwelling unit and we are then dealing with a vast variety of impacts from as many as 332 units. Why not simply condition the project to prohibit (or limiting the allowable number to a very small percent) any second units on parcels within this planned development through zoning or other permanent means. Additionally, out of 166 homes you should expect that some of them may have illegal room conversions to bedrooms, garage conversions, or just illegal habitation of travel trailers as can be found around Shasta County today.

57-b

2. How is the County going to limit irrigation water use and meet the requirements of MWEL0 on these parcels? If the project is approved, a Shasta County department must have some way to monitor and cite, if necessary, extensive use of irrigable exterior landscaping to prevent large irrigated areas on each parcel. This is not a responsibility that the County should dump onto BVWD which is an organization that provides water service to its customers and is not equipped to be an enforcement agency required to inspect and monitor irrigation water use. Neither is this something that could possibly be regulated by a CSD (see comments below). This development is a planned community of what appears to be large, expensive homes. Interior and exterior water use would usually be higher with purchasers of these homes as they can afford to use water and pay any penalties for overuse during drought situations.

57-c

3. Given recent problems with County Water CSA's why would Shasta County want to form a CSD knowing that the Shasta County Board of Supervisors will be the CSD Board until enough parcels are developed to allow election of a CSD Board? Who will enforce the various development standards if the CSD Board (elected from only 166 parcels of neighbors and

57-d

community members) fails to act? We have a second home with a homeowner association to enforce many of the same conditions and CCR's but this enforcement is variable, changing with committee and Board membership - they frequently allow projects and construction clearly at odds with written requirements and CCR's leaving it up to an individual homeowner to file a lawsuit against a neighbor to enforce CCR's. The project developer will initially appoint a design review committee that at some point will revert back to the residents of the development making it much easier to vary from the proposed plans and allow development in the non-disturbance areas. This would appear to be contrary to wetlands regulations and mitigation's.

57-d
Cont.

4. The Central Valley Regional Water Quality Control Board recently commented to you (and made those comments available to the public) that they support efforts to end the proliferation of small community treatment plants (such as the one proposed here) which are costly to operate and frequently are found to be out of compliance with regulatory requirements. What local public agency has the funding (and the desire) to responsibly operate this system? Conditioning the development to pump effluent to the Palo Cedro CSA seems like a better idea.

57-e

5. While I am writing this I am waiting for the CD of the appendices because I was unable to down load some of them. FYI - I am using the same internet provider that would serve this planned development. This system appears to be slow, has frequent problems resulting in programs not responding to commands, and will not get any better by adding the homes in this development. I would suggest a condition of approval to require the installation of new internet service lines to serve this planned development and everyone else in the area. This would be similar to conditions of approval addressing the installation of new power, phone, and water lines as required by the respective providers.

57-f

6. Where are the soil test results that show that soils within this development can handle the wastewater flow from 166 dwellings and an unknown number of secondary units? Shasta County was recently forced by California law to adopt new sewage disposal regulations that include individual systems designed to treat household wastewater and filter it for drip dispersal of effluent (similar to what is proposed here). This site will have a sewage disposal system approximately 166 times greater (or more depending on the number of second dwelling units) than the individual system regulated by Shasta County. Shouldn't this site show that it meets or exceeds the same soil standard for sewage disposal that the State of California forces local property owners to meet?

57-g

7. Table 5.16-1 lists recent yearly "collisions". These numbers do not include numerous incidents where vehicles damage fences, landscaping, and paper or mail boxes or where vehicles end up in drainage ditches or stuck off of the road in mud. For example, one group of trees near the eastern end of Boyle was struck twice in the past six months as evidenced by skid marks, damage to the trees, and tire tracks into the mud as drivers took sharp turns too fast. Many of these incidents are not reported by drivers and may be discovered by property owners after the fact. Additionally deer, coyotes dogs, cats, and other mammals and buzzards, hawks, and other birds are killed on roads proposed for use by this planned development. Many times property owners and local citizens remove these dead animals left on or adjacent to roads and collect no compensation for damaged property as described above. What condition of approval will correct this? My recommendation is to condition the project to have the developer purchase right-of-way, as needed, to straighten out the four dangerous curves on Boyle Road and construct those improvements prior to the sale of any parcels/homes. Over the years, several county residents have been seriously injured and have even died at these curves so why not reduce this accident hazard for us and for purchasers of parcels within the development. Further, there does not appear to be a left hand turn lane on Boyle from the development. I can not think of another development, large or small, in the county or cities that was built without this turn lane. Condition the project to require this turn lane.

57-h

8. During morning and evening commutes, and mornings North Cow Creek School, Bella Vista School, and Foothill High School are in session, traffic on the roads serving this planned development are dangerous. Drivers take sharp curves too fast for the narrow road widths and this will only get worse if the project is approved (see # 7 above). As a condition of approval we look forward to seeing Boyle Road and portions of Old Alturas Road widened and straightened to prevent further accidents and near misses when nearly 1800 new vehicle trips are added by this development (Table 5.16-8). Table 5.16-9 indicates that there will be 1,793 average daily trips on Boyle Road (Existing plus Project) and Table 5.16-8 projects 1774 new vehicle trips so which figure is the correct number of vehicle trips on Boyle Road? Please excuse me if I misunderstood the vehicle trip numbers given in the traffic report. What is planned to safely address the dangers of all of these additional vehicles crossing Deschutes Road as vehicles cross to North Cow Creek school or cross to drive North on Deschutes Road. This intersection has limited site distance for the speeds driven (in excess of posted speed limits) on Deschutes Road making stop signs or signals on the blind

57-i

<p>intersection (from two of the four street directions) seem like a dangerous proposition. 11% funding of street crossing/signal/sign improvements doesn't seem adequate for the additional risk (with no time frame given for these improvements). There has been at least two accidents at this intersection since the Draft EIR was released for review. I do not understand why the Airport Road/Hwy 44 intersection will receive priority over the Boyle/Deschutes Roads intersection and improvements along Boyle Road. Using Boyle Road to either Deschutes Road or to Old Alturas to travel to Redding does not involve the use of the 44/Airport Road intersection (which is in the City of Redding and not in the unincorporated area of Shasta County). I was not aware that the City of Redding generously shares their funding with the County or BVWD so why is this improvement funding given to Redding? I would propose that a much better alternative would be to access the development solely from Deschutes Road through a newly constructed road to eliminate the massive traffic impacts to Boyle Road and the related intersections.</p>	<p>57-i Cont.</p>
<p>9. As a condition of approval require the construction of a bike lane along the entire length of Boyle Road and from Boyle Road to Foothill High School along Deschutes Road and from the project along the north access road onto Old Alturas Road to Bella Vista School.</p>	<p>57-j</p>
<p>10. As a condition of approval prohibit the removal of any Oak Trees and riparian vegetation from the development.</p>	<p>57-k</p>
<p>11. As a condition of approval prohibit the drilling of any water wells within the development boundaries (water well quantity and quality are probably not suitable anyway). The BVWD will assume ownership of the water delivery system and fire hydrants within the development and needs revenue from all of the parcels to maintain those facilities. Allowing the drilling of private wells (as the County has done on numerous subdivisions reviewed and approved under CEQA as being served by public water) so that the builder/owner does not need drinking water from BVWD reduces that necessary revenue and harms the District financially. BVWD still needs to maintain the pipelines, valves, and fire hydrants. Will Shasta County make up that revenue shortfall?</p>	<p>57-l</p>
<p>12. I disagree with the findings of "Less Than Significant Impacts" with regards to the quality and quantity of storm water run off from the development. Feces from domestic and farm animals, storm runoff, and upset conditions from the sewage treatment system, and improperly constructed and used greywater systems will certainly impact storm water quality. Additionally how could 166 homes, an unknown number of secondary dwelling units, and numerous detached garages, barns, sports</p>	<p>57-m</p>
	<p>57-n</p>
	<p>57-o</p>

courts, and other similar structures, plus all of the development roads, driveways, and other paved and concrete areas of each parcel not seriously impact the quantity of storm water run off? Cattle, horses, and other larger animals compact the soil within their pens, further leading to loss of storm water percolation, adding to storm run off. Each one of these reduces the exposed soil area for storm water percolation. I would recommend the following conditions of approval:

57-o
 Cont.

1. There shall be no farm animal pens within 150 feet of run off channels.
2. Storm water retention basins be constructed at every drainage discharge point from the development. At a minimum, retention basins are to be designed to hold water for at least a 24 hour period for sediment removal and to eliminate surge flows from the site. Additionally, beyond the 24 hour retention time, the basin is to be large enough to contain all run off from a one hour storm of 1 inch per hour proportions (this would be significantly larger than the LID proposal in the DEIR because roof structures (the reason that LID's are mentioned in the EIR) would be a small percentage of total site coverage when roads, driveways, and other surface paving or compaction are counted).

13. As a condition of approval require that any portion of the sewage treatment plant and secondary disposal area be constructed at least 150 feet from the development perimeter to reduce the potential of odors drifting off site during periods of upset and maintenance. If this sewage treatment system is of such a wonderful, odorless design then place it next to development homes and not at an adjacent property boundary.

57-p

14. As a condition of approval prohibit ANY disturbance within at least 150 feet of Clough Creek.

57-q

15. It is not clear from the narrative what chlorine compound is to be used for sewage effluent disinfection. As a condition of approval note that chlorine gas use is prohibited as it is just too dangerous for a tiny CSD to properly train for and handle.

57-r

16. With respect to the greywater systems, who is responsible for operating flow diversion devices during rainy periods so that they are not used during rainy periods when the soil is saturated? I would not expect the CSD or property owners to handle this task. Who will be responsible for routine maintenance of these systems? They do require tank cleaning and other maintenance to function properly. Who will be responsible for this maintenance? The average homeowner does not have the ability to maintain these systems.

57-s

17. Grading plans to construct improvements for the development, are highly regulated while I do not see any discussion of the same regulation of driveway, residential pads, and other similar grading (with the exception of a stormwater retention pond on each lot) to construct improvements as each parcel is developed. Who is going to enforce the same provisions with respect to these grading operations? The conditions placed on the site developer exceed normal conditions placed on grading permits for dwellings and driveways and I would encourage the same conditions on residential construction.

57-t

18. The vesting tentative map includes the terms Resource Management Area and NON-Disturbed Private Open Space on each Lot Book Page. If I understand these terms correctly, the Resource Management Area of each parcel can not be disturbed unless the CSD (see #3 and 17 above) and Shasta County approve the disturbance. What County agency has been designated to enforce this Non-Disturbance concept? Resource Management does not patrol the county seeking out violations, instead relies on citizen complaints to identify code or development violations. The complaints received by the County are probably a very small percentage of actual violations or variations from codes and standards. I would propose to eliminate the ability to construct improvements, including fencing, and conducting any other form of disturbance in these private-owned open space areas.

57-u

19. The design guidelines to be "enforced" by the CSD contain few "shall" requirements but are guided by numerous "should" language making compliance variable based in the make up of the design review committee (see # 3 above). While this may be acceptable for structure construction styles and details it is not acceptable for any site disturbance activity to include grading, fencing, and other structures. "Should" would appear to mean that yes, you may vary what you want to do from what we want people to think we want you to do based on your ability to convince the design review committee to allow something. In ten years no one at Shasta County will know that a note on the map prevents certain activities or can easily allow these activities through human error.

57-v

20. I am opposed to the rezone on these parcels. Should a subdivision be approved then the development should be limited only to the number of parcels allowed under the existing zoning.

57-w

21. The Shasta County Sheriff's Department does not have the capacity to respond to anything but routine incidents in Shasta County and adding 166 homes will not provide enough funding to add Deputies to patrol Palo Cedro. Neither will taxes from 166 homes allow Deputies to be paid a higher salary to promote retention of the more qualified officers who, after gaining

57-x

minimal experience, routinely leave for jobs in higher paying jurisdictions nor allow more prisoners to be housed in the County jail.	57-x
22. Shasta County has a need for affordable housing and the homes depicted in the DEIR are definitely not considered "affordable" to the vast majority of Shasta County citizens. We moved to Palo Cedro for the quiet, rural atmosphere and approval of this planned development would go a long way in turning this rural community into a crowded urban area. This development does not fit into this neighborhood and needs to be denied. Build this development on property in the City of Redding where water, sewer, police, and fire services are readily available. Additionally a similar development, Tierra Oaks, has dozens of vacant lots awaiting the construction of very large, expensive homes so why do we need to approve another development that will take decades to build out.	57-y
Thank you for the opportunity to comment on the Draft EIR and I appreciate the extension of the comment period.	57-z

Christie Smith
10613 April Lane
Palo Cedro

Response to Letter 57 – Christie Smith

Response 57-a: The commenter makes an introductory statement requesting the comments in the letter are considered. No issue or adequacy of the Draft EIR was raised by the commenter. Specific comments in the letter are addressed individually below. No change to the Draft EIR is necessary.

Response 57-b: The commenter questions the use of accessory dwelling unit and states that every unit could request an accessory dwelling. The commenter suggests conditioning the project to disallow or limit accessory units. The commenter also questions that some residents will use illegal room conversions to bedrooms or other illegal habitation.

The commenter is referred to Page 5.12-8 in Section 5.12, POPULATION AND HOUSING, which notes that pursuant to Government Code Section 65852.2 every approved residential lot would be entitled to an accessory dwelling unit. The commenter also is referred to Page 3-16 of Section 3.0, PROJECT DESCRIPTION, which explains that the estimate of 9% of residences having accessory dwelling units is based on data compiled as part of the County's 2009-2014 Housing Element (Appendix B-Residential Land Inventory) and the County's Draft Housing Element (Appendix B-Residential Land Inventory).

Regarding the commenters questions regarding illegal activity resulting in additional residents. State *CEQA Guidelines* §15064 (d)(3) states, "An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable." It is speculative to state that future residents would illegally convert rooms and that such a conversion would have a negative impact on the environment. CEQA analysis is limited to what is known or reasonably foreseeable, therefore, this speculation is not a part of the analysis included in the Draft EIR. No changes to the Draft EIR are required.

Response 57-c: The commenter questions enforcement of water use restrictions and states the responsibility should not fall to the Bella Vista Water District (BVWD). The commenter then states that the large and expensive homes will use more water.

Please refer to **Master Response-3**, above, as well as **Responses 7-a** through **7-p**, above. The proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County Local Agency Formation Commission. The TRCSD would be used as a means to oversee and implement the plans and facilities within the development and they would oversee the Tierra Robles Design Guidelines; Tierra Robles Oak Woodland Management Plan; Tierra Robles Wildland Fuel/Vegetation Management Plan, Open Space Management, and Resource Management Area Management and Oversight; Road Maintenance; Storm Drain Maintenance; and Waste Water Collection, Treatment and Dispersal Facilities. As such, the TRCSD would largely act as an HOA in addition to having more responsibility in the management of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 57-d: The commenter questions the formation of the TRCSD and questions who will enforce the various development standards if the CSD Board fails to act.

This comment is specific to the formation of the TRCSD and the actions of the TRCSD, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with Shasta LAFCo to form the TRCSD. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-e: The commenter states concern that the proposed onsite wastewater treatment plan will not be adequately supported by the proposed Community Services District and recommends requiring a condition to pump effluent to the Palo Cedro CSA.

The commenter is referred to Section 5.17, UTILITIES AND SERVICE SYSTEMS, which discloses potential impacts associated with the operation of the wastewater treatment plan and explaining how it would stay in compliance with Title 22 and other requirements. Impacts were less than significant.

The commenter is referred to **Responses 13-d, 17-b, 17-j, and 53-f** for additional information regarding the grey water reuse system, disinfection, odor management, and safety measures to ensure impacts are less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-f: The commenter notes an inability to download some portions of the appendices and notes that the internet system in the project area is slow. The commenter suggests a condition of approval to require installation of new internet lines to serve the proposed project.

The question of internet quality, however, is not an issue for CEQA. State *CEQA Guidelines* § 15358(b) state that effects analyzed under CEQA must be related to a physical change in the environment. The commenter is referred to **Response 48-c**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-g: The commenter questions where the soil test results are and questions that the on-site soils can adequately handle wastewater dispersal.

The commenter is referred to **Response 43-d** for a discussion of the site soils and use to dispersal. The commenter also is referred to Section 3.0, PROJECT DESCRIPTION, (page 3-15 and page 3-22) for a detailed description of proposed community wastewater collection and treatment system. Regarding the concern of meeting the same standards the State of California requires of local property owners, the wastewater treatment system would be designed to meet the reuse requirements for discharge of Title 22 (Disinfected Secondary Effluent). The commenter is referred to **Response 13-d**, above.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 57-h: The commenter is concerned with traffic safety and accident rates on study area roadways, especially Boyle Road, and requests a condition of approval to require the project developer to provide improvements to the four curves on Boyle Road and to require turn lanes on Boyle Road at the project site's entrance.

Regarding traffic safety and accident rates, please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 40-a, 48-i, 48-k, 48-p, 49-b, 50-b, 54-a, and 54-f**, above. Traffic impacts and required mitigation measures are analyzed in detail in Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR. When requiring roadway improvements associated with a specific project, the fair share cost or payment can be based upon the percentage of project traffic at the particular intersection and/or road system. Refer to **Response 17-p** for further discussion regarding fair share funding. Regarding the request for turn lanes, please refer to **Response 53-b**, above. County roadway improvement that are not directly related to the proposed project, and are not required as mitigation for project-specific traffic impacts, are out of the scope of the proposed project. These are roadway improvements and safety program concerns that can be accommodated by the Regional Transportation Plan. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-i: The commenter expresses concern with the increase in new vehicle trips per day and the safety of Boyle Road and Deschutes Road (Intersection #13). The commenter also questions the differences between the average daily trips provided in Table 5.16-9 and the new vehicle trips provided in Table 5.16-8. The commenter requests a condition of approval to widen and straighten portions of Boyle Road and Old Alturas Road.

Regarding the proposed projects impacts to Boyle Road and Deschutes Road (Intersection #13), please refer to **Responses 4-b, 5-c, 13-e, 14-b, 17-o, 17-p, and 48-q**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

As discussed in **Response 13-e**, Table 5.16-8, PROJECT TRIP GENERATION, provides a summary of the land use and quantities (i.e., units) for the proposed project, along with corresponding ITE land use codes from which trip generation characteristics were established and analyzed. As discussed on page 5.16-15 of the Draft EIR, it is estimated that the proposed project would generate approximately 1,774 new daily trips, with 135 vehicle trips generated during the AM peak hour and 175 vehicle trips generated during the PM peak hour period. The directional trip distribution and assignment of project-generated trips were estimated based on an understanding of existing and projected future traffic flows and travel patterns within the vicinity of the proposed project site, location of local and regional housing and employment/commercial centers in relation to the propose project site, and supplemented by the use of the Shasta County Regional Travel Demand Forecast model. Trip distribution from the two entrances into the project site is graphically depicted in Figure 5.16-3, PROJECT TRIP DISTRIBUTION, of the Draft EIR,

page 5.16-16. the traffic would be distributed along multiple roadways within the circulation network, and would not only use Boyle Road. Thus, Table 5.16-9, EXISTING PLUS PROJECT ROADWAY LEVEL OF SERVICE, provides the average daily trips that each roadway segment would accommodate assuming the existing traffic volumes and the addition of the project's estimated traffic volumes, based on the distribution of the traffic. Therefore, Boyle Road (west of Deschutes Road) would experience LOS A with 1,793 ADT, an increase of 337 ADT from the exiting conditions (refer to Table 5.16-6, EXISTING ROADWAY LEVEL OF SERVICE, of the Draft EIR). The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Regarding conditions of approval to improve safety on area roadways, please refer to **Response 57-h**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-j: The commenter questions the priority of the improvements at Airport Road/Highway 44 versus improvements on Boyle Road or at Boyle Road and Deschutes Road (Intersection #13). The commenter questions why the improvement funding would be given to the City of Redding.

Please refer to **Responses 13-e, 41-a, and 48-w**, above, regarding the Airport Road/SR 44 interchange. Refer to **Responses 57-h and 57-i**, above, regarding improvements to Boyle Road and Boyle Road and Deschutes Road (Intersection #13). Regarding a project's fair share of roadway improvements, please refer to **Responses 17-p and 57-h**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-k: The commenter requests that access to the project be made available from Deschutes Road.

Please refer to **Response 54-h**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-l: The commenter requests that the proposed project construct a bicycle lane the entire length of Boyle Road and along Deschutes Road from Boyle Road to Foothill High School, and on Old Alturas Road from the north entrance of the project site to Bella Vista Elementary School.

Please refer to **Responses 14-b, 17-f, and 48-v**, above, regarding bicycle lanes. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-m: The commenter states that a condition of approval should prohibit the removal of all oak trees and riparian vegetation.

CEQA analysis should be focused on the reasonableness of the action as whole. Requiring a condition of approval to completely avoid all oak trees and riparian areas is not a reasonable condition or mitigation as it would disallow the proposed project and all Alternatives, except the No Project Alternative. For additional discussion regarding Alternatives, the commenter is referred to **Master Response-1, Response 44-a, and Response 45-a**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-n: The commenter requests that the drilling of private wells be prohibited because BVWD needs the revenue and BVWD maintains the pipelines, valves and fire hydrants.

Please refer to **Master Response-3, Responses 7-d, 14-a, 15-a, 16-d, and 17-h**, above. No private wells are anticipated as a result of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-o: The commenter disagrees with the conclusion of the Draft EIR in regard to impacts to water quality. The commenter states that uses including keeping of domestic and farm animals, the sewage treatment plant, upset conditions, and use of grey water will impact storm water. The commenter further questions how the potential ancillary structures and project infrastructure would not seriously impact storm water runoff. The commenter then recommends conditions of approval to include farm animal setbacks from channels, and additional storm water retention basins.

The commenter is referred to Section 5.9, HYDROLOGY AND WATER QUALITY, which as was stated in the comment, noted impacts to Hydrology and Water Quality would be *less than significant, or less than significant with mitigation*. The commenter states disagreement with the conclusion of the Draft EIR but does not provide comments accompanied by substantial evidence or factual support. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-p: The commenter states that a condition of approval should require the wastewater treatment facility and any secondary disposal area be 150 feet from the development perimeter to reduce potential for odors.

The commenter is referred to **Response 53-f**, above, and is referred to Page 5.3-21 of Section 5.3, AIR QUALITY, regarding the discussion of potential odors associated with the proposed community wastewater collection and treatment system. Impacts from odors were found to be less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-q: The commenter states that a condition of approval prohibiting any disturbance within 150 feet of Clough Creek should be included.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-r: The commenter asks what chlorine compound will be used for wastewater treatment and requests that a condition of approval be made to prohibit chlorine gas use.

Please refer to *Responses 13-d, 43-d, 53-f, 57-e, and 57-p*, above, regarding the wastewater treatment facility. Please refer to Chapter 3.0, PROJECT DESCRIPTION, subheading "Wastewater" beginning on page 3-22 of the Draft EIR for a detailed description of the wastewater system and facility. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-s: The commenter raises questions regarding the grey water systems and asks who is responsible for operating of flow diversion devices and routine maintenance. The commenter asks if maintenance is required to function properly, who is responsible for the maintenance, and stated that the average homeowner does not have the ability to maintain these systems.

The commenter is referred to page 5.17-21 of Section 5.17, UTILITIES AND SERVICE SYSTEMS, which states that community wastewater and treatment system would be owned and operated by the Tierra Robles Community Services District (TRCSD). No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-t: The commenter notes they did not see any discussion of regulations related to grading of driveways, residential pads, and other similar grading in relation to individual parcels. The commenter questions who will be responsible for enforcing these grading operations.

All grading on the project site would be required to conform to the Shasta County Grading Ordinance. As such, grading permits would be required and all conditions attached to any grading permit would be verified by the County. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-u: The commenter questions the uses within the Resource Management Areas and Open Space, and asks what County Agency would enforce the non-disturbance concept. The commenter notes that monitoring would be difficult and proposes to eliminate the construction of any improvements private open space areas.

As discussed on page 5.10-14 of Section 5.10, LAND USE AND PLANNING, the TRCSD, as approved by the Shasta County Local Agency Formation Commission, would management the resource management areas and open space. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-v: The commenter notes that under the design guidelines there are numerous instances of the use of the word 'should' instead of 'shall.'

The commenter is correct that both 'should' and 'shall' are used within Section 3.0, PROJECT DESCRIPTION, to describe the design guidelines. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-w: The commenter expresses opposition to the rezone and states that should the rezone be allowed, residences should be limited to the number allowed under the existing zoning.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-x: The commenter states that the Shasta County Sheriff's Department does not have capacity to respond to more than routine incidents and funding generated by the proposed project would not be adequate to promote retention of existing deputies.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. The commenter is referred to Page 5.13-13 of Section 5.13, PUBLIC SERVICES AND UTILITIES, that states that the proposed project would bring additional annual revenue from local property and sales taxes that would offset demand for law enforcement services by funding increases in personnel, training and equipment. In addition, payment of development impact fee's (\$789 per single-family unit) would further offset costs. The Draft EIR concludes that impacts to law enforcement services would be *less than significant*. No change to the Draft EIR is required.

Response 57-y: The commenter states that Shasta County has a need for affordable housing. The commenter states that the project would disrupt the rural nature of the area and go a long way to turning it into an urban area, needs to be denied, would be more appropriate for the City of Redding, and asks why another project like this needs to be approved.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 57-z: The commenter appreciates the opportunity to comments and re-iterates the hope of the extension of the comment period.

The commenter is referred to **Master Response-1**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 58 – Rebecca Final (December 26, 2017)

Rebecca Final
10708 Green Oaks Ln., Redding, CA 96003

December 26, 2017

Mr. Kent Hector
Senior Planner
Shasta County Resource Management
Planning Department
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Subdivision

Dear Mr. Hector,

This letter is to voice opposition to the 166 parcel Tierra Robles Subdivision proposed for the Boyle Rd. area of Shasta County. My comments will be simple and hopefully direct to the points that affect me and my home. 58-a

As stated in the Draft EIR, the proposed project site is located within a rural area of unincorporated Shasta County. I am immediately struck with an obvious thought that the current residents moved to this particular area of Shasta County exactly because it is rural and of manageable parcel sizes for families. The construction of this proposed development is in exact opposition to that ideal. If the existing residents of this community wanted to live in a high density environment, that could have been achieved by purchasing in the city limits of Redding in any number of already constructed neighborhoods. 58-b

My past experience has been that population dense developments build alongside of existing rural properties with uses such as animals or crops ends up with the newer residents complaining about the noise, insects or dust created by the existing rural uses. 58-c

Another concern is that, per the EIR, build-out is anticipated over a 10 to 15 year period. Construction of the onsite residential structures is anticipated to occur over approximately 10 years. This is going to create two things. For the existing residents of the rural properties, there will be years of construction noises and road dust, OR the developed plots will remain empty inviting transients to move in. There is already an unfortunate presence of transients in our area that is leaching out from the City of Redding. 58-d

Lack of water availability in California is a crisis. Shasta County is no exception. Our water provider, Bella Vista Water District, already has reached limits that put current customers on water rationing every year and add to the increasing loss of agricultural water to larger parcels that would like to run livestock or grow crops. While BVWD is required to provide service to any new residents in their service area, that does not mean the water is there to be had. 166 homes is most certainly going to push water availability over it's already shaky limits. 58-e

I have noticed that over the last 28 years I have lived in this neighborhood, the traffic on Boyle Rd has increased to the point that leaving my road on some weekday mornings around 7:30 can be delayed by traffic. I cannot begin to imagine how a small country road like Boyle will be able to handle what will most certainly be upwards of 300 more cars potentially on a daily basis. Pretty much every household anymore has 2 vehicles and most homes take two incomes to survive, meaning travel away from home. Therefore the increase of 300 cars a day is not an impossible number to anticipate. It is easy to imagine traffic accidents of any kind occurring on this road. The improvements necessary to handle these automobiles are not clear.

58-f

Availability of law enforcement and fire protection are other concerns. It's common knowledge that the Shasta County Sheriff's Department and Redding Fire are strapped for money and usually understaffed. Fire protection this far out of town is with a voluntary staff and Cal Fire. That lack of protection from those agencies is not going to improve in a population dense environment such as the one proposed.

58-g

I would be very curious to know the ulterior motives behind requesting 1.33 acre parcels in an area that is clearly 2.5 acre minimums. Is there a hope that these parcels will be slipped in under the radar and then open up a revision of the GP allowing smaller parcel sizes? Again, refer to the fact that current homeowners and property owners WANT to be in a 2.5 acre or larger environment and did not move here to deal with high density and all that goes with it.

58-h

Finally, you should know that back in the area where this development is planned, there is a very rare white deer strain. I have seen one of the fawns on our road (Green Oaks) along with her mother. Others including the white buck have been spotted by other residents in the neighborhood who have commented on it. While they have adapted somewhat to the current human density, it's reasonable to expect that they may not be able to survive the encroachment of hundreds of more humans, and the ensuing noise, lights, sanitation and traffic.

58-i

This development is a bad idea for the tax paying, water stressed citizens in particular for this lovely, rural setting and I lodge a serious objection to it's approval for the reasons noted in this letter.

58-j

Respectfully,

Rebecca Final
10708 Green Oaks Ln
Redding, CA 96003

Response to Letter 58 – Rebecca Final

Response 58-a: The commenter notes opposition to the proposed project.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-b: The commenter notes that the proposed project is in opposition to the idea that people moved to the area for the rural nature of unincorporated Shasta County.

The analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County *General Plan* (2004), and *Shasta County Code* Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project's proposed zoning and density.

Response 58-c: The commenter states that she expects the new residents of the proposed project to result in complaints about noise, insects, and dust from rural uses.

No issue or adequacy of the Draft EIR was raised. However, the commenter is referred to Section 5.3, AIR QUALITY, Section 5.4, BIOLOGICAL RESOURCES, and Section 5.11, NOISE, of the Draft EIR regarding the analysis of the areas of concern. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-d: The commenter notes that during proposed project construction noise and dust will occur. The commenter also states that if plots stay empty transients may move into the property.

With regard to noise, the commenter is referred to pages 5.11-1 through 5.11-26 of the Draft EIR (Section 5.11, NOISE). This section provides a complete discussion of noise impacts of the proposed project. As discussed in that chapter, the Draft EIR concluded that project design features as well as mitigation, would result in *less than significant* impacts.

The commenters concern about transients using the project site is not an issue for CEQA. State *CEQA Guidelines* § 15358(b) state that effects analyzed under CEQA must be related to a physical change in the environment. Therefore, it is not appropriate for discussion in the Draft EIR.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-e: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, and **Responses 7-a** through **7-p**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 58-f: The commenter states that the traffic on Boyle Road causes delays and does not know how it will handle the increase in vehicles and it is not clear what improvements are needed.

Please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 40-a, 48-i, 48-k, 48-p, 49-b, 50-b, 54-a, 54-f, and 57-h**, above. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-g: The commenter states that both law enforcement and fire protection need funding and staffing. The commenter states that the lack of protection will not improve with the proposed project but does not raise an issue or question the adequacy of the Draft EIR.

The commenter is referred to **Response 51-b** in reference to law enforcement and **Response 37-f** in reference to fire protection. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-h: The commenter mentions that some parcels would be 1.33 acre in size but current property owners wanted to be in an area with 2.5 acres lots but does not question the adequacy of the Draft EIR.

The commenter is referred to **Master Response-2** for a discussion of the proposed project in relation to zoning and density. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-i: The commenter appears to be referring to a couple albino deer that are reported to be within or in proximity to the project site. The commenter states its reasonable that they may not survive due to the proposed project and additional noise, light, sanitation, and traffic.

The commenter is referred to Section 5.4, BIOLOGICAL RESOURCES, which included an analysis of impacts to wildlife including deer. During biological evaluation for the site, on three occasions, two albino deer were observed. It should be noted, although rare, albino deer are not a unique or protected species, and the albinism is cause by a recessive genetic trait. The commenter also is referred to Section 5.1, AESTHETICS AND VISUAL RESOURCES, Section 5.11, NOISE, Section 5.16, TRAFFIC AND CIRCULATION, and Section 5.17, UTILITIES AND SERVICE SYSTEMS, for a discussion of the other issue areas mentioned. Although the commenter speculates that the proposed project may result in the incidental take of an albino deer, deer are highly mobile and are expected to fully vacate an area prior to ground disturbance. No impacts from take of deer are expected. The comment is noted for the record and will be provided to the Planning Commission

and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 58-j: The commenter reiterates concerns by referencing the comments listed above.

The commenter is referred to **Response 58-a** through **58-i**, above. This comment does not raise an issue or adequacy of the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 59 – Steve & Diane Davis (December 26, 2017)

Steve & Diane Davis
10733 Green Oaks Lane, Redding, California 96003

December 26, 2017

Ms. K Hunter
1450 Court Street
Redding, CA 96001

resourcemanagement@co.shasta.ca.us

Re: Proposed Tierra Robles Subdivision

Dear Ms. Hunter,

This letter is written in opposition to the proposed Tierra Robles Subdivision off of Boyle Road in the Bella Vista/Palo Cedro area. We have strong objections to the project and have written previously to Kent Hector and outlined many concerns, as have many other residents who will be affected by this project if it is approved. It is concerning that the EIR that was based on information provided by experts that were paid to offer opinions did not adequately address the concerns of the taxpayers or require mitigation by the developer.

59-a

This area has long been in the General Plan as an area that is zoned to remain rural, with lot sizes of 2.5 acres and above. If the County chooses to allow a large development in this area, the established zoning requirements should be maintained and the developers should be required establish lot sizes of 2.5 acres or greater. The current proposed plan provides for lots as small as 1.33 acres, and places the smallest lots next to established homes that are consistent with existing zoning, with lot sizes of 2.5 acres or greater. If the County chooses to amend the established zoning for the benefit of the out of area developers, the developers should be required to place the smallest lots in the interior of the development and maintain established lot sizes and zoning around the perimeter in order to mitigate the negative impact on established homes in the area. This would be a reasonable mitigation, it was raised to you in previous letters and has not been addressed, and a response to this suggestion for reasonable mitigation is required.

59-b

Having been a customer of Bella Vista Water for over 25 years, I know that the water supply is not adequate to add a development of this size. Bella Vista Water has rescinded existing agricultural water allotments for many area residents, stating that they do not have sufficient allotments to provide water for agricultural purposes. In addition, it is now known that Bella Vista Water will also have to provide service to the new Bethel Church development that has been approved. A short distance from the proposed Tierra Robles project, near Hummingbird Lane and Boyle Road, a smaller subdivision is in the works. It is my understanding that an attempt to develop a large parcel at the intersection of Old Alturas Road and Boyle Road is also underway. The serious water rationing that has taken place in recent years will continue, and during some years, annual water commitments will not be met by the federal government. Currently, we are in danger of drought and water rationing is almost certain unless rainfall comes quickly. The information in the EIR does not adequately address the impact of this development

59-c

on the water supply for existing homes. There is not an adequate plan identified for the water supply of the future, when many hundreds of existing vacant lots that were created in accordance with existing zoning laws decide to build, as BV Water will have to supply those homes with water as well. It is my understanding that BV Water was required by law to issue "will serve" letters for this subdivision, but the District also understands that this plan will lessen the water supply and water pressure for established homes. Please provide a detailed plan for how future water can be guaranteed for existing homes and previously established lots, given the limitations of BV Water, before approving a huge subdivision. If the County desires to approve this project, knowing the detriment that it will cause for Shasta County residents, require the developer to pay water supply mitigation fees to offset the future costs that will otherwise be unfairly borne by the taxpayers. Much of the BV Water pipes and mains are decades old. Adding pressure to the system by adding a large subdivision to this area will cause already aging equipment to fail, which will result in increased water rates to offset upgrade costs. The EIR does not address this, it does not offer mitigation plans or identify any way to prevent BV Water customers and Shasta County taxpayers from having to bear the hidden and long-term costs that this development will cause, long after the developers have made millions and moved on. The EIR must address these concerns and provide mitigation plans that reduce the impact on area residents. Please prepare an EIR addressing these concerns. Adding 160 homes to the district would create an undue burden on the water supply, jeopardize the ability of existing customers to get the water service, and have a detrimental impact on the ability of agricultural customers to pursue agricultural endeavors. Shasta County is an agricultural area, and this must be preserved.

59-c
 Cont.

59-d

59-e

The EIR included a traffic study that fails to address the actual impact of increased traffic on residents in the area, or the obvious safety issues and traffic collisions that a development of this size will cause. Boyle Road is a narrow, two-lane rural roadway that is not designed to handle the flow of traffic that a subdivision of this size will generate. The road is already heavily traveled at certain times of the day. There is a very narrow shoulder, with inadequate room for bicyclists or pedestrians, and the plan does not appear to require developers to install bicycle and pedestrian lanes. The plan also does not require the developer to install turn pockets or center turn lanes for the many side streets on Boyle Road. Not having turn pockets will create a safety hazard for those who travel the road. The plan does not require the developer to redesign or re-engineer the substantial curves on Boyle Road that have resulted in traffic fatalities and injuries.

59-f

The EIR states that a "roundabout" or traffic circle would handle the increased traffic at Boyle and Old Alturas, Old Alturas and Old Oregon Trail, and potentially even Deschutes Road and Boyle Road. A recent call to the Shasta County Public Works Department revealed that a traffic count at the intersection of Old Alturas Road and Boyle Road, and a traffic count at the intersection of Boyle Road and Deschutes Road has not been conducted since 2009, and at the time, Boyle Road was not the subject of the study. The EIR does not identify what facts were relied upon for the finding that was reached or what potential affect a roundabout would have on traffic flow at peak usage times.

59-g

The plan to use roundabout is a cheap and ineffective diversion that fails to address the safety of residents and the large number of students that travel through the area on a daily basis. The EIR does not identify studies that show whether these proposals would be successful and for how long. If they are inadequate, Shasta County taxpayers will have to bear the cost, as the developer will be long gone without having paid to mitigate the issues that their project will cause.

59-h

The developer plans to establish Boyle Road as the main access to the proposed subdivision. As required by law, a secondary access near Seven Lakes Road in Bella Vista. This is not an adequate plan,

59-i

as it concentrates most of the subdivision traffic onto Boyle Road, as residents will not use an access that takes them farther from Redding. Coupled with the failure to deal with the increased traffic on Boyle Road, this places an inappropriate and dangerous burden on citizens using Boyle Road to access their residences, schools or businesses.

59-i
 Cont.

The introduction of a large neighborhood into a rural area will cause an increase of criminal activity within the subdivision and in surrounding communities and neighborhoods, but the EIR does not address a plan or offer mitigation to offset the costs this will bring. Law enforcement funding is already lower than what is needed, California laws are continually releasing criminals and making citizens less safe. An increase in the crime rate will result in an increased cost to Shasta County and its taxpayers, and this is another area where an undue tax burden will be placed on the citizens of Shasta County, yet the EIR does not address this.

59-j

Installing an on-site treatment plant for wastewater, as the Tierra Robles plan outlines, will invariably result in the noxious, unhealthy and nauseating odor of human waste being carried to surrounding properties. This will have a detrimental impact on the ability of existing homeowners to enjoy and use their property to pursue their established way of life, and it negatively impacts property values for existing homes. In addition, this above-ground pool of cess will become a county assessment district, which means that citizens of Shasta County, including those that do not live in this subdivision, will be forced to pay taxes that will be used to operate and maintain the system. The Tierra Robles project does not provide funding for the system repairs in the future, and the EIR does not address the future impact of the system. The long range funding of the system must be addressed and information about the future impact on Shasta County taxpayers must be provided.

59-k

This area has been the habitat of a rare strain of white or piebald black-tailed deer, a strain that reportedly occurs in less than one percent of the deer population. The area where the subdivision is proposed is the habitat for these creatures, which are occasionally observed by area residents. This subdivision would destroy the habitat of all wildlife and wipe out the existence of the rare treasure of the white deer. Despite raising this concern to you previously, it does not appear to have been addressed in the EIR, nor has anyone conducting the EIR requested additional information regarding the rare strain of deer.

59-l

Shasta County residents benefit when developments are carefully planned, environmentally sound, and implemented in a moderate manner that is consistent with the zoning for the community. A new development should not harm the way of life for existing residents, financially overwhelm local government or leave Shasta County taxpayers to inherit the financial burden caused by the need to enhance infrastructure, roads, fire, schools and public safety, while non-resident investors and developers make their money, take it back to Beverly Hills and move on to another area.

59-m

Sincerely,

Steve Davis

Response to Letter 59 – Steve & Diane Davis

Response 59-a: The commenter states opposition to the proposed project, and is concerned that the Draft EIR is based on opinions of paid experts and that it did not adequately address concerns and the reports did not require mitigation.

In order to fulfil the basic purpose of CEQA as detailed in State *CEQA Guideline* § 15002, technical reports prepared by experts are needed to inform decision makers of potential environmental consequences and identify mitigation measures to reduce impacts. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-b: The commenter discusses the density of the proposed development and comments that the smaller lots, 1.33 acres, should be planned for the interior of the lot as mitigation for the surrounding homes.

The commenter is referred to **Master Response-2** and **Response 44-a**. In addition, the commenter is referred to Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, which discusses in detail, all the alternatives evaluated. This includes the “Clustered 3-Acre Parcels” Alternative, which describes a project with 166 3-Acre parcels. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-c: The commenter states that the water supply is not adequate to supply the proposed project and other uses served by Bella Vista Water District (BVWD). The commenter states that the information in the Draft EIR does not adequately address project impacts and there is not an adequate plan identified for future water supply.

The commenter is referred to **Master Response-3** and **Responses 7-b, 7-e** and **7-f**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-d: The commenter mentions that BVWD was required to provide “will serve” letters but the project would reduce water supplies and water pressure. The commenter requests a detailed plan for future water supply, and requests water supply mitigation fees. The commenter notes that BVWD pipes are decades old and that increased pressure would cause failure, which is not addressed by the Draft EIR and mitigation is not provided and it should.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-e: The commenter reiterates comments regarding water supply.

The commenter is referred to **Master Response-3** and **Responses 59-c** and **59-d**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-f: The commenter questions the Traffic Impact Study's analysis regarding increased traffic volumes, roadway safety, vehicle collisions, bicycle and pedestrian safety, the lack of turn pocket or center dual left-turn lanes, and the dangerous existing curves on Boyle Road.

Please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 40-a, 43-b, 47-c, 48-g, 48-i, 48-k, 48-p, 48-v, 49-b, 50-b, 54-a, 54-f,** and **57-h**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-g: The commenter questions the impact of the mitigation measures at area intersections, especially the installation of stop controls or roundabouts and questions the data used to identify traffic impacts.

Please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 40-a, 48-i, 48-k, 48-p, 48-o, 48-n, 49-b, 50-b, 54-a, 54-f,** and **57-h**, above. With respect to the traffic data, Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR, did not use county data to determine trip generation and distribution, but rather empirical data collected as part of the project analysis for roadway segments and intersections. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-h: The commenter states that roundabouts are cheap and ineffective and the Draft EIR does not identify the studies that show if they will be successful.

Please refer to **Responses 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 40-a, 48-i, 48-k, 48-p, 48-o, 48-n, 49-b, 50-b, 54-a, 54-f,** and **57-h**, above. The commenter is also referred to Section 5.16 TRAFFIC AND CIRCULATION, which concluded that impacts to traffic and circulation, with the use of roundabouts for mitigation, would *less than significant, or less than significant with mitigation*. The commenter states disagreement with the conclusion of the Draft EIR but does not provide comments accompanied by substantial evidence or factual support. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-i: The commenter states that the main access to the project site will be from Boyle Road; however, a secondary access is located near Seven Lakes Road. The commenter expresses concern that this concentrates traffic onto Boyle Road creating an inappropriate and dangerous traffic environment for the existing County residents.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, and 57-i**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-j: The commenter states that the proposed project would result in increased criminal activity and states that the Draft EIR does not address or mitigate the impacts associated with an increase in crime.

Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. Although this comment does not provide comments accompanied by substantial evidence or factual support, the commenter is referred to **Response 51-b**, above, which addresses the concern. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 59-k: The commenter states that the onsite waste water treatment plant would result in odors and have a detrimental impact on homeowners. The commenter speculates that the cost would eventually be borne by non-project residents.

The commenter is referred to **Responses 13-d, 17-b, 17-j, and 53-f**, above. Regarding funding, the commenter does not provide comments accompanied by substantial evidence or factual support. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-l: The commenter states that the project area has been habitat for the piebald black tailed deer but this was not addressed in the Draft EIR.

The commenter is referred to Section 5.4, BIOLOGICAL RESOURCES, and Appendix 15.4, BIOLOGICAL RESOURCES DOCUMENTATION, of the Draft EIR, which notes that on three occasions, during field work, two albino deer were noted on the project site. The commenter is referred to **Response 58-i**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 59-m: The commenter states that Shasta County residents benefit from carefully planned and environmentally sound development and that a new development should not harm the existing community, way of life, public services, or cause financial hardship.

No issue or adequacy of the Draft EIR was raised by the commenter; however, please refer to **Master Response-2**, regarding the character of the area. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 60 – Mr. & Mrs. Ronald F. Cibard (December 22, 2017)

RECEIVED

DEC 22 2017

County of Shasta
Building Division

Mr + Mrs Ronald F. Cibard
11397 Eden Dr.
Redding, CA 96003
530-549-3361 - Dec 22, 2017

Subject: Tierra Robles Development

Kent Hector

Our family moved to 11397 Eden Drive on the year 1972. We moved to this location because the parcels were 5 acres and above, plus it was a Agricultural District. We wanted the Rural country environment for our family. It is quiet and is for the most part crime free. Our children learned how to work and enjoy country life. These are the main reasons we oppose the Tierra Robles Development.

Other concerns:

- (1) In all the years we have lived here, only two small sections of Old Alturas Road have been improved between Old Oregon Trail Road and Deschutes Road. Two 90° turns exist with the signs getting run down by speeding autos, consistantly.

In the past plans were made to build a Church south of our location and it was scratched because of the traffic congestion it would

60-a

60-b

Years latter as you know, Law Enforcement wanted to use the Gun Club locations for training. And that was scratched also

60-b
 Cont.

(2) Old Alluras Road is so narrow that biking tours had to pick another route do to the lack of Safety. This road is not even safe to walk on the side.

60-c

Traffic entering or exiting Old Alluras is not safe on the down hill grade and more traffic would only increase the potential for death.

(3) Wildlife habitat would be destroyed for Deer, Quail, Rabbits, Geese, etc. CA. Fish and Wildlife Law states that it is unlawful to harass wildlife. This development would not only harass the wildlife population, it would also destroy it.

60-d

The entrance to the development enters off of Old Aluras road at the seasonal stream bed where Wildlife travel. This is also on a 90° turn.

(4) Every time a new development is established near a Gun Club it is

60-e

not be permitted. We are losing our freedoms.

60-e
Cont.

(5) We have lost our AG water because of the lack of it. We also have no lawns because of the water cuts and price. And it is possible even less water in the future. We have lost our investment putting water systems in we can't use.

60-f

"NO" - We do not want this development. We do not have enough water.

(6) And what kind of problem is the sewage going to be for us in the future?

60-g

(7) We are extremely upset when someone that has 5 acres or more parcels is allowed to split that property and sell it and move. In turn changes our way of life.

60-h

And we are even more angry when Developers that live South of us are allowed to split large sections of land in Rural areas for profit. They care less about our way of life.

(8) And if this project is aproved just because it would provide more tax reuenuw for the County, then that would be a betrayal to the people who live here.

60-i

* So - we plead with you to do the right thing and stop this Develop-ment of Tierra Roble for the good of our Community,
Put yourselves in our place

60-j

Sincerely:

Tom + Sylvia Leibart

Response to Letter 60 – Mr. & Mrs. Ronald F. Cibard

Response 60-a: The commenter discusses the reasons for moving to the area, which included the five acre lots, the agricultural district, and the rural nature of the area.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-b: The commenter discusses past planning efforts and improvements for Old Alturas Road, and discusses plans for a church building, uses of the gun club and the other improvements that didn't occur.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-c: The commenter states that Old Alturas Road is too narrow and is unsafe for cycling. The commenter states that traffic entering Old Alturas Road is not safe and more traffic increases the potential for death.

Although this comment does not raise an issue of adequacy of the Draft EIR, the commenter is referred to **Response 14-b**, regarding pedestrian, bicycle, and motorized vehicle safety related to Old Alturas Road. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-d: The commenter states that the proposed project would destroy wildlife habitat and would harass wildlife, and is a seasonal stream used by wildlife at the entrance off Old Alturas Road.

Although this comment does not raise an issue of adequacy of the Draft EIR, the commenter is referred to **Responses 3-a through 3-v, 10-d, 12-a through 12-d, 13-j, 13-k, 16-c, and 32-i**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-e: The commenter makes a statement about properly permitting developments near gun clubs and loss of freedoms.

The commenter is referred to **Responses 17-s and 40-d**. The commenter is also referred to Section 5.11, NOISE, of the Draft EIR for additional information. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-f: The commenter makes statements about the lack of water and how it has affected them states they do not want the project but does not raise an issue of adequacy regarding the Draft EIR.

The commenter is referred to **Master Response-3**, and **Responses 7-a** through **7-p**. The comment will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-g: The commenter asks a non-specific question about sewage.

The commenter is referred to **Responses 13-d, 17-b, 17-j, and 36-a**, regarding the proposed wastewater treatment facility. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-h: The commenter relates anger at the subdividing of both small and large pieces of property that detract from the rural character of the land.

The analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, and **Responses 13-a, 13-h, 17-a, 17-c, 17-e, 19-a, 21-a, and 41-a**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 60-i: The commenter states that if the project is approved to generate more tax revenue, that would be a betrayal to the people.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 60-j: The commenter requests the project be stopped.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 61 – George and Janice Smith (December 26, 2017)

RECEIVED 12-26-17
DEC 28 2017
County of Humboldt
Public Works Division

Dept of Resource Management, Planning Div.
I am writing in response to the Sierra Robles development project east of Redding. My wife and I live on Northgate Dr. Water seems to be a big issue now a days, We are NOT in favor of the project due to the water issue, this year the water issue looks to be a little on the scarce side as it was just a few years ago. Lack of water is a big big issue, We disagree with the Sierra Robles site, at this time.

I am not concerned that there will not be an water coming from there septic system. We here are prone to lots of wind.

700 acres is alot of land that the deer, coyotes, turkey, and many other species of wild life live, where will they go?

Our immediate issue is water or lack of. We hope you will give this project a No vote until this issue has been resolved

Thank you
George & Janice Smith

61-a
61-b
61-c
61-d

Response to Letter 61 – George and Janice Smith

Response 61-a: The commenter raises concerns regarding Bella Vista Water District's (BVWD) ability to supply water to the proposed project.

The commenter is referred to **Master Response-3**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 61-b: The commenter is concerned that there will be odors coming from the septic systems.

The commenter is referred to **Responses 13-d, 17-b, 17-j, 36-a, 43-d, 53-f, 57-p, and 59-k** regarding the odors from the proposed wastewater treatment facility. In addition, the commenter is referred to Page 5.17-20 of Section 5.17, UTILITIES AND SERVICE SYSTEMS, which notes all individual septic tanks would be watertight and oversized to provide emergency storage capacity and additional treatment capacity. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 61-c: The commenter raises concerns about the wildlife on the project site and asks where will they go.

Although this comment does not raise an issue of adequacy of the Draft EIR, **Responses 3-a through 3-v, 10-d, 12-a through 12-d, 13-j, 13-k, 16-c, and 32-i**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 61-d: The commenter reiterates concern regarding water supply.

The commenter is referred to **Response 61-a**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 62 – Amy Allen (December 27, 2017)

Kimberly Hunter

From: Resource Management
Sent: Wednesday, December 27, 2017 8:22 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles Opposition

-----Original Message-----

From: Amy Allen [mailto:aeldred25@msn.com]
Sent: Sunday, December 24, 2017 2:55 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles Opposition

The reason why my family, and many like mine, have been responsible with our money and saved to purchase a house in the Palo Cedro area is because we wanted to be away from overpopulated areas and everything that comes with living in those areas (lack of natural resources, less wide open spaces, houses all looking the same, people congested into a single area, traffic, crime etc.).

In the name of greed and misconstrued capitalism, this subdivision is being built.

If the people of Palo Cedro and Bella Vista wanted to live in a more populated area, they'd have done so. But we didn't because this isn't what we want.

We must not ignore the wishes of many simply to satiate investors whose only goal is to make money, even at the cost of quality of life for everyone around them.

Amy Allen

62-a

Response to Letter 62 – Amy Allen

Response 62-a: The commenter notes that she wanted to be away from populated areas and that the project is being built for greed and investors wanting to make money.

No issue or adequacy of the Draft EIR was raised by the commenter. The analysis contained in the Draft EIR specifically evaluated the proposed project's consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, and **Responses 13-a, 13-h, 17-a, 17-c, 17-d, 17-e, 19-a, 21-a, 41-a, 65-p, and 65-q** for additional information. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Letter 63 – Linda Welch (December 27, 2017)

Kimberly Hunter

From: Resource Management
Sent: Wednesday, December 27, 2017 2:38 PM
To: Kimberly Hunter
Subject: FW: 166 homes

Good Afternoon Kim,

I replied to Dan's email asking that he specify which project he is referencing below. Unfortunately the email was returned as undeliverable, I am forwarding this to you and will try to contact him again.
Thank you,

Fae Koen

Office Assistant II, Building Division
1855 Placer Street
Redding, CA 96001
SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
Phone: (530) 225-5761
Fax: (530) 245-6468



From: Dan Welch [mailto:dddwelch@earthlink.net]
Sent: Wednesday, December 27, 2017 1:35 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: 166 homes

You are making such a big mistake if you change the zoning to approve these homes. There are plenty of projects already started that have not filled up or even come close in this are already, the homes behind Junction School come to mind. I am sure everyone who has responded have had the same concerns that I do, water or lack of water in a drought year, sewage concerns, traffic, and noise.

Just a couple of new homes have gone up around where I live in the last few years and the noise level has increased, can you imagine what a difference 166 homes would make?

There are many reasons I would not like to see this project happen, the list could go on forever but just know that I am one that is **against** it.

Let's not forget about the wildlife that would be displaced also.

Thank you for your time.

Linda Welch
10075 Rocking Horse Lane
Redding ca

Response to Letter 63 – Linda Welch

Response 63-a: The county received a comment but it did not specify a particular project. Based on the description, however, it is assumed that the comment was in reference to the Tierra Robles Project. Therefore, the comment is addressed in **Response 63-b**, below.

Response 63-b: The commenter states that the zoning change is a mistake and raises concerns about other projects, water supply, sewage, traffic, and specifically noise from the 166 units.

No issue or adequacy of the Draft EIR was raised by the commenter. The Lead Agency analyzed 18 resource topics within the Draft EIR, including impacts related to water and wastewater, traffic, and noise. These resources are analyzed in Section 5.9, HYDROLOGY AND WATER QUALITY, Section 5.11, NOISE, Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, Section 5.16, TRAFFIC AND CIRCULATION, and Section 5.17, UTILITIES AND SERVICE SYSTEMS, of the Draft EIR. In addition, technical details and analyses, as well as resource management plans, are provided in Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, Appendix 15.6, PRELIMINARY HYDROLOGY ANALYSIS, Appendix 15.7, NOISE DATA, Appendix 15.9, TRAFFIC IMPACT STUDY, and Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR. For further discussion on zoning, the commenter is referred to **Master Response-2**. For further information regarding water supply, the commenter is referred to **Master Response-3**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Letter 64 – Kathy Creasey (December 27, 2017)

KATHY CREASEY

RECEIVED

DEC 27 2017

County of Shasta
Permit Counter

1251

10490 Maddelein Lane
Palo Cedro, Ca. 96073

December 26, 2017

Kent Hector
Senior Planner Shasta Co. Dept. of Resource Management
Planing Division
1855 Placer Street 103, Redding, Ca. 96001

Dear Mr. Hector;

I would like to add my voice in opposition to the proposed Tierra Robles Planned Development. I have lived here going on 6 years now and moved to this area of Shasta Co. for the purpose of its' rural environment. We enjoy the peace and quiet and star gazing in the evenings. According to Shasta County's own definition of the purpose of its Zoning Plan is to

" Promote and protect the public heath, safety, peace, morals , comfort, convenience and general welfare."

The Shasta County General Plan defines its function

" To provide a policy framework that must be reflected in the zoning ordinance, specific plans, and other development guidelines."

This development contradicts both of these objectives. By the EIR's own admission it would "significantly impact" greenhouse gases and noise pollution. This is a very large development for this rural area, and the continuous construction taking place throughout the years would produce dust, diesel fumes, noise and traffic.

I find it hard to understand how, he with the deepest pocket can come into our area, change zoning laws and change the community forever, and not for the better. We choose to live in this area for it rural environment, for the quiet, and the space between neighbors. The Tierra Robles Development ruins all of these qualities that add to pleasure of living here.

The EIR is flawed in its' water consumption figures. It states that water usage per person, per household is at 55 gallons. This is incorrect and under estimates its actual true numbers of usage. According to the USGS survey dated December 2016, average usage of water is 80-100 gallons per day, per person. This includes flushing toilets, laundry, and bathing. What it does not take into account is the 110 degree days we have in the summers here. Surely the water usage increases then.

64-a

64-b

64-c

64-d

Evan the most drought resistant plants require irrigation in those temperatures. As you recall, last summer we had no less than 70 continuous days of 100 degrees and higher.

64-d
Cont.

Based on the figures given in the EIR, and they are underestimating actual water consumption, how does this then figure into their waste water facility? If more water is being consumed, then we can reasonably assume that more gallons of effluent are produced than stated in the EIR. This would render their waste water facility inadequate to handle the actual flow, resulting in possible environmental issues and fines from California State Water Resources Control Board. Remember too, that this development provides for "accessory units "on the lots. This will increase the proposed population, traffic, water consumption and effluent. The number of homeowners that would add an accessory unit is really unknown.

64-e

I have enclosed a media release from the California Water Board, Dated July 6, 2016 of further evidence of increased water usage than stated in the EIR. These figures are more current. They also recommend that water suppliers demonstrate that they have sufficient supplies to withstand three continuous drought years. This would be a prudent step for BVWD to ensure adequate water for this development.

64-f

One can question the need for this Development. These houses being built are very large. The average square footage being 3,550. This is a very large home to heat and maintain when being powered mostly by PG and E. Even with partial solar being offered, they will be expensive on a monthly basis to support. Add that cost to the additional taxes imposed as a Community District, Bella Vista water hook up, Bella Vista district tax, the inconvenience of supporting and adhering to a Community District Board, along with knowing you are going to have water restrictions continuously, how attractive are these homes going to be to buyers?

64-g

Palo Cedro Oak Estates has been in existence for over 12 years, they have 41 lots available to build on. These are large luxury homes within walking distance to a school and downtown Palo Cedro. They have built all of 5 homes in 12 years. This development does not have near the issues Tierra Robles has. Phase 1 of Tierra Robles development shows the homes being built closest to Boyle Road. I think it's fair to say these would not be the most desirable lots. They are smaller and will suffer the noise of Boyle Road. What if they don't sell as anticipated? This is a very real concern. Who will be responsible for the waste water facility, bridges, roads, bike paths, and management of the open space? Is Shasta County ready to take

64-h

fiscal responsibility for all of this? These smaller community districts are notorious for not being self-sustaining. Look at Jones Valley and Castella.

64-h
Cont.

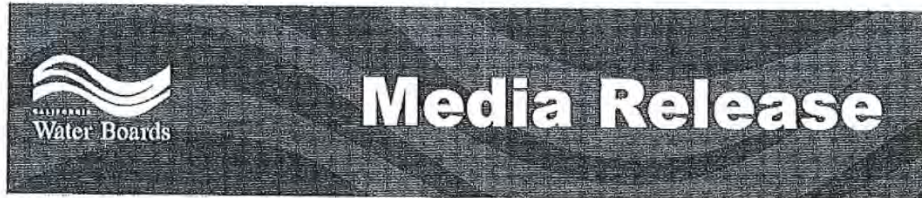
The EIR states there will be significant impact of noise and air pollution which is based on short term construction. However this construction could take place over a number of years depending on the sale of the Phase 1 homes of 46 lots.

64-i

I respectfully request that Shasta County keep the existing zoning in place and allow the developer to built within those parameters. This will decrease water usage, traffic, noise, eliminate the need for a waste water facility and stay within the blueprint of a rural community and the intensions of the Shasta County General Plan.

64-j

Kathy Creasey



**Statewide Water Conservation Grows to 28 Percent in May;
Urban Water Suppliers 'Stress Test' Data Under Review**

FOR IMMEDIATE RELEASE
July 6, 2016

Contact: George Kostyrko
george.kostyrko@waterboards.ca.gov

SACRAMENTO – The State Water Resources Control Board announced today that Californians reduced residential water use by 28 percent in May, compared with the same month in 2013. Cumulatively, local water suppliers have saved 1.6 million acre feet in the 12 months since mandatory conservation goals began – enough water to supply eight million people for a year.

"The phenomenal ongoing water conservation by state residents as we enter the hottest summer months clearly shows Californians understand we remain in stubborn drought conditions statewide and that saving water is just the smart thing to do," said State Water Board Chair Felicia Marcus.



"Rain or shine, drought or no drought, state mandated target or not, Californians should keep conserving. While conditions improved for urban California's water supply with the rain and snow we got last year, we are still largely in drought and saving water can extend urban water supplies off into the future if this next winter is dry again."

Although new regulations taking effect in June give local water suppliers more autonomy to set their own conservation goals based on local supply conditions, the State Water Board said it expects suppliers to continue to make water conservation a top priority as California enters the summer months, when the opportunity for water savings is greatest.

Despite near average rainfall in much of Northern California this past winter, 60 percent of the state remains in severe or extreme drought. Groundwater basins and many reservoirs are badly depleted as the state's drought grinds into a fifth year.

May Conservation Data

- Statewide water savings for May 2016 was 28.2 percent (176,947 acre feet or 57.7 billion gallons), an increase from April 2016's savings of 26.1 percent. See fact sheet [here](#).



64-k



- Cumulatively, the statewide percent reduction for the twelve months from June 2015 to May 2016 was 24.5 percent, which equates to 1,609,532 acre-feet (524.5 billion gallons).
- The level of compliance also increased in May 2016, with 72 percent of suppliers meeting or within one percentage point of their conservation standards and 16 percent within five percentage points of the conservation standard.
- Statewide, average per capita water use (residential gallons per capita per day, or R-GPCD) for May 2016 was 86.8 gallons; up from 77 R-GPCD in April 2016 but below 87.6 R-GPCD reported for May 2015. [All May data can be found on this page.](#)

Revised Emergency Regulations

Starting in June, the State Water Board's recently updated [emergency water conservation regulations](#) give urban water agencies the ability to set their own conservation standards based on a "stress test" of supply reliability. Water suppliers must demonstrate that they have sufficient supplies to withstand three years of continuous drought or take additional measures that include mandatory conservation targets. The regulation is in effect through January 2017.

The deadline to submit the "stress test" results and three-year resiliency plans was June 22. While most urban water suppliers and wholesale water providers have submitted materials, the State Water Board staff is following up with a number of suppliers whose submissions appear incomplete or unclear. Once all of the submissions have been received and are complete, the State Water Board will make them publicly available.

While water suppliers may calculate lower conservation targets, the State Water Board expects that they will continue to promote and achieve water conservation and enforce prohibitions on wasting water first enacted in July 2014. Moreover, the Board is prepared to come back in early 2017 to develop new mandatory water restrictions if needed.

Permanent Ban on Wasting Water

The recently adopted regulation is part of a wider effort to build on short-term, emergency water restrictions to establish permanent conservation measures that improve long-term drought preparedness and eliminate the worst water-wasting practices. These actions will help achieve a top priority of the state's Water Action Plan: to "Make Conservation a California Way of Life."

In May, Governor Edmund G. Brown Jr. issued an [executive order](#) calling for new permanent water use efficiency targets for each urban water supplier and for strengthening local Water Shortage Contingency Plans. The local "stress test" data and three-year resiliency plans collected by the State Water Board will serve as a bridge to these actions and inform the development of new water use efficiency targets,

64-k
Cont.



The State Water Board regulation also continues the statewide ban on specific wasteful uses, such as hosing off sidewalks, driveways and other hardscapes; washing cars with hoses not equipped with a shut-off nozzle; and watering lawns in a manner that causes runoff. Prohibitions also remain against homeowners associations or local governments taking action against homeowners who reduce or stop watering lawns.

Background

In his April 1, 2015 Executive Order, Gov. Edmund G. Brown Jr. mandated a 25 percent water use reduction by users of urban water supplies across California. In May 2015, the State Water Board adopted an emergency regulation requiring a 25 percent reduction in overall potable urban water use statewide from June 2015 through February 2016.

On Feb. 2, 2016, based on Gov. Brown's November 2015 Executive Order, the State Water Board approved an updated and extended emergency regulation. The extended regulation responded to calls for continuing the conservation structure that had spurred such dramatic savings while providing greater consideration of some factors that influence water use: climate, population growth and significant investments in new local, drought-resilient water supplies such as wastewater reuse and desalination.

On May 9, 2016, Governor Edmund G. Brown Jr. issued Executive Order B-37-16, requiring the Board to adjust its emergency water conservation regulation through the end of January 2017 in recognition of the differing water supply conditions across the state and, separately, take action to make some of the requirements of the regulation permanent. The Board adopted the revised regulation on May 18.

Since June 2014, the State Water Board has been tracking water conservation for each of the state's larger urban water suppliers (those with more than 3,000 connections) on a monthly basis. Compliance with individual water supplier conservation requirements is based on cumulative savings. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013.

California has been dealing with the effects of an unprecedented drought. To learn about all the actions the state has taken to manage our water system and cope with the impacts of the drought, visit Drought.CA.Gov. Every Californian should take steps to conserve water. Find out how at SaveOurWater.com. While saving water, it is important to properly water trees. Find out how at www.saveourwater.com/trees. In addition to many effective local programs, state-funded turf removal and toilet replacement rebates are also available. Information and rebate applications can be found at: www.saveourwaterrebates.com/.

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64-k
Cont.



File photo taken March 29, 2015 shows a field being watered in Kern County, the nation's number 2 crop county, near Bakersfield.
Frederic J. Brown/AFP/Getty Images

[Emily Guerin](#) | September 7, 2016

[Listen to story](#)

00:58

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New data out Wednesday show Californians used 15 percent more water this July than the same time last year, continuing a trend that began in June when state officials backed away from mandatory water conservation targets.

While state officials seem unfazed by the increase, others worry it means Californians aren't taking the drought as seriously as before.

In June, the State Water Resources Control Board ended nearly a year of unprecedented mandatory water conservation across the state. In spring 2015, Governor Jerry Brown asked for a statewide cut of 25 percent. To get there, every water agency would be given a percent reduction target to hit.

64-k
Cont.

But after a wet winter filled reservoirs in Northern California, the board decided to lighten its grip on water agencies. Instead of telling them how much to cut back, the board made them prove they had enough water to make it through three more dry years and not run out of supply. If they could do that, they wouldn't be required to continue saving water.

More than 80 percent of water agencies in California (343 out of 411) say they passed that test.

Since then, water use in California has been increasing. Californians used an average of 105 gallons per person per day in June 2016, the first month without mandatory conservation. In July, it rose to 114 gallons per person.

Compare that to summer 2015, under mandatory conservation, when per capita use held steady in June and July at 98 gallons per person per day.

See how every individual California water district did below.

Despite the increase, Steven Moore, who sits on the State Water Resources Control Board, praised Californians for their continued conservation. He said there has been a culture change since summer 2013 when Californians were using upwards of 140 gallons per person per day. He said conservation is now a way of life, and residents are "still recognizing there's a drought."

There's a big difference between having conservation be a way of life, and declaring a water emergency, said Ellen Hanak, director of water policy at the Public Policy Institute of California. When Gov. Brown declared statewide mandatory conservation in 2015, that was an emergency. Now Hanak said things are shifting to more of a permanent, long-term change in how much water we use.

"Last year there was probably some belt-tightening that was more of the emergency nature that we could ease up on some, and I think that's what you're seeing this summer," Hanak said.

But Darron Poulsen wishes the belt-tightening would continue. He's Pomona's director of water and wastewater operations, and his customers are using around 15 percent more water than they did last July – just like Californians as a whole.

"I don't think that's OK," he said. "I would've like to see the number lower. There should be continued messaging on this. This is only the start of a new norm of what droughts are going to be like in the future."

Still, Poulsen let Pomona residents go back to watering their lawn three days a week this summer, up from just one last year – just like many neighboring water agencies.

"I think Californians like their green grass, and like their green landscaping," he said. "When the opportunity arises to not have to be as restrictive and not as mandatory, people fall back into old water habits."

Environment

Is California water use increasing?

▼ About	↗ New window (http://projects.scpr.org/applications/monthly-water-use/region/south-coast)
---------	--

Home (<http://projects.scpr.org/applications/monthly-water-use/>) / South Coast

Choose a water supplier

-- Select a South Coast agency --

About the data: These charts show the daily per capita residential water use rate in California as calculated by the State Water Resources Control Board (http://www.waterboards.ca.gov/waterissues/water_issues/programs/drought/docs/ws_tools/guidance_estimate_re). The charts cover the August 2017 reporting period, and are compared to the previous month unless specified. Since the per capita measure (which reflects gallons of water used per resident per day) does not take into account rainfall, temperature, humidity and population density, the State Water Resources Control Board discourages comparisons between water suppliers.



South Coast (<http://projects.scpr.org/applications/monthly-water-use/region/south-coast/>)

Daily per capita residential water use decreased in August 2017 to an average of 65.87 gallons for the 173 agencies in the South Coast (<http://projects.scpr.org/applications/monthly-water-use/region/south-coast/>) hydrologic region. That number is compared to the July 2017 daily per capita residential water use of 69.63.

Use the chart below to see how the 173 agencies in this region performed.

Click here (<http://projects.scpr.org/applications/monthly-water-use/region/south-coast/enforcement-comparison/>) to see enforcement statistics for water agencies in this region.

64-k
 Cont.

Response to Letter 64 – Kathy Creasey

Response 64-a: The commenter voices opposition to the proposed project citing the areas existing rural environment, peace and quiet, and star gazing. The commenter states that the proposed project is not consistent with and contradicts the purpose of the Shasta County Zoning and General Plan and implies it would impact these things. The commenter states that because the proposed project would result in a significant impact to Noise and Greenhouse Gas Emissions, the proposed project is in conflict with the General Plan and Zoning Ordinance.

Outside of these statement, however, the commenter does not provide facts or evidence to support this position but restates one conclusion in the Draft EIR and misstates a second. Pursuant to the State *CEQA Guidelines*, an effect is not considered significant in the absence of substantial evidence; therefore, comments should be accompanied by factual support. Section 15204(c) of the State *CEQA Guidelines* states:

“Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts. Or expert opinion supported by facts in support of the comments. Pursuant to §15064 an effect shall not be considered significant in the absence of substantial evidence.”

It should be noted, that Section 5.11 NOISE of the Draft EIR found that noise impacts would be *less than significant* or *less than significant with mitigation* incorporated, contrary to the comment. The commenter is correct, however, that the Draft EIR discloses that impacts associated with Greenhouse Gas Emissions would be significant and unavoidable.

Further, Section 5.10 LAND USE AND PLANNING of the Draft EIR evaluated the proposed project for consistency with both the Shasta County Zoning Plan and Shasta County General Plan. The analysis contained in the Draft EIR specifically evaluated the proposed project’s consistency with the Shasta County General Plan (2004), and Shasta County Code Title 15 (Subdivision Regulations) and Title 17 (Zoning). The commenter is referred to **Master Response-2**, above, for additional information regarding the project’s proposed zoning and density. No change to the Draft EIR is required.

The commenter is referred to **Master Response-2**, above, for additional information regarding the project’s proposed zoning and density.

Response 64-b: The commenter restates facts disclosed in the Draft EIR stating that the proposed project would result in dust, diesel fumes, noise, and traffic.

The commenter is referred to Section 5.3, AIR QUALITY, Section 5.11, NOISE, and Section 5.16, TRAFFIC AND CIRCULATION, of the Draft EIR for additional information. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-c: The commenter questions how the deepest pockets can come into the area and change zoning laws. The commenter then restates concerns previously stated in Comment 64-a, above.

The proposed project would result in a change of the existing zoning of the proposed project site from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U), to a Planned Development (PD) zone district. No change in the actual zoning law would occur. Regarding the balance of the comment, the commenter is referred to **Response 64-a**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-d: The commenter questions the calculations used to estimate the proposed project's water demand and expresses concern that these calculations underestimate the water demand for the project.

The commenter is referred to **Master Response-3**, and **Responses 7-m** and **7-n**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-e: The commenter questions the treatment capacity of wastewater treatment facility based on the comment above regarding water use. The commenter speculates that the wastewater treatment facility would not have enough capacity to serve the proposed project and accessory units.

Please refer to **Responses 13-d, 36-a, 43-d, 53-f, 57-e, 57-p, and 57-r**, above, regarding the wastewater treatment facility. Chapter 3.0, PROJECT DESCRIPTION, subheading "Wastewater" beginning on page 3-22 of the Draft EIR provides a detailed description of the wastewater system and facility. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-f: The commenter refers to an attached media release from the California Water Board, dated July 6, 2016. The commenter states that the water supplier should demonstrate adequate capacity to serve customers through three drought years (multiple-dry years).

The commenter is referred to **Master Response-3**, and **Responses 7-b, 7-e, and 7-f**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-g: The commenter questions the attractiveness of the homes to buyers considering the square footage, cost of heating, cost of taxes and TRCSD fees, and water restrictions.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-h: The commenter notes that other developments in the area have not sold and questions the desirability of the proposed project. The commenter asks who will be responsible for the facilities developed as part of the proposed project if not enough people purchase homes.

No issue or adequacy of the Draft EIR was raised by the commenter. State *CEQA Guideline* §15358(b) state that effects analyzed under CEQA must be related to a physical change to the environment. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-i: The commenter states that the Draft EIR states there will be significant impacts to noise and air from short term construction impacts. The commenter states, the construction could take place over a number of years.

The Draft EIR anticipates project buildout in 10 to 15 years. Regarding noise impacts, the commenter is referred to **Responses 41-a, 41-b, 58-l, 63-b, 64-a, and 64-b**, as well as the discussion of impacts in Section 5.11, NOISE, of the Draft EIR, which were less than significant, or less than significant with mitigation. Regarding air quality, the commenter is referred to **Responses 13-a, 13-d, 17-l, 17-m, 64-a, and 64-b**, as well as Section 5.3, AIR QUALITY, of the Draft EIR, which discusses that all but cumulative impacts would be less than significant or less than significant with mitigation, with the exception of cumulative impacts. Cumulative impacts were disclosed to be significant and unavoidable on page 5.3-22.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 64-j: The commenter requests that Shasta County maintain the existing zoning and allow the developer to build within those parameters. The commenter states that this would reduce water usage, traffic, noise, eliminate the need for the treatment facility, and maintain the rural community.

The commenter is referred to **Response 64-a** through **64-j**, above, which address the previously stated concerns. The commenter also is referred to Chapter 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, which discuss Alternatives including the No Project/Development Alternative in Accordance with Existing Zoning. The commenter also is referred to **Master Response-2** and **Response 44-a**, which also discuss the Alternatives in the Draft EIR.

Response 64-k: This comment is reference to the previously referenced State Water Resources Control Board article.

The article is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 65 – Barbee and Brad Seiser (December 27, 2017)

Barbee and Brad Seiser
10603 Northgate Drive
Palo Cedro, CA 96073
530-549-3532

RECEIVED
DEC 27 2017
County of Shasta
Permit Counter

Tierra Robles Draft EIR Public Comments (Hand Delivered and Emailed)
ATT: Kent Hector, Senior Planner, SC Resource Management, Planning Dept
(cc: Remy Moose and Manley)

Section 5.17 Utilities and Service Systems:

IMPACT 5.17-4 Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed. Significance: Potentially Significant Impact.

MOST IMPORTANT TO THE ANALYSIS OF THIS DEIR IS HOW DOES THE APPROVAL OF THE TIERRA ROBLES PLANNED DEVELOPMENT SET THE PRECEDENT FOR THE REZONING OF RURALLY ZONED PARCELS FOR FUTURE PLANNED DEVELOPMENTS, THAT RESULT IN SUBURBAN SPRAWL AND UNSUSTAINABLE WATER DEMANDS WITHIN THE BELLA VISTA WATER DISTRICT (BVWD) SERVICE BOUNDARIES.

CURRENTLY, BVWD HAS OUTSTANDING WILL SERVE COMMITMENTS TO SUPPLY WATER TO 707 PARCELS WITHIN THE DISTRICT. DOES BVWD KNOW HOW MUCH WATER DEMAND IS NEEDED FROM THESE ACTIVE WILL SERVE PARCELS? WHERE'S THAT WATER GOING TO COME FROM, PARTICULARLY IN THE 'NEW NORMAL' OF SINGLE AND MULTIPLE DROUGHT YEARS THAT RESULT IN SEVERE WATER ALLOCATION CUTBACKS FROM THE CENTRAL VALLEY PROJECT (CVP).

IS THE ANSWER TO ALL THESE CVP WATER ALLOCATION CUTBACKS MORE RESTRICTIONS TO EXISTING CUSTOMERS, OR DO WE STOP OR SCALE BACK SUBURBAN SPRAWL DEVELOPMENTS IN RURAL AREAS THAT HAVE FINITE WATER SUPPLY RESOURCES?

BEFORE THE PLANNING COMMISSION OR BOARD OF SUPERVISORS CAN APPROVE THIS OR ANY LARGE SUBURBAN DEVELOPMENT, THEY MUST RE-EXAMINE THE ASSUMPTIONS AND ESTIMATES THAT BVWD USED FOR DETERMINING THE AMOUNT OF WATER IT CAN EXPECT LONG TERM TO BE ALLOCATED TO THE DISTRICT BY THE CENTRAL VALLEY PROJECT IN RELATION TO THE GROWTH EXPECTED IN DEMAND FROM WITHIN THE DISTRICT FROM PLANNED DEVELOPMENT ZONES AND THE EAST REDDING INFILL AREAS. UNTIL THIS ANALYSIS IS COMPLETED THE COUNTY CANNOT RESPONSIBLY DETERMINE HOW MUCH PLANNED DEVELOPMENT WATER DEMAND CAN BE SUSTAINED INTO THE FUTURE.

Page 1 of 17

Barbee and Brad Seiser, Tierra Robles DEIR Public Comments 12/27/17

65-a

Comment 1. In single and multiple drought years when the CVP cuts water allocations to the BVWD, the Developer or the Tierra Robles Community Services District *must provide water augmentation to the BVWD from the start of the project to total buildout of the project per the amended mitigation language 5.17-4b below.* Existing BVWD customers have successfully conserved and restricted water usage in response to recent and historical drought periods. The added water demand for this planned development will only exacerbate the finite resources of the BVWD, particularly in years when the CVP cuts water allocations.

The Amended MM 5.17-4b language below was adapted from the "Potential Mitigation language" proposed in Appendix 15.10 in Tully and Young's Water Demand Evaluation April 26, 2017 on Page 29. The DEIR version of MM 5.17-4b gives the Developer 'a sweet heart deal', where the Developer or Community Service District is off the hook to purchase water until "such time as BVWD has completed 3 full years of full CVP water allocation after commencement of operations at the project site."

The DEIR language is a bad deal for BVWD and its existing customers. For example, let's say 3 full years of full CVP water allocations begins in 2020, the same year the Developer begins construction, which is slated to last two years (end 2022). Then in the third year of full CVP allocations (2023), construction continues or maybe lot sales begin. Let's say that in the 4th year a single drought year occurs or it's the start of multiple drought years. What happens? The Developer is no longer required to purchase additional water to BVWD in the fourth year or thereafter and the 166-home buildout is 10-15 years down the road, leaving BVWD and its existing customers holding an empty water bucket for the life of the buildout!

Hence prior to any approval of any project, the Planning Commission and Board of Supervisors must adopt the Amended MM5.17-4b language below:

Amend MM 5.17- 4b to read as follows: "Concurrent with the formation of the Tierra Robles Community Services District, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with the BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 100 percent (full) of the project's prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the USBR that it will receive less than 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination

Page 2 of 17

Barbee and Brad Seiser, Tierra Robles DEIR Public Comments 12/27/17

65-b

has been announced by USBR as of April 15 of each year. THE AUGMENTING WATER SUPPLIES SHALL BE MADE AVAILABLE TO THE DISTRICT THROUGH THE AGREEMENT UNTIL THE DISTRICT HAS COMPLETED THREE YEARS OF FULL CVP WATER ALLOCATION *FOLLOWING BUILDOUT OF THE PROJECT*. For any shortage condition that occurs after three years of full CVP allocation, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement.”

65-b
Cont.

Comment 2. The DEIR severely underestimates by nearly double the amount of water that will be taken from the finite resources of the Bella Vista Water District system. The DEIR erroneously estimates the total indoor and outdoor water demand for 166 homes at 80 Acre Feet (AF) per year, which extrapolates down to each 2.5-person home as 172 gallons per person per day (GPPD) or 430 gallons per home per day. The indoor usage alone is taken from the State’s 55 gallons per person per day minimum requirements or 137.5 gallons per day per home.

Real-world water demand estimates should come from page 49 of Bella Vista Water District’s Urban Water Management Plan Update 2015 (UWMPU) using actual 2015 water use data, which reflects the severe CVP water allocation cutbacks and an extreme customer conservation effort.

65-c

The UWMPU shows the actual water usage for the 2015 drought year, which excludes all agricultural water, at 335 GPPD. Each 2.5-person District home, will use 837 gallons per day. Extrapolating out, the actual yearly water demand for 166 Tierra Robles homes would be 156 AF, not the Draft EIR estimate of 80 AF.

The BVWD actual 335 GPPD is a conservative view on water demand and does not reflect UWMPU higher 5 and 10-year baseline studies showing a GPPD usage of 758 and 853 respectively and a 2020 target of 947.

Proposed Mitigation: Prior to approval by the Planning Commission and Board of Supervisor a new water demand analysis must be completed in conjunction with the Bella Vista Water District Engineer, based on actual rural residential demand data, so there is an accurate determination of water demand for this development at buildout. Based on these new projections new mitigation measures must be developed or enhanced.

Page 3 of 17

Barbee and Brad Seiser, Tierra Robles DEIR Public Comments 12/27/17

Proposed Mitigation: The Developer and/or the Tierra Robles Community Services District will pay for the drilling of a new well in the south county water basin that ties into the BVWD system so the total water demand for the project is met and existing customers will not be impacted by the increased need for water in the District in Normal and single or multiple drought years.

65-c
Cont.

Comment 3. While BVWD advises no problems in supplying surface water from the Central Valley Project (CVP) in Normal years, the District has had to impose drastic water restrictions during Single and Multiple Dry Years when CVP water allocations were severely cut back. Such cutbacks resulted in the District having to impose severe restrictions and conservation efforts on customers during the following 14 drought periods: 1990 to 1998, 2011 - 2012, 2012 - 2013; 2013 - 2014, 2014 -2015, and 2015 - 2016.

The DEIR references Table 5.17-4 (Single Year Droughts) and Table 5.17.5 (Multiple Year Droughts) from the District's Urban Water Management Plan Update 2015 (page 75) which show estimated water supply and demand data for future projections out to the year 2040.

65-d

All BVWD water projections for single year droughts out to the year 2040 show over a 6,000 Acre Feet shortage in water supply against demand.

Question:

If multiple drought years start as a single year drought, with a deficit in water supply against demand of over 6,000 AF, how can the second year of drought show a surplus against demand and again a surplus in the third year of a drought?

Comment 4. Bella Vista Water District acknowledges "major components of the District's water system are more than 50 years old and approaching the end of their design life." The Draft EIR fails to mention or mitigate fluctuating water pressures to existing customers throughout the Welsh pumping system that will only be exacerbated by a concentration of 166 new homes.

Proposed Mitigation: Before approving any project, the Planning Commission and Board of Supervisors must insist that BVWD (at the Developer's expense) complete a hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

65-e

Section 5.17 Utilities and Service Systems (continued)

Impact 5.17-2 - Implementation of the proposed project would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the

construction of which would cause significant environmental effects. Noted as Less Than Significant and No mitigation measures are required.

65-e
Cont.

Comment 1. As noted above in Section 5.17-4 Comment 2, the DEIR erroneously estimates the total water demand for 166 homes at 80 Acre Feet (AF) per year for indoor and outdoor use. The indoor water usage estimates come from the State's 55 gallons per person per day data, which extrapolates to 137.5 gallons per home per day, based on a 2.5-person occupancy. The DEIR states that the Design Flow of the Wastewater treatment system is based on 200 gallons per day, per home.

As stated in Comment 2 above, actual water usage from the severe drought year of 2015 shows tremendously more water than 200 gallons coming into the home daily. If the DEIR misstates the amount of water each home will use for residential purposes, then all the design flow data used to plan for and size the onsite black and grey Wastewater Treatment and Dispersal system must also be flawed and could cause severe environmental impacts if not corrected. The DEIR system proposes five Orenco AXMax waste treatment modules to handle the black and grey wastewater coming in for treatment. From the site schematics of the system there does not appear to be a backup electrical generator to run the pumping system for the treatment modules and to draw the untreated effluent from the homes.

65-f

Also, the DEIR calls for the installation of the AXMax treatment modules with three modules in Phase I and one each in Phase 2 and Phase 3. The 2012 EIR process proposed for the development to tie into the Palo Cedro sewer system down on Deschutes Road. This plan was rejected; however, that sewer system was not going to be phased in, but fully built out at the start.

The 2016 DEIR plan for a phased buildout of the AXMax treatment modules is unacceptable and must be completed in its entirety before any site maps are recorded by the County. The Developer and The TR Community Services District must assume full responsibility for the technical operation and sustainability of the entire system! If this Developer disappears or goes bankrupt the County and its taxpayers should not have to assume the fiscal liability to finish the system.

Questions:

If the Design Flow data is underestimated at 200 gallons per day per home, how many additional AXMax treatment modules will be necessary to meet the demands of a 166-home subdivision with significantly more water flow per home?

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If the design flow data is underestimated at 200 gallons per day per home, what will be the actual amount of treated effluent that will have to be dispersed to the roadway median landscape areas?

What is the total area in square feet for all the roadway median areas to accommodate all the treated effluent that must be dispersed?

In the winter rain season, how will fully soaked medians be able to absorb all the treated effluent? How and where will treated effluent be stored if it can't be dispersed? If it can't be absorbed in the medians, will the treated effluent make its way into the storm drains and where will it flow?

Since this rural area has a history of power outages, and no backup generators are present in the site plans, what is the plan for backup generators so that flow system will continue to operate should there be power outages of any duration?

Proposed Mitigations: Prior to approval by the Planning Commission and Board of Supervisors a new Wastewater Treatment design flow study must be completed using actual residential water data that is consistent with BVWD rural residential homes. Also, based on this revised study the entire Wastewater Treatment System will be resized as appropriate, including additional or enlarged effluent dispersal areas, or added storage facilities and a backup generator system.

65-f
Cont.

DEIR Section 5.16 Traffic and Circulation

Impact 5.16-3 "Implementation of the proposed project may result in inadequate emergency access."

Comment 1. Under "Long Term Operation" this impact should read "non-existent" emergency access, not "inadequate emergency access". The Draft EIR states that No mitigation measures are required and that the impact would be less than significant. This could not be further from the truth.

65-g

The Draft EIR calls for northern terminus of Northgate Drive to intersect with the southerly terminus of Tierra Robles Lane to provide the project with a secondary emergency access road.

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Northgate Drive is a Private Road and only the 28 homeowners on this road have legally recorded easements which only grants them use of Northgate Drive.

In the Executive Summary, page 2-6, "Site Access and Roadways" it states, "The southerly terminus of Tierra Robles Lane is at the northerly terminus of Northgate Drive, a road used for over 40 years as access to the southeast corner of the proposed project site. The proposed connection with Northgate Road (Drive) would be gated per County fire standards and used for reciprocal emergency access only." The parcel number containing the terminus of Tierra Robles Lane is APN-061-210-001.

County deed records for parcel APN #061-210-001 indicate there is no legally recorded easement for the subject property, by the current owner, Shasta Red LLC, nor the previous owners, Landmark Investment Group, RHS NorCal Investments LLC and UJB Investments LLC nor the previous owners, Chatham Family 1991 Trust and Harryette Chatham J-TR, nor the previous owners, Harryette and Gordon Chatman.

65-g
Cont.

The only legal description for APN-061-210-001 is: "North One-Half of Lots 1 and 2 of the Northwest One-Quarter, Section 30, Township 32 North, Range 3 West, M.D.B &M." There is no recorded easement for access to the adjacent parcel that includes Northgate Drive in that or any other parcel description.

While there may be a history of Northgate Drive being used to move grazing cattle on and off the subject property and to allow access for bee farming, these were limited uses for agricultural purposes only and is not consistent with the purpose of a Planned Development. Again, no legally recorded easement exists.

Proposed Mitigation: The DEIR designation of Northgate Drive as an emergency access road must be removed from all current and future site maps and the developer must determine a new emergency access road, other than Northgate Drive.

Comment 2. The DEIR states on Page 5.16.1 "This section is based upon the *Tierra Robles Traffic Impact Study* (May 2015) and *Supplemental Traffic Impact Analysis* (August 2017) prepared by Omni-Means Engineering Solutions, **both included** as Appendix 15.9, TRAFFIC IMPACT STUDY."

Appendix 15.9 Traffic Impact Study only includes the May 2015 documents and does not include the Supplemental Traffic Impact Analysis of August 2017. The data in Section 5.16 shows some data from May 2015 and some from the inaccessible August 2017 data making it difficult, if not impossible to make complete, accurate assessments, evaluations, conclusions and mitigation proposals for this Section's Public Comments.

65-h

Proposed Mitigation: All assessments, evaluations, conclusions and mitigations contained in Section 5.16 Traffic and Circulation and Appendix 15.9 must be revised and updated to include the August 2017 Supplemental Analysis prior to any pre-approval consideration by the Planning Commission and the Board of Supervisors.

65-h
Cont.

Comment 3. Traffic count errors are given for Intersection 8 Old Oregon Trail at Old Alturas Road. The AM traffic existing counts (151-113) are the same as Existing Plus (151-113). Also, the PM traffic existing counts (158-121) are the same as Existing Plus (158-121) counts.

Questions

What are the real numbers for traffic counts at Intersection 8 during all peak travel times?
What are the revisions to all further analysis that are dependent on these traffic counts (Intersections 12, 18 and 13) in all of Section 5.16, e.g. change to LOS, Warrant, Safety Performance, etc?

65-i

Given this revised data, how are the proposed mitigations changed or what new mitigations are needed for Intersections 8, 12, 18 and 13?

Comment 4. The DEIR Appendix 15.9 (and presumably Section 5.16) uses older 5-year Collision data (2009-2013) from CHP's SWITRS system to generate data and assumptions about Safety Performance on studied road segments as compared with statewide averages for similar type roads, that ultimately led to DEIR mitigation proposals. The Supplemental Traffic Impact Analysis of August 2017 should have retrieved the 2014-2016 SWITRS Collision data and then created a new 5-year data set, 2012-2016, which has been available on the CHP SWITRS website (and downloaded by the undersigned upon enrollment into the CHP application). (Recently, it was announced that nationally there has been a 10% increase in fatalities, which is likely caused by distracted driving.)

More important the DEIR traffic methodology makes NO comment or analysis of how the expected Project increase in Average Daily Traffic (ADT) will impact rates and number of accidents for all road segments and intersections at full buildout. If a roadway already has a 38% higher rate of collisions than the state average, the DEIR does not address what the new rate and number of accidents would be given the increased ADT coming from the Project. There is no analysis of how this would affect proposed mitigations or new mitigations to lower the number and rates of accidents.

65-j

The DEIR fails to even mention the school zone for Foothill High School on the Deschutes Road segment from Boyle Road to SR 44.

Questions:

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Using updated CHP Collision data (2012-2016), for all studied roads and intersections, what are the revised Collision rates and number of collisions projected from new ADT data at Project Plus and full buildout?

How do any proposed or new traffic mitigations prove they are effective in reducing the number and rates of collisions at full buildout of the development?

What is the Traffic Flow data for the intersection entrance at Foothill High School and how will the increased ADT on the Deschutes Road from Boyle to SR 44) affect the Safety Performance of that segment of roadway to ensure the safety of student pedestrians and bicyclists?

65-j
Cont.

Proposed Mitigation: Completely revise and reassess the 5-year SWITRS Collision data using the years 2012-2016 for all studied road segments; Conduct a new Safety Performance assessment to determine which roadway segments are higher than the statewide average for similar roadways. Reconsider all the DEIR mitigations proposed or new mitigations that are needed based on the updated data. Ensure that the school zone of Foothill High School is studied and assessed for needed mitigations. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

Comment 5. Page 5.16-14 shows Table 5.16-6 EXISTING ROADWAY LEVEL OF SERVICE Source: Omni-Means Engineering Solutions. *Tierra Robles Traffic Impact Study. May 2015.*

Questions:

What is the data for this Table from the August 2017 Supplemental Analysis?
How does this data revise the analysis for all aspects of Boyle, Old Alturas and Deschutes Roads throughout Section 5.16?

65-k

How does this data revision change the proposed traffic mitigations or the need for new mitigations on all studied road segments and intersections? How are the Existing Plus conditions and 2035 Cumulative conditions changed?

Comment 6. While Section 5.16 and Appendix 15.9 provides much data for traffic counts and traffic delays at various intersections, projected trips on surrounding roads, average daily trips on various road segments, etc. NO vehicle speed data was measured for any of the listed road segments and the impact of speed on approaches to all the studied intersections is unknown.

65-l

For example, since no data exists, our personal experience of walking and driving on Boyle Road reveals two-way, peak A.M and P.M traffic speeds that mimic a racetrack as parents and

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students travel to and from Cow Creek Elementary and Foothill High Schools and/or drive to work in Redding.

Questions:

What are the existing average road speeds for ALL road segments in all directions that have data for Average Daily Trips?

What are the existing average road speeds in both directions on Boyle Road during A.M. and P.M peak times?

With the inclusion of a speed analysis, what are the projections for Existing Plus and 2035 Cumulative conditions for all surrounding roadways, intersections, including LOS and Warrant Analysis. How are delay times affected?
How are currently proposed traffic mitigations impacted by speed data and how would they be modified or changed? What new traffic mitigations would be proposed to reflect this additional information?

Regarding the proposed mitigation of a four way stop sign at the Intersection 13 of Deschutes and Boyle Roads:

What are the existing average road speeds for through traffic in both directions on Deschutes Road at Intersection 13?

What is the impact of speed in the effectiveness and safety of this mitigation, particularly since this is an Intersection where there is large curve on Deschutes just south of the intersection and a long steep hill just north of the intersection and a school zone going east towards Cow Creek Elementary School?

Given the new speed data analysis, what new traffic mitigation options would be appropriate and effective at Intersection 13?

Proposed Mitigation: Redo the Traffic Study to consider the impact of speed, which must be measured and assessed in compliance with accepted Caltrans standards, so that any proposed and new traffic mitigations are consistent with the analysis for all local roads and intersections studied in the DEIR. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

Comment 7. According to DEIR data there will be 1,774 added trips per day to surrounding roads and intersections. The Project Trip Distribution Map on page 5.16-16 shows Boyle Road will have 80% of new projected trips with 61% of trips going towards Old Alturas Road and 19%

65-l
Cont.

65-m

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going towards Deschutes Road. This indicates the Tierra Robles Entrance/Exit at Intersection 18 (Boyle Road and Project Road A) will have by far the highest volume of traffic entering and exiting the development versus the entrance/exit Intersection 3 at Old Alturas and Seven Lakes Roads.

The Boyle Road segment from Northgate Drive to October Lane is almost a straight stretch of road that passes this new Intersection 18. On this segment there are approximately 14 streets and driveways on the north side of Boyle and approximately 16 streets and driveways on the south side of Boyle. In either direction there are significant dips and rises in the sight lines on this stretch of road which can make visibility a challenge to see cars turning onto Boyle from side streets and driveways. It is not uncommon to see vehicles crossing the center line or almost driving off the edge of the road which has almost no shoulder at all.

Intersection 18 has not been evaluated to ensure safe turning into and out of the development so that Boyle through traffic is safely accommodated, particularly during peak A.M. and PM times. The DEIR only proposes a two-way stop sign mitigation for this congested, high speed intersection.

Questions:

At Intersection 18, what is the existing Boyle through traffic flow data in both directions that passes this proposed intersection during peak A.M. and P.M. timeframes?

At Intersection 18 what is the existing average speed of vehicles passing this proposed intersection during peak A.M. and P.M timeframes?

If 80% of the new added projected trips use this Intersection, how many cars will be entering or exiting the development during peak A.M. and P.M. timeframes?

What will be the delay times at this Intersection for Boyle through traffic in either direction due to traffic turning left into the development or turning left out of the Project during peak A.M. and P.M times?

How does the above data collected for traffic flow, delay and speed correlate to determine what mitigations are needed to ensure this intersection meets safety requirements for those vehicles turning into and out of the Project and those that are passing through this intersection during A.M. and P.M peak times?

How does this new data impact LOS Project Plus and 2035 Plus Project traffic conditions for this intersection and the entire road segment of Boyle Road?

65-m
Cont.

Proposed Mitigation: To ensure safe, unimpeded through traffic on Boyle Road, use the Tierra Robles property frontage to adjust Boyle Road for the installation of a dedicated left turn lane into the development. For vehicles turning left out of the Project onto Boyle, install a left turn access lane that adds cars safely into the flow of Boyle through traffic. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

65-m
Cont.

Comment 8. Under Project Trip Distribution -
According to the study, 20% of project traffic is expected to use Old Oregon Trail between Old Alturas Rd and SR 44, causing the ADT to change from 8031 to 8386. This increase leads to a recommended mitigation of installing a traffic signal/roundabout.

The study also shows that 15% of project traffic is expected to use Deschutes Rd between Boyle Rd and SR 44 causing the ADT to change from 8495 to 8761. This increase leads to a recommended mitigation of installing street name signs along Deschutes Rd.

65-n

Question:

Why does Old Oregon Trail, with an ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and Deschutes Rd, with 8761 and an accident rate 38% above average (old 2009-2013 data) not need a signal/roundabout)?

Proposed Mitigation: Instead of the DEIR proposed street signs, install a signal or roundabout on Deschutes Road to handle the increased project ADT.

Additional Traffic Questions:

For all the proposed traffic mitigations, such as roundabouts, warning signs, two-way and four-way stop signs etc. what is the supporting simulation data that prove the proposed Draft EIR mitigations are effective at full buildout of the subdivision?

What increased maintenance timeframes and expenses can the County expect to incur because of the 1,774 daily added trips to surrounding roads, particularly Boyle Road, which is already being resurfaced on a year schedule a two-year schedule now?

65-o

Due to the increased rate of deterioration of local roads, caused by the Project's increase in Average Daily Traffic, what costs will be borne by the Developer or Tierra Robles residents, rather than existing tax payers, to repair and maintain these roads?

What is the analysis for a Board of Supervisor approved Mello Roos fee being considered for Tierra Robles homeowners to pay for increased maintenance costs for local road maintenance and other impacts to County services including Sheriff and Fire Services, Schools etc.?

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Shasta County is already behind for already funded and approved 'on the books' roadway improvements, let alone any new traffic mitigations for this development. What assurances and guarantees do East County residents have that the County and Developer will buildout the mitigations described in a Final Draft EIR prior to the selling of any parcels?

65-o
Cont.

Proposed Mitigation: Before any site maps are recorded by the County all traffic mitigation plans and solutions must be built out and fully operational.

Regarding the Proposed Zone Amendment Z10-002, Tract Map 1996, SCH No. 2012102051

Comment 1. Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres...for development in six phases". The DEIR proves that proposed distribution of lot sizes does not meet General Plan and Zoning requirements that development be consistent with existing parcel sizes and zoning and fitting in with the rural/agricultural character of the surrounding area. The analysis below proves Tierra Robles is an example of a suburban planned development dumped in the middle of a rural residential area!

65-p

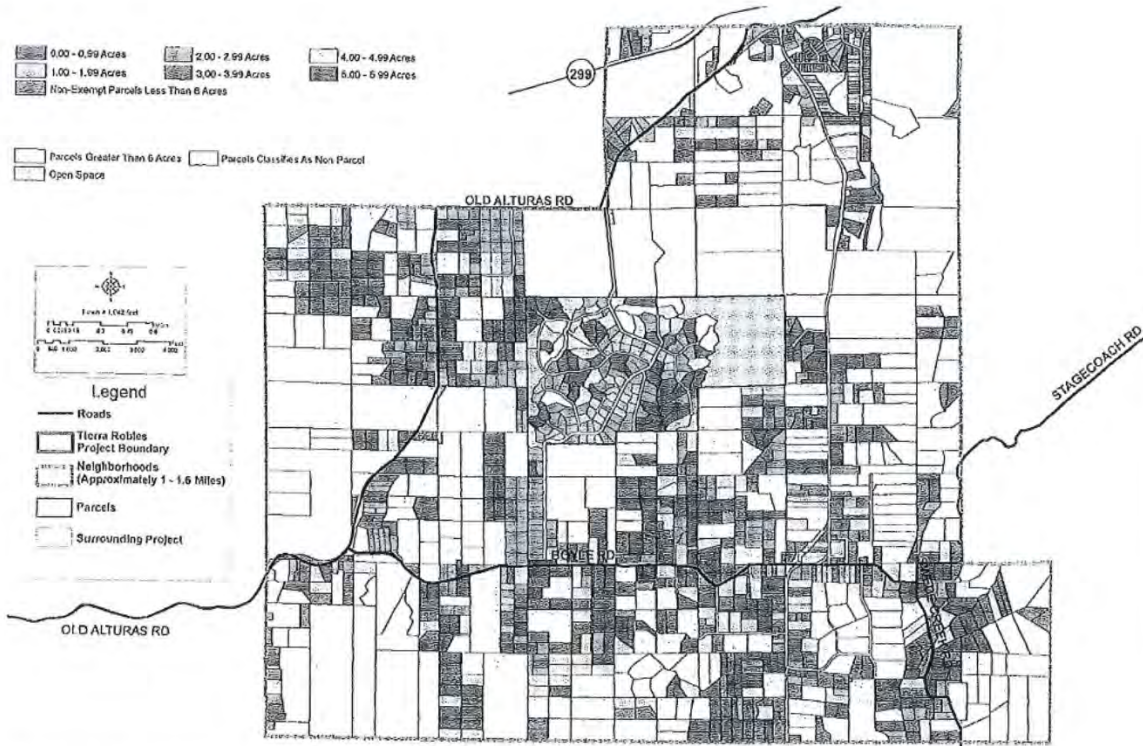
In Sec. 5.10.12, the DEIR states, "Although the proposed project would alter current conditions on the site, the proposed project would be compatible in density with the surrounding existing uses." It goes on to say that the rezone would not change the rural character of the area but later contradicts and states it will change to "semi-rural."

A zoning amendment for a Planned Development should not be granted because the number of parcels, acreage sizes and percentages of parcels in each acreage size do not meet the standard to fit with the area's existing zoning and parcel sizes which would be against the County General Plan and Zoning Regulations.

The DEIR uses the Composite Parcel Size Map, Section 5.10-1 to show the land area parcel sizes that are 1 to 1.5 miles surrounding the proposed development. By counting the number of mapped parcels in each acreage category, a percentage in each category can be determined and then compared to the Development's percentage of homes to be built in each acreage category, which shows there is no correlation of this Development to the surrounding rural community.

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65-p
 Cont.

SOURCE: Tierra Robles Project, Shasta County Public Data, Lehman and Associates



TIERRA ROBLES PLANNED DEVELOPMENT • EIR
Composite Parcel Map
 Figure 5.10-1

TIERRA ROBLES PLANNED DEVELOPMENT
 ZONE AMENDMENT Z10-002
 TRACT MAP 1996
 SCH NO. 2012102051

SUBDIVISION DEVELOPMENT SUMMARY

As shown below in Table 3-4, PROJECT ACREAGE AND LOTTING SUMMARY, site development would include the following principle components (refer to Figure 3-6, PROPOSED TENTATIVE MAP). Also, refer to Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT.

Rural Residential Parcels

The proposed project would include 166 single-family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 acres (total residential parcel area). Depending on overall market conditions at the time of project implementation, the new residential parcels would be developed in six phases that are roughly equal in size as noted in Table 3-5, PROJECT PHASING and Figure 3-7, PROJECT PHASING. Residential lots are generally grouped in size clusters as shown on Figure 3-6. Although the actual size of the homes would vary, an average residence would be approximately 3,550 square feet with an average of 3.5 bedrooms (refer to Table 3-4, PROJECT ACREAGE AND LOTTING SUMMARY, below). Although every approved residential lot would be entitled to an accessory dwelling unit pursuant to Government Code §65852.2, it is assumed that approximately 9 percent, or 15 lots would have secondary units based on historical County trends¹. Accessory dwelling units could be constructed within the established residential development envelope up to a maximum 1,200 square feet.

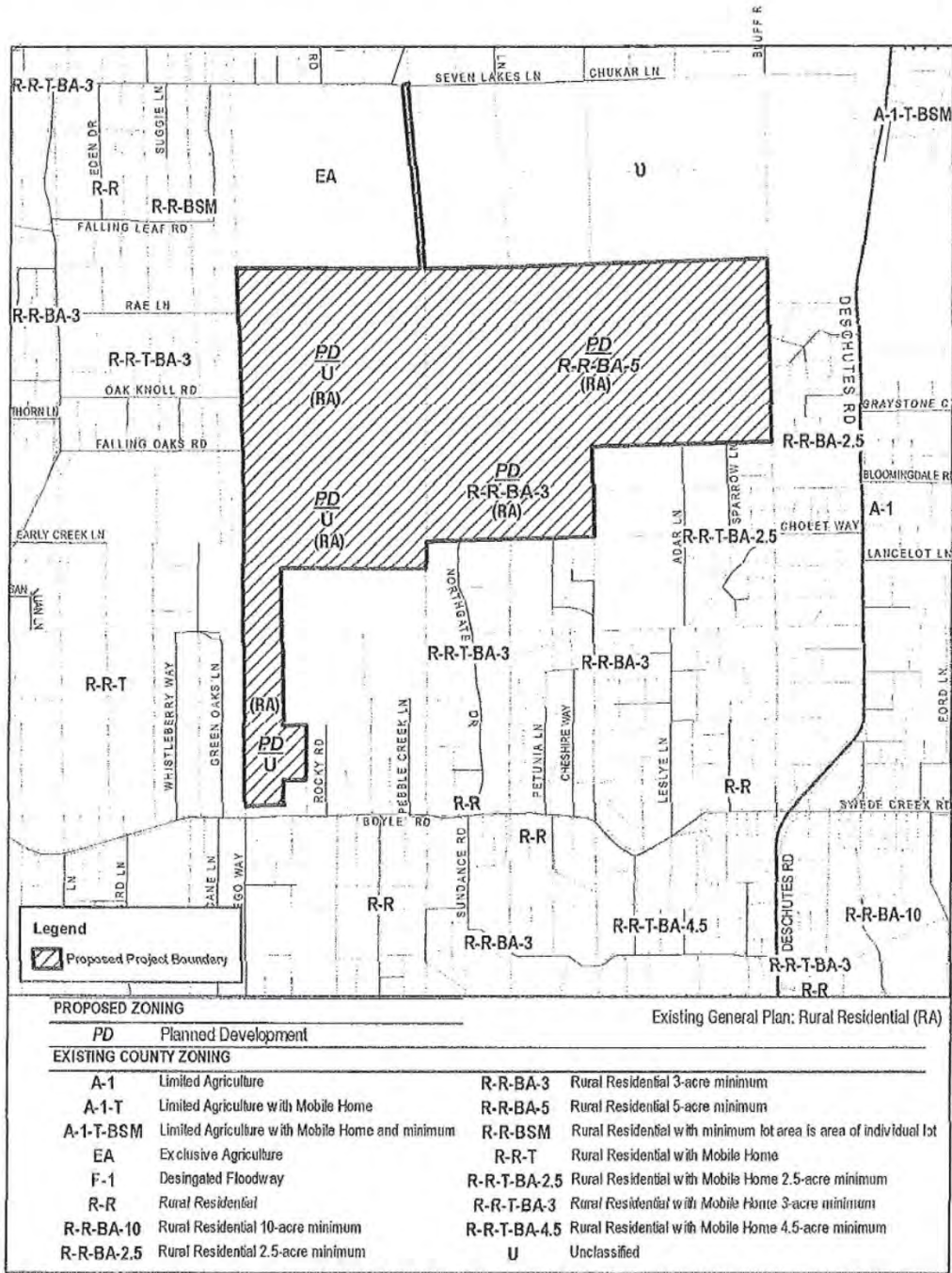
Table 3-4
 PROJECT ACREAGE AND LOTTING SUMMARY

Land Use	Acreage	Description
Rural Residential	1.00-1.99 acres 2.00-2.99 acres 3.00-3.99 acres 4.00-4.99 acres 5.00-4.99 acres 6.00+ acres 471.92 acres	45 residential lots 65 residential lots 25 residential lots 16 residential lots 10 residential lots 5 residential lots 166 residential lots
Roadway Right-of-Way (Internal)	46.48 acres	15 Roadway Segments
Roadway Right-of-Way (Offsite)	5.23 acres	North Connection to Old Alturas Road
Secondary Disposal Area	4.36 acres	Lot No. 73
Bridges	N/A	2 Crossings of Clough Creek
Six Open Space Parcels	154.90 acres 7.08 acres 14.58 acres 2.62 acres 3.05 acres 8.45 acres 192.68 acres	1 open space lot – east 1 open space lot – north west 1 open space lot – south 1 open space lot – north center 1 open space lot – north center 1 open space lot – along Clough Creek
TOTAL PROPOSED PROJECT	720.67 acres	

Source: S2 ~ J2 Engineering, December 2016.

¹ In an effort to estimate the number of potential accessory dwelling units (ADU) that could be built based on a 166-unit single-family subdivision in unincorporated Shasta County, data compiled as part of the County's 2009-2014 Housing Element (Appendix B-Residential Land Inventory) and the County's Draft Housing Element (Appendix B-Residential Land Inventory) was utilized. Based on the "units built" as reported in these documents the following can be derived: 2007-2009, 79 ADUs constructed out of a total 664 units constructed Countywide; 2014-2016, 11 ADUs constructed out of a total 356 units constructed Countywide. As a result, an 8.8% ADU assumption (rounded to 9%) totaling 15 ADUs could be reasonably assumed for the proposed project based on the available historical data presented within the above noted documents.

65-q



SOURCE: Shasta County GIS 2012 (parcels, zoning)



TIERRA ROBLES PLANNED DEVELOPMENT • EIR
 Existing General Plan and Zoning

Figure 3-5

65-q
 Cont.

category, which shows there is no correlation of this Development to the surrounding rural community.

The chart below combines and compares Table 3-4 "Project Acreage and Lotting Summary" on page 3-16 of the Subdivision Development Summary to the number and percentage of parcel acreages from the Composite Parcel Map Figure 5.10-1:

<u>Acreage</u>	<u>Lotting Description</u>	<u>% Parcels</u>	<u># of Surrounding Parcels**</u>	<u>% of Surrounding</u>
0 - .99 ac	0	0	46	5%
1.00 – 1.99 ac	45 Homes	27%	48	5%
2.00 – 2.99ac	65 Homes	39%	155	17%
3.00 – 3.99 ac	25 Homes	15%	137	15%
4.00 – 4.99 ac	16 Homes	10%	117	13%
5.00 – 5.99 ac	10 Homes	6%	128	14%
6.0+ ac	5 Homes	3%	293	32%
Totals	166 Homes		924 Parcels	

** Non-Exempt Parcels less than 6 acres - 273 - not included in the above surrounding percent calculations since the exact acreage is unknown, other than less than 6 acres.

Proposed Mitigation: Since the above chart shows that the proposed zoning amendment change for a Planned Development is not consistent with the existing parcel zoning in the surrounding area, the following Alternative Plan shall be adopted: The Developer shall be required to convert the proposed 471.92 usable acres to a number of lot parcels that mimic the exact percentages of the surrounding parcels as depicted in Composite Parcel Map Figure 5.10-1, *with the exception of parcel sizes that fall below 2 acres* since the rural residential zoning require one dwelling per 2 acre minimums. If not, then the Developer should not be granted a zoning amendment for a Planned Development.

The Formation of the Tierra Robles Community Services District (TRCSD):

Comment 1. The formation of the Tierra Robles Community Services District (TRCSD) promotes an entity that is overtasked, underfunded and lacking in ANY enforcement powers to ensure compliance by builders, homeowners, waste treatment operators, etc.

This proposed entity can be likened to an 'oversized' Home Owner's Association that lacks the technical expertise, and long term financial sustainability to deliver on the proposed Mitigations related to the Waste Treatment facilities, all the management and oversight of the RMA's, establishment and sustainability of all the required off-site biological areas in perpetuity. The notion that 166 homes can pay for all the required services and mitigations is preposterous.

65-q
Cont.

65-r

CSD. What will happen to this project and CSD if there is another economic downturn and the Developer lacks the financial staying power to ride it out.

While the County's Resource Management Department and Shasta LAFCO may be willing to oversee the buildout of the project and the formation and running of the CSD, how can they responsibly deliver on new activities when they are having challenges delivering on their current workloads and responsibilities.

The last thing this County needs, given its limited financial resources, is to get back the responsibilities for running and financing the mandated activities of the TRCSD. To that end, the DEIR present no documentation or analysis to show the financial integrity and sustainability of this Developer to meet the required budgeted costs associated with the operation of this CSD, particularly when buildout is expected to take place over 10-15 years and a budget which apparently is at the effect of home buyers to pay on a yearly basis.

Most CSD's in California do not have any powers to enforce anything. There is no mention of enforcement powers and it seems this is a toothless entity.

Proposed Mitigation Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, there shall be a mechanism in place to ensure that the TRCSD has enforcement powers to function in a sustainable way regarding it's programmatic and financial relationship to builders, homeowners, etc.

Comment 2. Regarding the proposed mitigation for a TRCSD purchase agreement of water in single and multiple drought years, there does not appear to be a line item for this purchase in this budget, except for landscaping watering which does not appear to be related to this contingency water purchase.

Questions:

How will the TRCSD pay for the cost of the drought contingency water agreement? Will the cost of this contingency water purchase be a cost absorbed by the Developer or is the plan to bill homebuyers? Where does this accounting appear in the proposed budget?

How does the TRCSD propose to enforce any of the CC&Rs or the collection of the requisite annual fees that the TRCSD needs to finance its activities and responsibilities?

Where in the DEIR is the financial analysis of the financial condition, viability and sustainability of Shasta Red LLC? What is the mechanism for the County to ensure that all the required mitigations that will be part of the final EIR are to be delivered upon by the Developer or TRCSD, regardless of how lot sales proceed?

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65-r
Cont.

65-s

Proposed Mitigation: Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, Shasta Red LLC must submit to a financial stress test that ensures they have the financial sustainability to see this project through total buildout and the full capitalization of all final Mitigations and responsibilities for the TRCSD.

65-s
Cont.

Section 5.4 Biological Resources

MM 5.4-1e Potential Impacts to the Red Bluff Dwarf Rush:

Comment 1. There is approximately a quarter acre population of Red Bluff Dwarf Rush and while the DEIR states there will be no development within the RMAs of approximately 13 lots, 60-69 or 77-79 the proposed road alignment is currently not designed to maintain the minimum buffer of 100 feet. The mapped population of Red Bluff Dwarf Rush occurs in or adjacent to the roadway right of way and thus would have a significant adverse effect.

65-t

Proposed Mitigation: Looking at the Figure 3 on page 22 of the Appendices 15.4 - ALL road development must be moved outside the buffer area for the Dwarf Rush. Ensure that no run off from the road or from the parcels adjacent to the Dwarf Rush area drain into the drainage where the plant is found.

Comment 2. The rare plant surveys should be done at the proper time of year and in a year when there are proper hydrologic regimes present since most of the species we're looking at are wetland dependent. The study was completed in 2016 and was not a very good year as the that water year was dry. Spring of 2017 was quite wet and would have been the proper time to conduct the surveys. Surveys done 2015 or earlier are probably not very reliable. Also, the hydrologic conditions in the winter of 2016 to 2017 was substantially different than that of 2010 when the original work was done.

65-u

Proposed Mitigation: Repeat all the rare plant surveys at the proper time of year to identify all the species that were identified in the table of potentially significant species, pages 5.4-20 to 24.

Comment 3. An Army Corp of Engineer verification of wetlands is valid for only a five-year period. Information about the current verification is as follows: **Chatham Ranch Wetlands Delineation Addendum May 2011 Introduction** - On September 25, 2009 Wildland Resource

65-v

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Barbee and Brad Seiser, Tierra Robles DEIR Public Comments 12/27/17

Managers (WRM) submitted a wetlands delineation for Chatham Ranch (SPK-2008-00428) to the Army Corp of Engineers for verification. Subsequent to that submittal, on March 30 and 31st of 2010 a field visit was conducted by Mr. Josh Emory of the Corp and Steve Kerns of WRM for the purpose of verifying the accuracy of the delineation mapping.

65-v
Cont.

Proposed Mitigation: The Developer must request a current wetland delineation and resubmittal to the Army Corps of Engineers for verification because the verification of the previous wetland delineation is more than five years old.

Comment 3. The Elderberry clusters is the habitat for the long horn beetle (VELB). This species is still Federally listed and thus has the protection of the Federal Endangered Species Act and the California Endangered Species Act. The clusters of Elderberry's that were found on the site should be given protection, not just from clearing of shrubs around them, but in permanent protection of the species in perpetuity.

65-w

Comment 4. Oak Woodland. Approximately 88 percent of the project site supports an oak woodland. TRCSD Oak Management Plan - The plan implementation will provide for a variety of things including the maintenance of Oak Woodlands to reduce fire hazards.

65-x

Question:

How will that be accomplished? Will that involve the removal of shrubs, trees or other vegetation? If so, where, when and what will the ultimate effect be on native vegetation?

*Thank you for your attention to all these issues and concerns. We look forward to your revised final EIR.
Sincerely yours,
Brad and Barb Seiser 12/27/17*

65-y

Response to Letter 65 – Barbee and Brad Seiser

Response 65-a: The commenter raises concerns regarding Bella Vista Water District’s (BVWD) ability to supply water to the proposed project and the precedent that will be set by approving the subdivision of the rurally zoned parcels.

Regarding the rezoning of the proposed project site, the commenter is referred to **Master Response-2**, above. Regarding water supply, the commenter is referred to **Master Response-3**, above. Regarding a precedent setting action, the commenter is referred to page 6-6 of Section 6.0, GROWTH INDUCING IMPACTS, which analyzed and found that the proposed project does not provide any precedent setting actions that, if approved, would specifically allow or encourage other projects and resultant growth to occur. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-b: The commenter expresses concern regarding water supply and the proposed project’s water demands. The commenter requests that Mitigation Measure MM 5.17-4b be amended to better align with Appendix 15.10, WATER DEMAND EVALUATION.

Please refer to **Master Response-3** and **Responses 7-a** through **7-p**, above, in particular, **Responses 7-c, 7-e** and **7-f**. As discussed in **Master Response-3**, and detailed in Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR, the proposed project’s water demand is estimated by separately determining indoor and outdoor use factors for each parcel. Indoor estimates are based upon an assumed average daily per-capita use of 55 gallons for each day of the year. With an average occupancy of 2.5 people, each home would be estimated to use 137.5 gallons per day, or nearly 51,000 gallons per year. The use of 55 gallons per-capita per day (gpcd) complies with the California Water Code § 10608.20(b)(2)(A) which directs this value to be used for estimating residential indoor uses.

As most recently codified, the California Water Code has amended the residential indoor standard to drop below 55 gpcd. The new statutory requirements reduce the average value to 52.5 gpcd as of 2025, and potentially to 50 gpcd as of 2030, as required by California Water Code §10609.4(a), chaptered on May 31, 2018. It is possible that, even given currently available residential water use fixtures and appliances, indoor per-capita demands could be even lower than those estimated using 55 gpcd.

As discussed above, MM 5.17-4b is intended to address shortage conditions for the project. MM 5.-14b states “...the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating *that the applicant has secured an Agreement* with BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 90 percent of the project’s prior year water usage.” [*emphasis added*]. Existing shortage conditions due to a variety of conditions affecting CVP supplies will continue as noted. Once reaching full demand for a specific period (see MM 5.17-4b), the future homeowners at the proposed project will also be subject to the same shortages faced by existing customers. But, due to the structure of BVWD’s CVP contract, the demands of the proposed project will not exacerbate the shortage conditions faced by existing users. The magnitude and frequency of CVP shortages on existing customers will

be the same with or without the additional demands of the proposed project. As noted in MM 5.17-4b, the applicant must enter into an agreement that is acceptable to BVWD, and therefore, assumes that BVWD would require various assurances regarding availability and reliability of the temporary supply, and financing prior to approving any agreement for temporary water supplies. MM 5.17-4b ensures that actual physical development does not occur until such time as there is adequate water to serve it.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-c: The commenter expresses concern regarding the calculations for water demand and states that they underestimate this demand, referring to page 49 of the BVWD Urban Water Management Plan Update 2015. The commenter requests new mitigation measures requiring a new water demand analysis and requiring the drilling of a new well in the south county water basin that ties into the BVWD system.

Please refer to **Master Response-3** and **Responses 7-a** through **7-p**, above, in particular, **Responses 7-m** and **7-n**. The Urban Water Management Plan (UWMP) Act requires an urban purveyor to reduce its overall per-capita water use by some amount by 2020. BVWD has committed to reducing the overall per-capita water use by 20% from 2013 averages. This target per-capita value is derived by dividing the total “gross water” use (as defined by the California Water Code) by the total population served. Thus, the average per-capita use incorporates all customer uses within BVWD, including commercial, residential, rural, agricultural (as this customer type also receives municipally treated water), industrial, parks, and any other specific BVWD customer classification. Estimating water demands for a new customer, such as the residential indoor and limited-landscape outdoor demands associated with the proposed project, are based upon other methods as articulated in Appendix 15-10, WATER DEMAND EVALUATION, of the Draft EIR. The new customer demands, and associated population, will be included in future determinations of the overall BVWD average per-capita use. The fact that they will be lower than average may help BVWD achieve its overall 20% average per-capita use reduction target.

Furthermore, as most recently codified, the California Water Code has amended the residential indoor standard to drop below 55 gallons per-capita per day (gpcd). The new statutory requirements reduce the average value to 52.5 gpcd as of 2025, and potentially to 50 gpcd as of 2030, as required by California Water Code §10609.4(a), chaptered on May 31, 2018. It is possible that available residential water use fixtures and appliances will result in indoor per-capita demands that are even lower than those estimated using 55 gpcd. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-d: The commenter questions the water supply during multiple-dry years when a single dry year has a deficit in water supply by 6,000 acre-feet.

Please refer to **Master Response-3**, **Responses 7-a** through **7-p**, and **Responses 65-b** and **65-c**, above. Mitigation measure MM 5.17-4b is intended to address shortage conditions

for the project. Once reaching full demand for a specific period (see MM 5.17-4b), the future homeowners at the proposed project will also be subject to the same shortages faced by existing customers. But, due to the structure of BVWD's CVP contract, the demands of the proposed project will not exacerbate the shortage conditions faced by existing users. The magnitude and frequency of CVP shortages on existing customers will be the same with or without the additional demands of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-e: The commenter states that the Draft EIR does not analyze and/or mitigate for fluctuating water pressure to existing residences and recommends that a mitigation measure be added to require a complete hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

Please refer to **Master Response-3** and **Responses 7-a** through **7-p**, and **17-g**, above. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-f: The commenter restates concerns regarding the water demand calculations as well as concerns that the County and its taxpayers will ultimately assume the fiscal liability to finish the wastewater treatment system. The commenter also questions the number of AXMax treatment modules needed to meet demand if the design flow data is underestimated, the total area needed to fully accommodate the treated effluent, what happens when soils are already saturated during the rainy season, and what happens with the flow system when power outages occur and no generator is present. Finally, the commenter requests additional mitigation measures be incorporated to require added storage facilities and backup generators as well as a new design flow study.

Regarding water demand, please refer to **Master Response-3** and **Responses 7-a** through **7-p**, **17-g**, **65-b** through **65-e**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Regarding fiscal liability, State *CEQA Guidelines* § 15358(b) state that effects analyzed under CEQA must be related to a physical change in the environment. Therefore, it is not appropriate for discussion in the Draft EIR. In addition, State *CEQA Guidelines* §15064 (d)(3) states, "An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable." It is speculative to assume that the developer would not develop the project site and that the Tierra Robles Community Service District (TRCSD) would not be put in fully funded and functional. CEQA analysis is limited to what is known or reasonably foreseeable, therefore, this speculation is not a part of the analysis included in the Draft EIR.

Regarding the wastewater treatment facility, please refer to **Responses 13-d, 36-a, 43-d, 53-f, 57-e, 57-p, and 57-r**, above, regarding the wastewater treatment facility. Chapter 3.0, PROJECT DESCRIPTION, subheading “Wastewater” beginning on page 3-22 of the Draft EIR provides a detailed description of the wastewater system and facility. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-g: The commenter expresses concern regarding project property access, specifically the secondary emergency access on Northgate Drive, a private road that does not provide legally recorded easements to access the project site. The commenter requests that all current and future site maps remove Northgate Drive as an emergency access and determine a new emergency access road.

Refer to **Response 23-b**, above. Access to and from the “Chatham Ranch” site (project site) has been in existence for many years, circa 1941 according to the project proponent. This type of access today can be considered and, qualify as, a prescriptive easement given its long-term, short-term and present/proposed use. No access (from owners that purchased subdivided lots along Northgate Drive - at least since 1957) would need to be granted for the purpose of establishing a prescriptive easement and no legal instrument was or has been created to prohibit the use of the currently named “Northgate Drive” by owners of the project site (and any successors in interest).

As can be seen from a 1957 United States Geological Survey (USGS) USGS 7.5-minute quad (scale 1:24000), two pathways/roads/access/trails are located along the westerly side of Section 30 of Township 32 North and Range 3 West (T-32-N, R-3-W). These geographical features are significant enough to warrant inclusion in the quad by the preparers of the USGS quad. These are not named roads and are assumed to be less than an improved surface. It is very likely that the most westerly one of the two identified access points to Boyle Road is the one that was later improved as “Northgate Drive”. As can be seen from the 1957 USGS quad, there are very few structures present at that time. The Chatham Ranch site benefited from having access to Boyle Road since 1957. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR, including figures, is necessary.

Response 65-h: The commenter states that Appendix 15.9, TRAFFIC IMPACT STUDY, only includes the May 2015 documents and does not include the supplemental Traffic Impact Analysis of August 2017. The commenter requests that the August 2017 data be made available to the public in order to provide a thorough record for review.

Please refer to **Master Response-1**, above, regarding the availability of the Draft EIR and technical appendices for public review and comment. The 2017 Traffic Impact Study update was available to the public at the time of the release of the Draft EIR at public locations as required by law. Availability of 2017 Traffic Impact Analysis Update was also made available electronically.

With respect to the 2017 traffic data, the purpose of the 2017 Traffic Impact Study update was to add the trips associated with secondary units that may be built in the project and

to add the impacts to those already studied. The Draft EIR incorporates the 2017 data for potential secondary units and provides adequate mitigation as necessary. All traffic impacts associated with the project have been analyzed. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR, including figures, is necessary.

Response 65-i: The commenter questions the traffic counts at Old Oregon Trail and Old Alturas Road (Intersection #8). The commenter states that the existing and existing plus project AM and PM traffic numbers are the same. The commenter requests that these traffic counts be revised and analysis be completed to determine if changes in impacts and mitigation measures are required.

Please refer to **Response 48-n**, above. It is true that the modeling includes the same numbers for the northbound and southbound through lanes. It is also true that the trips are also the same numbers for southbound right turn, east bound left turn, east bound right turn and northbound left turn in both described conditions for AM – leaving six turning movements at Old Oregon Trail and Old Alturas Road (Intersection #8) with differing numbers. In the PM the same trip numbers are used for northbound left turn, southbound left turn, the southbound through lane and eastbound left turn – leaving eight turning movements at Intersection No. 8 with differing trip numbers. It is not a mistake or error to have duplicate trip assignments for various modeling scenarios.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the draft EIR provide analysis of the proposed project on traffic and circulation. As discussed in Section 5.16.5, TRIP GENERATION AND DISTRIBUTION, project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (ITE Code 210) has been used to estimate the trip generation for the proposed project. Table 5.16-8, PROJECT TRIP GENERATION, on page 5.16-15 of the Draft EIR, provides a summary of the land use and quantities (i.e., units) for the proposed project, along with corresponding ITE land use codes from which trip generation characteristics were established and analyzed. As discussed in Section 5.16.3, METHODOLOGY AND GUIDELINES, intersection LOS is calculated for all control types using the *Synchro 8* software by Trafficware, implementing the methods documented in the HCM 2010. For signalized intersections and all-way-stop-controlled (AWSC) intersections, the intersection delays and LOS are average values for all intersection movements. For two-way-stop-controlled (TWSC) intersections, the intersection delays and LOS are representative of those for the worst-case movement.

Based on the above trip generation models and trip distribution models, the traffic numbers at the intersection of Old Alturas Road and Old Oregon Trail Road differ. While some movements at the intersection remain the same between existing and existing plus project scenarios, other movements differ. The traffic volumes on Old Alturas Road increase in the AM peak hour heading away from the project site, while they increase in the PM peak hour heading toward the project site on Old Alturas Road. Similarly, traffic movements from Old Oregon Trail Road onto Old Alturas Road head towards the project site increase as well. The traffic volumes that the commenter refers to are the through movements on Old Oregon Trail Road, and thus are not affected by the proposed project.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR, including figures, is necessary.

Response 65-j: The commenter states that the 2017 Traffic Study Update should have analyzed the 2014-2016 CHP SWITRS collisions data and thus created a new data set for 2012-2016, rather than rely on old collision data. The commenter also states that the Draft EIR does not analyze how the increase in average daily trips (ADT) from the proposed project will impacts rates and number of accidents on the local roadways. The commenter requests that the analysis, and mitigation if appropriate, be revised to analyze more recent traffic collision data and that the revised analysis include consideration of school zones.

Please refer to **Responses 14-b, 40-a, 48-h, 48-i, 48-k, 48-m, 48-p, 48-t, 48-u, 48-v, and 54-f**, above. The comment is part of the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 65-k: The commenter questions Table 5.16-6, EXISTING ROADWAY LEVEL OF SERVICE, data because it is based on 2015 numbers and should be based on numbers provided within the 2017 Update. The commenter then questions how these new numbers change the analysis of traffic impacts and mitigation measures.

As discussed in **Response 65-h**, the purpose of the 2017 Traffic Impact Study update was to add the trips associated with secondary units that may be built in the project and to add the impacts to those already studied. The Draft EIR incorporates the 2017 data for potential secondary units and provides adequate mitigation as necessary. Therefore, the use of 2015 LOS data is appropriate for the Draft EIR. All traffic impacts associated with the project have been analyzed with the appropriate data provided by the technical studies. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-l: The commenter states that no vehicle speed data was measured as part of the traffic analysis and requests that vehicle speed be provided for existing average use, AM peak hours, PM peak hours, and projections for Existing Plus Project and Year 2035 Cumulative Plus Project scenario. The commenter also requests information on roadway vehicle speeds after the implementation of mitigation measures.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR provides a discussion of roadway safety performance. Existing speeding conditions are not reviewed in the analysis as they are not related to roadway impacts and safety resulting from vehicle trips generated by the project. The Draft EIR discusses roadway performance on local roads and determined that LOS levels will be acceptable with the addition of project-generated vehicle trips.

The Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR do not include discussions on future speed data that will result from the trips associated with a given project. The commenter requests that the Traffic

Impact Study include speed data. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Please refer to **Response 48-k**, above. All roadway segments are analyzed equally with respect to LOS. This is because all drivers in California must pass the California driving test and must obey all speed limits, stop signs, signals, and rules deemed necessary for any given area. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 65-m: The commenter expresses concern that safety at the Boyle Road and Project Road A (Intersection #18) has not been adequately analyzed and addressed because of the sight lines on Boyle Road. The commenter then asks a series of questions regarding existing and projected traffic counts and turning movements for the existing, existing plus project, and year 2035 plus project conditions. The commenter provides suggested mitigation regarding the use of the frontage property for Tierra Robles to provide for turn lanes on Boyle Road.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, and 59-i**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-n: The commenter questions why mitigation is proposed for Old Oregon Trail at SR 44 and Deschutes Road, but not for Deschutes Road at Boyle Road (Intersection #13) and at SR 44. The commenter requests that a signal or roundabout on Deschutes Road be made a mitigation measure.

Please refer to **Response 4-b**, above. As stated in **Response 4-b**, Section 5.16, TRAFFIC AND CIRCULATION, identified three of the intersections of concern as follows:

- Old Alturas Road & Old Oregon Trail (Intersection #8)
- Boyle Road & Deschutes Road (Intersection #13)
- Deschutes Road & Old 44 Drive (Intersection #14)

As discussed in Section 5.16, and evaluated in detail in Appendix 15.9, these three intersections would operate below the threshold LOS under Existing Plus Project conditions and Year 2035 Plus Project Conditions; refer to page 5.16-34 of the Draft EIR.

Implementation of MM 5.16-2 would reduce impacts for Existing, Existing Plus Project, and Year 2035 Plus Project conditions on Deschutes Road. MM 5.16-2 requires the installation of intersection warning signs with advanced street name plaques at several intersections. MM 5.16-3 requires the project applicant to pay a fair share for the construction of a signal or multi-lane roundabout at Old Alturas Road and Old Oregon Trail (Intersection #8). MM 5.16-4 requires the project applicant to pay a fair share for the construction of a signal or multi-lane roundabout at Boyle Road and Deschutes Road (Intersection #13). Boyle Road and Deschutes Road (Intersection #13) level of service

(LOS) will be improved from LOS F to LOS C under Year 2035 Plus Project conditions. Without the proposed project, this intersection would operate at LOS F under Year 2035 Plus Project conditions. Because MM 5.16-3 and MM 5.16-4 cannot be assured by the project applicant, the Draft EIR identified cumulative impacts to be significant and unavoidable.

In addition, please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, and 59-i**, above, for additional discussions on traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-o: The commenter questions whether mitigation measures will be effective at full buildout of the project, what the increased maintenance would cost the County, what portion of these maintenance costs would be the responsibility of the project applicant or future homeowners, and what assurances do existing County residents have that the proposed mitigation measures will be constructed.

With respect to the effectiveness of the mitigation measures at full buildout, Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR analyzed the proposed project's impacts on area roadways under Existing and Year 2035 conditions. As mentioned in **Responses 14-b** and **40-a**, project trip generation was estimated utilizing trip generation rates contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual (Ninth Edition)*. Single Family Detached Housing (10.09 daily trips per unit) and Apartment (6.65 daily trips per unit) has been used to estimate the trip generation for the proposed project. The Apartment category was utilized in the analysis to capture daily trips associated with up to 15 accessory dwelling units. The trip generations were based on full buildout.

With respect to project-related impacts and general roadway maintenance, when requiring roadway improvements associated with a specific project, the fair share cost or payment can be based upon the percentage of project traffic at the particular intersection and/or road system. Refer to **Response 17-p** for further discussion regarding fair share funding. Regarding the request for turn lanes, please refer to **Response 53-b**, above. County roadway improvements that are not directly related to the proposed project, and are not required as mitigation for project-specific traffic impacts, are out of the scope of the proposed project. These are roadway improvements and safety program concerns that can be accommodated by the Regional Transportation Plan.

In addition, property owners within the project site will pay taxes, just as other County residents pay taxes. The County uses these taxes to fund various programs to benefit its residents. Therefore, the residents will be paying taxes, that in turn, will help with all County services including roadway maintenance.

With respect to the implementation of traffic-related mitigation measures, as discussed in **Response 17-o**, the Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in MM 5.16-

3 and MM 5.16-4, should Shasta County update the fee program to include the *Old Alturas Road & Old Oregon Trail (Intersection #8)* and *Boyle Road & Deschutes Road (Intersection #13)* intersections. The payment of applicable fair-share costs by the project applicant would be required in order for the County to implement the mitigation measures.

Further traffic related issues are also discussed in **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, and 59-i**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-p: The commenter states that the proposed project is not consistent with the Shasta County General Plan or the County Zoning Ordinance and is a suburban development in an area with a rural/agricultural character. The commenter states that the development should not be approved because the acreage sizes of the parcels do not meet the standard to fit with the area's existing zoning and these parcel sizes do not correlate with the surrounding rural community.

Please refer to **Master Response-2** and **Responses 17-c, 17-d, 17-e, 17-q, and 41-a**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-q: The commenter restates that the proposed project is not consistent with the Shasta County General Plan or the County Zoning Ordinance and has no correlation to the surrounding rural community. The commenter suggests that the developer convert the usable acres of the project site to a number that mimics the exact percentage of the surrounding parcels as depicted in Figure 5.10-1, with the exception of parcel sizes that fall below two acres.

Please refer to **Response 65-p**, above, regarding the impacts of the project on the surrounding community character. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Please refer to **Master Response-2** and **Responses 9-b, 9-c, 9-d, 17-a, 32-h, 47-g, 53-a, 53-h, and 64-c**, above. This zone change is consistent with the currently adopted Shasta County General Plan Land Use Designations. No general plan amendment is required as a result of the proposed project. By law, if zoning changes increase housing density beyond the general plan land use designations, then a general plan amendment would also be required. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-r: The commenters expresses concern with the development of the Tierra Robles Community Service District (TRCSD) and feels that the TRCSD will be overtasked, underfunded, and lack technical expertise. The commenter requests that the Draft EIR document the financial integrity and sustainability of the project applicant, or developer,

and provide evidence of funding for the TRCSD. The commenter requests a mechanism be put into place to ensure the TRCSD has enforcement powers to function sustainably.

Please refer to **Responses 6-c** through **6-j**, **57-d**, and **65-f**, above. Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, of the Draft EIR provides documentation of the plans and design guidelines for the project. This includes the TRCSD formation. The Draft EIR acknowledges that the ultimate approval of the TRCSD would be subject to separate application and approval from the Shasta Local Agency Formation Commission (LAFCo); refer to Draft EIR page 1-3.

Regarding fiscal liability, State *CEQA Guidelines* § 15358(b) state that effects analyzed under CEQA must be related to a physical change in the environment. Therefore, it is not appropriate for discussion in the Draft EIR. In addition, State *CEQA Guidelines* §15064 (d)(3) states, “An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” It is speculative to assume that the developer would not develop the project site and that the Tierra Robles Community Service District (TRCSD) would not be put in fully funded and functional. CEQA analysis is limited to what is known or reasonably foreseeable, therefore, this speculation is not a part of the analysis included in the Draft EIR.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-s: The commenter questions the financials for the TRCSD. These questions include the TRCSD’s ability to pay for the drought contingency water agreement, questions how the TRCSD will enforce the CC&Rs or the collection of annual fees, and questions why the Draft EIR does not provide a financial analysis. The commenter also asks how the County will ensure implementation of the required mitigation.

Regarding the financial aspect of the project and the TRCSD, please refer to **Responses 6-c** through **6-j**, **57-d**, **65-f**, and **65-r**, above. State *CEQA Guidelines* § 15358(b) state that effects analyzed under CEQA must be related to a physical change in the environment. Therefore, it is not appropriate for discussion in the Draft EIR. In addition, State *CEQA Guidelines* §15064 (d)(3) states, “An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” It is speculative to assume that the developer would not develop the project site and that the Tierra Robles Community Service District (TRCSD) would not be put in fully funded and functional. CEQA analysis is limited to what is known or reasonably foreseeable, therefore, this speculation is not a part of the analysis included in the Draft EIR.

Regarding the implementation of mitigation measures, State *CEQA Guidelines* §15097 applies when a public agency has made the CEQA Findings per Section 15091 relative to an EIR in conjunction with approving a project. Section 15097 states that “[i]n order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has

imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.”

As states in Section 14.1, INTRODUCTION AND PURPOSE, above, the Final EIR presents the environmental information and analyses that have been prepared for the proposed project, including comments received addressing the adequacy of the Draft EIR, and responses to those comments. In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR. This document and the Mitigation and Monitoring Program (MMP) will be used by the Planning Commission and Board of Supervisors in the decision-making process for the proposed project.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-t: The commenter states that the roadway alignments will impact the Red Bluff dwarf rush because the 100-foot buffer is not achievable. The commenter requests the roadway alignments be moved outside of the buffer area and that no run off occur into the drainages where the plant is located.

Please refer to **Master Response-4** and **Responses 2-d** and **41-a**, above. As discussed in Section 5.4, BIOLOGICAL RESOURCES, on page 5.4-42 of the Draft EIR, a population of Red Bluff Dwarf Rush was identified in a wet swale in the south-central portion of the project site. The plant population is located in the RMAs of approximately 13 lots, as shown in Figure 5.4-4, MAPPED OCCURENCES OF RED BLUFF DWARF RUSH. Although no development would occur in the RMAs, the RMAs and road as currently designed do not provide a sufficient minimum buffer (100 feet) from the mapped occurrence of Red Bluff dwarf rush. With the current project design, the dwarf rush occurs in or adjacent to the road right-of-way, and is 100 feet or less from about five building envelopes. Project implementation is considered potentially significant with respect to Red Bluff dwarf rush. With implementation of MM 5.4-1e, impacts would be *less than significant*.

Pursuant to MM 5.4-1e, final design of the roadways as well as Lots 60-69 and 77-79 shall not be completed until the areal extent and density of Red Bluff dwarf rush population has been documented by a qualified botanist through at least two years of baseline monitoring in non-drought years. Upon completion of this baseline population boundary, the building envelopes, RMAs, and roads shall be redesigned to provide a minimum 100-foot buffer between the plant population and all roads and building envelopes.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-u: The commenter states that the botanical surveys should be conducted during the proper season and in a year when there are proper hydrological regimes present. The commenter questions the adequacy of the botanical surveys given the age of the

botanical surveys and requests that new rare plant surveys be conducted in order to better analyze impacts to rare plants.

Please refer to **Responses 3-1, 3-j, 3-l, and 12-d**, above. State *CEQA Guidelines* §15149(b) states that "... The EIR serves as a public disclosure document explaining the effects of the proposed project on the environment, alternatives to the project, and ways to minimize adverse effects and to increase beneficial effects." The County, as Lead Agency, determined that the surveys completed by Wildland Resource Managers and ENPLAN are sufficient to describe the biological resources, including flora, on-site and meet CEQA and other regulatory requirements. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-v: The commenter states that a wetland verification from the U.S. Army Corps of Engineers is only good for five years, and thus the project applicant must request a current wetland delineation and resubmit for verification with the U.S. Army Corps of Engineers.

Pursuant to State *CEQA Guidelines* §15125, "[a]n EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published..." Section 15125 further states that the "environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." The proposed project completed a Notice of Preparation (NOP) and circulated to the public for public review period from October 2012 to November 2012. A second NOP was prepared and circulation to the public from February 2016 to March 2016.

As described on Page 5.4-30 of the Draft EIR, the pre-jurisdictional wetlands delineation report was submitted to the Corps for verification on September 25, 2009. Subsequently, a field visit between the Corps and consultant who prepared the report occurred on March 30 and 31, 2010. As a result of the field meeting, an addendum to the wetland delineation report, the "Chatham Ranch Wetland Delineation Addendum," was prepared in May 2011 to incorporate changes requested by the Corps. Verification of the wetlands mapping was received from the Corps on October 24, 2011. A Corps verification is valid for a 5-year period; therefore, the existing verification may be subject to renewal if wetlands or other waters of the U.S. are impacted by the proposed project. Therefore, the wetland delineation verification from the U.S. Army Corps of Engineers was valid at the time of both the 2012 NOP and 2016 NOP.

In addition, State *CEQA Guidelines* §15149(b) states that "... The EIR serves as a public disclosure document explaining the effects of the proposed project on the environment, alternatives to the project, and ways to minimize adverse effects and to increase beneficial effects." The County, as Lead Agency, determined that the surveys completed by Wildland Resource Managers and ENPLAN are sufficient to describe the biological resources, including flora, on-site and meet CEQA and other regulatory requirements.

Please also refer to **Responses 2-b, 2-d, 3-j, and 3-l**, above, regarding wetlands and the proposed project's impacts on wetlands. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-w: The commenter states that the elderberry clusters are habitat for the valley elderberry longhorn beetle (VELB), which is a Federally listed species. The commenter states that the elderberry's found onsite should be given protection in perpetuity.

As analyzed on page 5.4-45 of the Draft EIR, at least five elderberry clusters have been identified on the project site. Because elderberry bushes are present, VELB could also be present. The plants appear to be confined to the proposed open space on the eastern side of the site, on steep slopes. Implementation of the proposed project could directly or indirectly affect VELB due to activities associated with the vegetation management plan for the proposed project. The vegetative management prescription for this open space area calls for removal of all brush and mid-story vegetation for a distance of 200 feet downslope of the crest of the slope. At least three elderberries are located within this zone; therefore, brush clearing could result in accidental removal of elderberries. Although the plan states that elderberry bushes should be retained where found, brush removal crews would be unlikely to recognize the bushes, particularly when leaves are absent. Project implementation would have a potentially significant impact on the valley elderberry longhorn beetle. Implementation of MM 5.4-1i and MM 5.4-1j are required. Pursuant to these mitigation measures, no elderberries shall be pruned or removed and no brush removal shall occur within 20 feet of the dripline of any elderberry with a basal diameter of one inch or greater. The Draft EIR found that impacts would be *less than significant*. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-x: The commenter questions how the Tierra Robles Oak Management Plan will be accomplished, the type of vegetation removal, and how the plan will ultimately affect native vegetation.

Please refer to **Master Response-4** and **Responses 3-b, 3-d, 3-e, and 12-c**, above. Specific to the implementation of the Terra Robles Oak Management Plan, the project applicant and the County will work with Shasta LAFCo to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. The TRCSD would be used as a means to oversee and implement the plans and facilities within the development and they would oversee the Tierra Robles Design Guidelines; Tierra Robles Oak Woodland Management Plan; Tierra Robles Wildland Fuel/Vegetation Management Plan, Open Space Management, and Resource Management Area Management and Oversight; Road Maintenance; Storm Drain Maintenance; and Waste Water Collection, Treatment and Dispersal Facilities.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 65-y: The commenter thanks the Lead Agency for the attention to all of the issues listed in the EIR and looks forward to the Final EIR.

No issue or adequacy of the Draft EIR was raised by the commenter. Please refer to **Responses 65-a** through **65-x**, above, regarding the issues in this comment letter. The

comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 66 – Thomasina Maneely (December 28, 2017)

December 28, 2017

Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street
Suite 103
Redding, CA 96001

RECEIVED

DEC 28 2017

County of Shasta
Pomalt Counter

Dear Mr. Hector,

This letter is to respond to the proposed Tierra Robles Planned Development.

There is a growing concern in my neighborhood that the water shortage that we've all recently experienced in the past years will continue. Probably the 'erratic December weather with no rain to speak of during our usual rainiest month' had something to do with it. The facts speak for themselves--- we can't control the weather.

I am not a water prediction expert, but I hold onto one thought: there are no guarantees that the water will always be there. My neighbor had several acres of production table grapes which she lost when her ag water meter was taken away. We all lost lawns and trees when our water rations were cut. And this was just a couple of years ago. Yes, if it rains enough somewhere else, we can purchase the water needed and have it piped in to use in our area. But what if that source dries up? I understand that the aquifers (natural water storage) have been seriously depleted in our California central valley and may never be filled again.

A positive note from me: I was very impressed with the idea of grey water landscaping. The idea has been talked about for some years amongst earth loving people. And the City of Red Bluff has used reclaimed water for years to water freeway landscaping.

So, after deliberating much thought to our continuing water crisis, I have decided that I am not in favor of the proposed Tierra Robles Development due to numerous years of drought history and the erratic weather patterns we are now experiencing. Perhaps in the future it will be feasible if we receive more precipitation.

Sincerely,



Thomasina J. Maneely
11464 Eden Drive
Redding, CA 96003
(530) 949-6994

Cc: files

66-a

Response to Letter 66 – Thomasina Maneely

Response 66-a: The commenters states concern about the water supply and provides examples of results of the water shortage. The commenter does state that he is impressed by the grey water landscaping, but concludes that he is not in favor of the proposed project.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, regarding the BVWD and water supply. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 67 – Robert and Joan Tornai (December 28, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 28, 2017 2:04 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR Public Comments

From: tornetts@aol.com [mailto:tornetts@aol.com]
Sent: Thursday, December 28, 2017 1:52 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles DEIR Public Comments

To Kent Hector and the Planning Department,

My husband and I wish to address the proposed Tierra Robles subdivision in Palo Cedro. We moved to Palo Cedro due to its rural character and large properties. We do not wish to see such a large development approved for our rural community. Tierra Robles is an example of a suburban planned development forced into the middle of a rural residential area. The name of the proposed development is not fitting for our rural area, nor do we need this southern California developers parkway as the name of the road leading into this subdivision. Please tell him to leave his "Parkway" in Los Angeles.

67-a

I would like to address the following points:

Zoning:

A zoning amendment for this planned development should not be granted because the number of parcels, acreage sizes and percentages of parcels in each acreage size do not meet the standard to fit with the area's existing zoning and parcel sizes which would be against the County General Plan and Zoning Regulations.

Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres. The developer proposes that 45 homes would be built on 1.3 acre parcels. Most of the homes in this area are on three or more acres.

67-b

The DEIR proves that proposed distribution of lot sizes does not meet General Plan and Zoning requirements that development be consistent with existing parcel sizes and zoning and fitting in with the rural/agricultural character of the surrounding area.

In Sec. 5.10.12, the DEIR states, "Although the proposed project would alter current conditions on the site, the proposed project would be compatible in density with the surrounding existing uses." It goes on to say that the rezone would not change the rural character of the area but later contradicts and states it will change to "semi-rural."

The Developer should be required to convert the proposed 471.92 usable acres to a number of lot parcels that mimic the exact percentages of the surrounding parcels. With the expectation of parcel sizes being 3 acres which reflects the predominant zoning in the area. The Developer should not be granted a zoning amendment revision for this Planned Development.

67-b
Cont.

Water:

The added water demand for this planned development will only exacerbate the finite resources of the Bella Vista Water Department. Bella Vista Water District acknowledges "major components of the District's water system are more than 50 years old and approaching the end of their design life." The Draft EIR fails to mention or mitigate fluctuating water pressures to existing customers throughout the Welsh pumping system that will only be exacerbated by a concentration of 166 new homes. Before approving any project, the Planning Commission and Board of Supervisors must require that BVWD (at the Developer's expense) complete a hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

67-c

Prior to approval by the Planning Commission and Board of Supervisor a new water demand analysis must be completed in conjunction with the Bella Vista Water District Engineer, based on actual rural residential demand data, so there is an accurate determination of water demand for this development at buildout. Based on these new projections new mitigation measures must be developed or enhanced.

Waste Management:

The Developer also proposes to install a wastewater treatment facility to service the development. Properties in Palo Cedro have septic tanks, however this property will not pass perk. Alternative systems require greater monitoring and maintenance to prevent problems. They also require expert design and installation. Design of a system is specific to the soil type, site conditions, and usage levels. The construction of which would cause significant environmental effects.

DEIR system proposes five Orenco AXMax waste treatment modules to handle the black and grey wastewater coming in for treatment. Given the history of power outages in this community, from the site schematics of the system there does not appear to be a backup electrical generator to run the pumping system for the treatment modules and to operate the necessary home pumping devices to draw out the untreated effluent.

67-d

Also, the DEIR calls for the installation of the AXMax treatment modules with three modules in Phase I and one each in Phase 2 and Phase 3. This phased in buildout of the AXMax treatment modules is unacceptable and must be completed in its entirety before any site maps are recorded by the County. The Developer and The TR Community Services District must assume full responsibility for the technical operation and sustainability of the entire system! If this Developer disappears or goes bankrupt the County and its taxpayers should not have to assume the fiscal liability to finish the system.

Prior to approval by the Planning Commission and Board of Supervisors a new Wastewater Treatment design flow study must be completed using actual residential water data that is consistent with BVWD rural residential homes. Also, based on this

revised study the entire Wastewater Treatment System will be resized as appropriate, including additional or enlarged effluent dispersal areas, or added storage facilities and a backup generator system.

67-d
Cont.

Traffic

166 new homes will add another 300 or so cars on local aging roads, accounting for over 1,000 additional daily trips on already narrow, winding, substandard County roads. The county lacks the financial resources to bring these roads up to standard or to even pay for the county share of costs of mitigations necessary for this project.

67-e

The DEIR traffic study does not measure the impact of speed on heavily used roads such as Boyle Road as cars travel to and from North Cow Creek Elementary School and Foothill High School. The traffic study does not require a dedicated turn lane into and exiting the development to make traffic safer on Boyle Road. A revised traffic study must be completed prior to approval of this development.

We have not even addressed the increased demands on limited Sheriff, EMT and Fire resources, the requirement to form a new Community Services District and the burden of new families to North Cow Creek Elementary School. Hundreds of Oak trees will need to be removed (ironically, Tierra Robles means "Land of Oaks") and wildlife will be displaced.

67-f

We urge the Planning Commission to reconsider this development and its impact on our rural lifestyle.
Thank you.

67-g

Robert and Joan Tornai
Palo Cedro, Ca. 96073

Response to Letter 67 – Robert and Joan Tornai

Response 67-a: The commenter states concern over the rural character of the community being affected by the proposed project.

The commenter is referred to **Master Response-2**, and **Responses 13-a, 13-h, 17-a, 17-c, 17-e, 19-a, 21-a, and 41-a**, above. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 67-b: The commenter reiterates concern over the rural nature of the area and changes to the existing zoning and meeting the General Plan requirements and suggests the proposed project mimic densities of the surrounding developed areas.

The commenter is referred to **Response 67-a**, above, and the referenced other responses for a discussion of the rural nature of the area and proposed changes to land use designations. The commenter is referred to Chapter 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, and **Responses 32-j, 44-a, 45-a, 50-c, 64-j, and 65-v**, for a discussion of the different project configurations analyzed as part of the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 67-c: The commenter raises concerns about the water demand for the proposed project and states that the age of the existing water infrastructure is approaching 50 years.

The commenter also requests that a hydraulic study of the Welsh pumping system be conducted and fully mitigated. The commenter is referred to Bella Vista Water District (BVWD) **Master Response-3** and **Responses 7-a** through **7-p**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Response 67-d: The commenter questions the use of the proposed wastewater treatment facility and the states that the property will not pass percolation requirements. The commenter questions the design of the wastewater treatment facility including the use of an adequate number of AXMax modules and phases of their installation, backup power source, and financial responsibility for the maintained of the system. The commenter also states that a new wastewater flow study must be conducted based on realistic water use rates.

Please refer to **Responses 13-d, 36-a, 43-d, 53-f, 57-e, 57-p, 57-r, and 65-f**, above, regarding the wastewater treatment facility and fiscal responsibility. Chapter 3.0, PROJECT DESCRIPTION, subheading “Wastewater” beginning on page 3-22 of the Draft EIR provides a detailed description of the wastewater system and facility. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 67-e: The commenter states the additional vehicle trips will be added to the existing roads which are narrow and winding and not at standard. The commenter states that the Draft EIR did not measure the impact on speed on heavily uses roads, did not require a dedicated left turn lane on Boyle Road, and concludes that a revised traffic study is needed.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-m, 48-p, 48-q, 48-t, 48-u, 48-v, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, and 65-m*, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 67-f: The commenter notes, but does not question the adequacy of the Draft EIR in terms of increased demand on Sheriff, fire services, schools, and requirements to form a new Community Services District. The commenter also notes, but does not question, the impacts on oak trees and wildlife.

Regarding concerns about law enforcement and fire services, and schools, the commenter is referred to *Response 51-b* and *Response 37-f*, respectively. Regarding impacts to schools, the commenter is referred to *Responses 32-g, 48-h, 48-k, and 48-m*. In regard to wildlife, the commenter is referred to *Responses 3-a* through *3-v, 10-d, 12-a* through *12-d, 13-j, 13-k, 16-c, and 32-i*, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 67-g: The commenter urges the Planning Commission to reconsider the development and its impact on the rural lifestyle of the area.

No issue or adequacy of the Draft EIR was raised by the commenter. Please refer to *Master Response-2*, regarding community character. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 68 – James & Teresa Griffith (December 28, 2017)

Kimberly Hunter

From: flynpig1 <flynpig1@gmail.com>
Sent: Thursday, December 28, 2017 11:02 AM
To: Kimberly Hunter
Subject: Tierra Robles Public Comment
Attachments: Tierra Robles Draft EIR Response.pdf

page 1 of 7

Ms. Kim Hunter
Shasta County Resource Management, Planning Dept
1855 Placer St Suite 103
Redding, CA 96001

Shasta County Board of Supervisors
David Kehoe (Dist 1)
Leonard Moty (Dist 2)
Mary Rickert (Dist 3)
Steve Morgan (Dist 4)
Les Baugh (Dist 5)

1450 Court St
Redding, CA 96001

My Response to the Tierra Robles Draft EIR

I have been a resident of Palo Cedro since 1999 and I moved here specifically for the rural community and lifestyle, with the expectation that with the county zoning it would remain that way. I am also an agricultural water user on the Bella Vista Water system. I only learned of the Tierra Robles project in November 2017 and these are my first comments on the issue.

I have copied several sections from the Draft EIR published on the Shasta County website and included them in my comments below. The copied portions are in *italics*, my response is in **bold**.

5.17 UTILITIES AND SERVICE SYSTEMS

Page 5-17-9

Telephone

AT&T provides telephone, internet, and television services to the majority of the Redding area and areas south of Boyle Drive, while Frontier Telephone provides service to Palo Cedro, Bella Vista, Millville, and areas north of Boyle Drive. The proposed project is located within the Frontier local service area. Currently, the proposed project has no telephone landline infrastructure or services; however, existing Frontier facilities are located along Boyle Drive. Extension of service infrastructure from Boyle Drive would occur below ground and implemented concurrent with project implementation.

Internet Services

*AT&T or a wireless internet service provider such as HughesNet, have the existing infrastructure to provide internet access to the proposed project. Internet would be provided via DSL or wireless, and television service is expected to be provided by a satellite provider. Currently, there are no cable services located within the proposed project boundaries and there does not appear to be any existing cable service to nearby residences. **According to the 11.0 Organizations and Persons Consulted, Frontier Communications has not even been consulted. However, AT&T has been consulted and they are not going to provide any services. See page 11-4.***

68-a

page 2 of 7

Why even mention AT&T unless the study is trying to imply that AT&T is an option? Everyone that I have spoken with that lives in the Frontier service area already experiences significant slow speeds in DSL and even loss of service regularly. Frontier tech support has told me many times that the reason for this is that there is high demand and too many people using the system. This needs to be addressed or this project will only make access to phone and internet even worse for those currently living in the Frontier service area.

From the Tully and Young Memorandum dated April 26, 2017

Page 10

2.2.3 Summary of Residential Demand Factors

The indoor and outdoor residential demand factors are presented in Table 2-1. Combined, each lot is estimated to use 0.45 acre-feet per year for lots with only primary homes, and 0.48 for the 15 lots with secondary units. These estimates are extremely conservative. During the drought restrictions placed on agricultural users we were allotted .61 af per year and we were told that was the minimum for health and safety. During the drought years there were mandated conservation efforts to reduce water demand. The estimated water usage is so low that there is no room for conservation during dry years.

68-a
Cont.

From the Draft EIR, 5.17 UTILITIES AND SERVICE SYSTEMS

Page 5.17-4

Water

Normal and Dry-Year Supply Reliability

BVWD depends on its long-term contract to purchase water from the USBR and their groundwater wells. As a water provider that is predominantly reliant upon the CVP, BVWD is subject to significant water supply uncertainty and shortages due to dry hydrologic conditions, compounded by operational and regulatory constraints both directly and indirectly related to the Federal Endangered Species Act (FESA). The water supply reliability goal of BVWD is to meet 100 percent of demand in normal years.

*During single dry year conditions, BVWD's water supplies are projected to be insufficient to meet demand. **Thats just a single dry year!***

*As shown in Table 5.17-4, SINGLE DRY YEAR SUPPLY AND DEMAND, this shortfall is projected to exceed 7,000 AF. The agricultural amounts were maintained to show the impact of a multiple-dry year for the consideration of the supplemental supply program BVWD offers to agricultural customers. **In just a single dry year BVDW's own projections show a shortfall of 7000 AF! Bella Vista Water District has entered into long term contracts through 2030 with USBR and 2045 with ACID. These contracts were entered into before the additional demands of this project were needed. That means that the project water will have to come from the water intended for the districts users that are currently in place. This will be significant during drought years. Here's why.***

Water restrictions are based upon unconstrained water usage years. If we were to have a drought in the years shortly after the project began, water usage would be restricted to

BVWD based on the water usage before the additional 166 houses. The water needed for these additional houses would have to come from the current users unless BVWD and it's water suppliers enter into new agreements.

I don't believe that putting additional demands on the Bella Vista Water system will be good for anyone currently on the BVWD system. It will likely benefit the water district through increased fees per gallon of water pumped, but have negative impact on current users. I am currently an agricultural user who has had their water reduced to health and safety minimums and had to let my hay field die during the drought years. BVWD has already stated that even in a single dry year they are unable to meet the demand.. The water I was allotted during the drought years would not even cover my house and animals without having to buy supplemental water for thousands of dollars (which is not a guaranteed source), even with my personal mitigation measures which have already cost thousands more dollars., and I was allotted 30% more than what these lots are estimated to use in an unconstrained year.

BVWD is paid higher fees from residential users than from agricultural users per gallon of water. BVWD will likely have a financial benefit from this project and that may create a conflict of interest if they are in support of this project.

15.9 TRAFFIC IMPACT STUDY

Page 10

Old Alturas Road (Deschutes Rd to 7 Lakes Rd):

This section of rural roadway has a collision rate 33% higher than the statewide average for similar facilities. It is estimated that 17% of the project traffic will use this section of roadway which will increase the ADT by 27%.

*The increase in traffic, in combination with the overall very low traffic volumes and LOS A conditions (documented in a subsequent section of this report), is not expected to significantly increase the rate of collisions. **How can you, in good faith, state that a road already which has a 33% higher than average accident rate, increase ADT by 27% and then state that this will not significantly increase traffic accidents? This is slight of hand, they mention accident rates, not accidents! There will be an increase in accidents, even if the rates remain the same because the ADT has increased!***

Old Alturas Road (Boyle Rd to Old Oregon Trail):

The collision rate is 9% higher than the statewide average for similar facilities. It is estimated that 61%-62% of the project traffic will use this section of roadway which will increase the ADT by 24% in the Existing Plus Project conditions and by 22% in the Year 2035 Plus Project conditions.

A collision rate 9% higher than the statewide average for similar facilities is not statistically significant and is considered to be within a normal and expected range.

However, when there is an increase of ADT by 24%, will the number of accidents still be insignificant?

68-a
Cont.

Deschutes Road (Boyle Rd to SR 44):

*The collision rate is 38% higher than the statewide average for similar facilities. Just south of Boyle Road, it is estimated that 15% of the project traffic will use this section of roadway which will increase the ADT by 5%. **As stated in the study, this section is already 38% above the average for traffic collisions. This section includes a school zone with significant pedestrian traffic during the start and end of school and special events. The study makes no comment on how the increase in ADT will impact accidents or accident rates that are already high! This project will only increase the number of accidents due to the increased ADT.***

Currently lanes are so narrow that traffic is required to cross the double yellow lines in order to pass a bicycle, and pedestrians must walk on very narrow shoulders only inches from the roadway.

Old Oregon Trail (Old Alturas Rd to SR 44)

This section of road was not commented on in this study, this is remarkable for several reasons.

- *This section of road is expected to have an increase in ADT significant enough to recommend mitigation at SR 44 (intersections #10 and #11).*
- *The increase cannot be inferred from the intersection data (#8 and #9) found in this study because of flawed data.*
- *This section contains 4 intersections listed in this study (#8,#9,#10,#11).*
- *This section of road also contains Columbia Elementary School and a school zone.*

Yet no comments on this section of road in the traffic study.

Pages 35-36

Existing Plus Project: Project Mitigation

*The following improvements are proposed to provide acceptable operations at intersections where a project significant impact is identified. Table 17 presents the mitigated LOS operations assuming these improvements. **There is already an example stated in this study where another mitigation project was planned and funded in 2008, yet still has not been constructed. Airport Road at SR 44 w/b.***

*In addition, there will be a significant traffic safety impact on the Deschutes Road (Boyle Rd to SR 44) segment. **Why is there no mention that this "significant traffic safety impact" will occur in a school zone!***

Intersection 10: Airport Road & SR 44 WB Ramps:

This TWSC intersection is projected to operate at an unacceptable LOS F during both AM and PM peak hours during Year 2035 conditions. This intersection meets the peak hour signal warrant under Year 2035 AM and PM peak hour conditions. The following improvements will provide adequate capacity to result in acceptable LOS C or better conditions.

- *Install a Traffic Signal OR*
- *Install a Modern Roundabout*

Significance after Mitigation

*Project mitigation is to pay traffic impact fee or/and fair share contribution towards the construction of these improvements. The stated improvement was planned and funded in 2008. **So this improvement was planned and funded in 2008, yet 9 years later has not been built.***

68-a
Cont.

Intersection 13: Boyle Road & Deschutes Road:

This TWSC intersection is projected to operate at an unacceptable LOS F during AM peak hour Year 2035 conditions. This intersection meets the peak hour signal warrant under Year 2035 AM peak hour conditions. The following improvement will provide adequate capacity to result in acceptable LOS E or better conditions.

- *Install an All-Way Stop Control*

Significance after Mitigation

*Project mitigation is to pay traffic impact fee or/and fair share contribution towards the construction of these improvements. The project impact till the improvement is constructed is unavoidable and significant. **There is already an example stated in this study where another this mitigation project was planned and funded in 2008, yet still has not been constructed.***

Deschutes Road (Boyle Rd to SR 44):

Installation of the following is recommended for Existing Plus Project conditions:

- *Caltrans standard W2 intersection warning signs with W16-8P advance street name plaques at Lassen View Drive, Beryl Drive, Sunny Oaks Drive, Wesley Drive, Robledo Road, Oak Meadow Road, Oak Tree Lane, and Coloma Drive. **If simply installing signs at the street corners will have a significant impact on traffic safety, why has the county not installed them already on a road that has an accident rate 38% above average?***

Old Oregon Trail at Old Alturas Rd (Intersection #8)

The traffic counts shown are questionable. The AM traffic existing counts (151-113) are the same as the existing plus (151-113). The PM traffic existing counts (158-121) are the same as the existing plus (158-121). An obvious error!

Omni-Means Technical Memorandum Dated August 17, 2017

Intersection 13 – Deschutes Road & Boyle Road

This un-signalized intersection is projected to operate at LOS F in the weekday AM peak hour. Although this intersection operates at an unacceptable LOS F in the "no project" condition, the proposed project creates a significant impact by causing the delay to increase by more than 5 seconds per vehicle. The following improvement is proposed to mitigate the project impact to less than significant:

- *Construct an All-way Stop Control*

So the way to increase the LOS on Boyle is to decrease the LOS on Deschutes! This will require traffic on Deschutes currently traveling at 50+MPH to have to come to a full stop while in a curve.

Significance After Mitigation

*Project mitigation is to construct the proposed improvements stated within the previous section. After mitigation, project generated impacts will be considered less than significant. **However, no mention of how this all-way stop will impact the traffic traveling at 50+ MPH on Deschutes.***

PROJECT TRIP DISTRIBUTION

68-a
Cont.

page 6 of 7

According to the study, 20% of project traffic is expected to use Old Oregon Trail between Old Alturas Rd and SR 44, causing the ADT to change from 8031 to 8386. This increase leads to a recommended mitigation of installing a traffic signal/roundabout.

The study also shows that 15% of project traffic is expected to use Deschutes Rd between Boyle Rd and SR 44 causing the ADT to change from 8495 to 8761. This increase leads to a recommended mitigation of installing a street name signs along Deschutes Rd.

Why does Old Oregon Trail, with an ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and Deschutes Rd, with 8761 and an accident rate 38% above average not need none?

5.16 TRAFFIC AND CIRCULATION MITIGATION MEASURES

*Level of Significance After Mitigation: The improvements identified for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) are not currently part of any current Shasta County improvement plan or fee program. As a result, full implementation as described in MM 5.16-3 and MM 5.16-4 cannot be assured by the project applicant. This is considered to be a cumulatively considerable and significant and unavoidable impact. **There is currently no plan to implement any mitigation measures at the 2 intersections most adversely impacted by this project.***

Recommended Mitigation Measures

Utilities

- Construct telephone and internet facilities adequate for the existing and existing plus demand.

Water

- BVWD has stated that they are unable to meet current demand with a single dry year. I don't know how the water demand can be mitigated.

Traffic

- Construct shoulders along Boyle Road, Old Alturas Road and Deschutes Road adequate for pedestrians and bicycles.
- Construct left turn lanes along Deschutes Road between Berkley Road and Boyle Road.
- Construct pedestrian sidewalks or pathways along Deschutes Road north of Foothill High School to Boyle Road.
- Construct a traffic signal/roundabout at Deschutes and SR 44 w/b.

Questions I believe need to be addressed:

- Why has telephone and internet service not been addressed?
- How can the homes conserve water during drought years when they are only estimated to use only 2/3 of the drought allotment given to other BVWD users?
- Why is it even under consideration to add 166 homes to a water system that says "During single dry year conditions, BVWD's water supplies are projected to be insufficient to meet demand"?
- Why are the school zones not addressed?

68-a
Cont.

page 7 of 7

- Has anyone studied the Foothill High school and Columbia Elementary school traffic patterns when school starts and ends? If not shouldn't this be studied? If yes, why has that not been included in this report?
- Will the county actually install the traffic mitigation measures recommended in the EIR? If yes then when will they be installed?
- If a 4 way stop at Deschutes and Boyle is done to mitigate traffic issues on Boyle, why does the study not address how that will negatively impact traffic on Deschutes?
- Why was there no traffic study of Old Oregon Trail from Old Alturas Rd to SR 44?
- Will the flawed data at intersection #8 be corrected?
- Why does a road with an ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and a road with 8761(375 more) needs none?
- If trip distribution causes a signal/roundabout to be recommended at Airport Road at SR 44, why is there no recommendation for a signal/roundabout at Deschutes Road and SR 44?

Using the year 2035 impacts may be required by regulation, but this implies to the general public that the traffic will gradually increase through 2035. In fact the traffic will increase to full impact rather quickly (as soon as the homes are occupied), and even before that there will be the construction traffic. No doubt the developer will try to have all homes sold as soon as possible, creating full impact as soon as possible.

68-a
Cont.

School zones are created specifically for traffic, yet there is no mention of the traffic impact through 2 school zones. The Omni-Means study states traffic in the area of Foothill High School will have a "significant traffic safety impact" on this section of Deschutes Rd, but even then, no mention that there is even a school or school zone in the area to be impacted. There is also no mention of the Columbia Elementary school on Old Oregon Trail or North Cow Creek Elementary school 1/4 mile east of Deschutes and Boyle.

I believe that this traffic study has been conducted with the intent of minimizing, as much as possible, anything that would negatively impact this project, rather than a good faith effort of studying the significant environmental impacts of this project. At this point the project puts the needs of the developer and it's 166 lots ahead of those already living in the impacted area.

Lastly, many in Palo Cedro still remember the objections brought before the BoS and Planing Commission during the planning stages of Foothill High School. Many of the concerns that were ignored or minimized in the EIR have become reality. When viewed with the memory of that process and how the community is now impacted by school traffic, I don't believe any benefit to the community will outweigh the problems.

It is because of the significant negative environmental impacts and negative quality of life impacts that I am profoundly opposed to the Tierra Robles project as it is currently planned.

James & Tresa Griffith
22209 Oak Tree Ln
Palo Cedro, CA 96073

Response to Letter 68 –James & Teresa Griffith

Response 68-a: This comment letter is a verbatim copy of the letter previously sent by the commenter on December 11, 2017.

Because this letter is the same as Letter 48, the comments have already been addressed. Please refer to **Responses 48-a** through **48-cc**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 69 – James & Teresa Griffith (December 28, 2017)

Kimberly Hunter

From: flynpig1 <flynpig1@gmail.com>
Sent: Thursday, December 28, 2017 11:03 AM
To: Kimberly Hunter
Subject: Tierra Robles 2nd Public Comment
Attachments: Tierra Robles 2nd.pdf

Ms. Kim Hunter
Shasta County Resource Management, Planning Dept
1855 Placer St Suite 103
Redding, CA 96001

Shasta County Board of Supervisors
David Kehoe (Dist 1)
Leonard Moty (Dist 2)
Mary Rickert (Dist 3)
Steve Morgan (Dist 4)
Les Baugh (Dist 5)

1450 Court St
Redding, CA 96001

Response to the Tierra Robles Draft EIR

After submitting my original letter I have had time to review the Bella Vista Water District (BVWD) Urban Water Management Plan Update (UMWP) of 2015, dated December 2016. This document contains data used as a basis for some of the findings in regards to water availability to the proposed project. During this review I found information that raises many questions about the accuracy of BVWD calculations and the Tierra Robles Project.

69-a

BVWD Groundwater Sources

BVWD has stated many times in the UMWP that they can produce 4200 AFY from their ground well pump stations, this figure rises 810 AFY in 2020 (to 5010 AFY) and every 10 years thereafter. These figures were also used in the Draft EIR to calculate BVWD's available excess water.

However, this 4200 is refuted in the BVWD's own documents, specifically the UMWP. Copied from page 57,

"The five wells in service can produce 2,800 to 4,000 acre feet (AF) of water annually combined." "However, the wells can only be utilized about 50 to 75 percent of the time due to operational constraints. Pumping and treating the well water is 1.5 to 2 times more expensive than CVP water."

69-b

Copied from UMWP page 66,

"10 Summary of Existing and Planned Sources of Water

The District has five (5) groundwater wells that averaged 704 AF of annual water yield from 1995-2015 with a maximum production of 1,600 AF in 2005 (and 1,535 AF in 2015)."

- According to the UMWP this rate of pumping has not caused a significant drop to the aquifer water level, it also has not allowed it to rise either.

Also from page 66,

"It is estimated that at 75% utilization (allowing for well maintenance, equipment failures, reduced output if the wells are run for an extended amount of time, and low demands during the fall and winter months) the wells could produce an average of 3,400 AF of water annually."

- What is the 100% utilization yield? 3150 is 75% of 4200 and 3400 is 75% of 4533.
- What conditions would cause only being able to pump 2800?
- How will pumping 6 times our historical average impact the aquifer water levels?

Copied from page 56,

"The 2014 Sustainable Groundwater Management Act (SGMA) will require that groundwater supplies be managed for long-term sustainability, with no net long-term overdraft. In other words, the Act will limit how much groundwater can be pumped. At the time of this UWMP, many provisions in SGMA have not yet gone into effect, and, throughout the state, water agencies are in the preliminary planning stages for SGMA compliance. As a result, DWR does not require that SGMA be addressed in the 2015 UWMPs."

- Based on this statement there is no way to know what will happen to the aquifer water levels if BVWD began to pump 6 times their historical average, or 2.6 times the maximum single year.
- BVWD already has 1 well that is no longer used due to lack of production. Is this due to overdraft of the aquifer?
- The negative impacts of the SGMA are still unknown and not considered, yet they may impact how much water will be available to be pumped by BVWD. Will they be able to draw 4200? 3400? 2800? or maybe only our historical average of 704?

69-c

Based on the above statements BVWD can pump a maximum of 2800-3400-4000 or 4200 AFY from their wells. Yet every assumption in the draft EIR uses 4200 AFY. Historically BVWD has only averaged 704 AFY since 1995. BVWD has historically only pumped 15% of what is being used for the EIR. When the effects of the SGMA are fully implemented it seems safe to assume that our historical average of 704 AFY may be near the amount they will be able to pump without any overdraft.

Copied from page 68,
 7 Water Supply Reliability

7.1.1 "This reallocation of water supply over the last couple of decades with no added storage to offset these impacts means the District is likely to experience shortages more frequently and more severely in the future (BVWD, 2015)."

- Without adding any additional demand, BVWD states they are likely to experience shortages more frequently and more severely!

69-d

Table 7-2: Bases of Water Year Data

Water Year Type	Base Year(s)	Available Supplies if Year Type Repeats					Percent of Total Average
		CVP	ACID ³	Ground-water	Other ¹	Total ²	
Average Water Year ³	2004	12,665	1,536	4,200	3,127	21,528	100%
Single-Dry Water Year	2015	2,578	1,152	4,200	1,264	9,578	44%
Multiple-Dry Water Years – 1 st Year	2009	6,794	1,536	4,200	2,608	15,138	70%
Multiple-Dry Water Years – 2 nd Year	2010	9,731	1,536	4,200	0	15,467	72%
Multiple-Dry Water Years – 3 rd Year	2011	9,289	1,536	4,200	2	15,027	70%

1-Other supply includes transfers, which are subject to availability. Future availability is unknown.
 2-All water deliveries are calculated in acre-feet per year (AFY). It should be noted that they are not adjusted for population growth.
 3-ACID transfers can be reduced to 1,152 AF/year in a critically dry year.

Using the data from Table 7-2 I find some errors. I point this out not only to show that at every opportunity the data seems to favor the position of BVWD and the DEIR but, the data is being used as a baseline for water demand forecast data in the Tulley & Young Memorandum as part of the DIER. Some of the errors are so basic that I believe it calls into question the more technical aspects of the report which I cannot address as a layperson.

The table below, 3-2 is from the Tulley & Young Memorandum.

Table 3-2: Supply Projections²⁷

Source	Water Supply (acre-feet/year)				
	2020	2025	2030	2035	2040
CVP Contract	24,578	24,578	24,578	24,578	24,578
ACID Long-Term Transfer	1,536	1,536	1,536	1,536	1,536
Groundwater	5,010	5,010	5,820	5,820	6,630
Total	31,124	31,124	31,934	31,934	32,744

As you can see the supply is significantly larger in the Tulley & Young table (31124 AFY) than in BVWD's own table (21528 AFY). I have already discussed how I believe BVWD is relying on very optimistic supply numbers and the Tulley & Young numbers are very unlikely.

The 31124 AFY includes CVP deliveries of up to 24578 AFY however, historically BVWD has never surpassed 19000 AFY from USBR, so it seems unrealistic to use 24578 AFY. As you can see in Appendix "D" of the UWMP 2015 (below) the highest water deliveries from CVP was 18064 AFY in 2002. Deliveries have been on a general decline ever since.

The table below, 7-2 is from the UWMP 2015.

Table 7-2: Bases of Water Year Data

Water Year Type	Base Year(s)	Available Supplies if Year Type Repeats					Percent of Total Average
		CVP	ACID ³	Ground-water	Other ¹	Total ²	
Average Water Year ³	2004	12,665	1,536	4,200	3,127	21,528	100%
Single-Dry Water Year	2015	2,578	1,152	4,200	1,264	9,578	44%
Multiple-Dry Water Years – 1 st Year	2009	6,794	1,536	4,200	2,608	15,138	70%
Multiple-Dry Water Years – 2 nd Year	2010	9,731	1,536	4,200	0	15,467	72%
Multiple-Dry Water Years – 3 rd Year	2011	9,289	1,536	4,200	2	15,027	70%

1 Other supply includes transfers, which are subject to availability. Future availability is unknown.
 2 All water deliveries are calculated in acre-feet per year (AFY). It should be noted that they are not adjusted for population growth.
 3 ACID transfers can be reduced to 1,152 Af/year in a critically dry year.

69-d
 Cont.

- Have any studies been done to confirm that 4200 (6 times our historical average) can be pumped without overdraft?
- Due to the increased cost of well pumping, what is the projected increase to rates should BVWD actually be required to pump this amount?
- Are there any contingencies in the event the SGMA prevents an increase in pumping?
- BVWD states that without additional storage shortages will occur more frequently and more severely. When will additional storage become available?
- How many "will serve letters" has BVWD issued, but have not yet been added to the demand?
- How much anticipated demand is there from lots which BVWD is not required to issue will serve letters but still obligated to provide water?

Mitigation

I think it would require speculation to determine any mitigation measures until there is more data. The SGMA may have a significant negative impact on BVWD's ability to pump water as beginning as early as 2020. Without the data how can BVWD or Shasta County make reasonable plans to use water availability numbers that have not taken this into consideration?

Thank You for your consideration of these issues,

James & Teresa Griffith
22209 Oak Tree Ln
Palo Cedro, CA 96073

69-d
Cont.

Response to Letter 69 –James & Teresa Griffith

Response 69-a: The commenter notes that based on the review of the Bella Vista Water District (BVWD) Urban Water Management Plan (UWMP) dated December 2016, additional questions have been raised.

The Lead Agency has prepared **Responses 69-b** through **69-d**, below, to specifically address the commenter's concerns. The comments are noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 69-b: The commenter provides excerpts from the BVWD UWMP and asks questions regarding the BVWD's ability to produce 4,200 acre-feet per year (AFY) of water from their ground well pump stations and how the water uses will impact the aquifer water levels.

This comment is specific to the BVWD UWMP, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The commenter is referred to **Master Response-3** regarding water supply and reliability. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 69-c: The commenter quotes from page 56 of the BVWD UWMP and questions the assumption in the Draft EIR of using 4,200 AFY when BVWD has only averaged 704 AFY of groundwater pumping since 1995.

Please refer to **Master Response-3**, and **Responses 7-a** through **7-p**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 69-d: The commenter quotes the information in the BVWD UWMP, questions the data used in Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR, and questions the availability and reliability of the BVWD's water supply.

Please refer to **Master Response-3**, and **Responses 7-a** through **7-p**, **69-b**, and **69-c**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 70 – Ed Walters (December 28, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 28, 2017 8:08 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles sub division-- Very Opposed

-----Original Message-----

From: Ed Walters [mailto:pce1@citlink.net]
Sent: Thursday, December 28, 2017 12:29 AM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles sub division-- Very Opposed

My name is Ed Walters,
10370 Daystar Way,
Palo Cedro, Ca

I live approximately 1/2 mile off Boyle road to the east from this proposed sub division.
No improvements have been made to Boyle road in the 41 years i have lived here.
Since the building of Foothill school the traffic has increased substantially and the Speeds have increased.
We residents of Daystar Way- Coloma Dr have ask Foothill high school, Shasta County Sheriffs office and Highway Patrol to police our Private road.
No help has been offered for the people who FLY thru to beat Busses or trucks slowing traffic on Boyle Rd.

Oops-- i wrong your only improvement was to add metal turn arrows at the intersection of Daystar and Boyle--- There have been many accidents at and near this intersection Including a couple at deaths from this corner.
The mail boxes get hit often--about once per year.

Trees have been cut down in an attempt to save people when they go off the road. Now they just knock down the neighbors fences

The point is adding considerable traffic to Boyle road is not wise decision without making major improvements prior to construction.
Your summary says at peak 166 units with a couple cars per lot-- may will have kids going to nearby schools adding to the traffic problems in am Hours

Now we need to address Boyle and Deschutes intersection.

Your proposal is to add stop signs to the intersection when you deem it necessary. and At whose expense????

The intersection problem needs to be SOLVED BEFORE the traffic increases at the DEVELOPERS EXPENSE

I hear the Sirens quite often for accidents at this already busy intersection--
Reducing the speed of vehicles on Deschutes and improving the Visibility of the intersection need some very serious consideration.

In the 7-9 am time frame nearly impossible to cross Deschutes

Then lets consider the traffic around Foothill high school-- The Planning peoples solution was to Upgrade Deschutes by Building a sidewalk and throw up four school Zone signs after spending many millions on the school

The Development should not be allowed to move forward until these issues are resolved and constructed.

I VOTE NO!!!!!!!!!!!!!!

70-a
Cont.

Response to Letter 70 – Ed Walters

Response 70-a: The commenter expresses opposition to the project and expresses concern regarding the addition of traffic to area roadways given the existing traffic and safety conditions.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR provides discussions regarding existing traffic, traffic conditions with the addition of project-generated traffic, and roadway safety performance. Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 71 – Kathy and Steve Callan (December 29, 2017)

To: Kim Hunter, Shasta County Department of Resource Management, Planning Department

Re: Tierra Robles Proposed Development

Date: December 28, 2017

Comments:

Dear Ms. Hunter:

As longtime residents of Palo Cedro, we are very concerned about the Tierra Robles development proposed for the eastern portion of the county. Our concerns are related to specific issues addressed in the draft EIR.

These are our concerns:

1. Destruction of/fragmentation of sensitive biological resources, as stated in the draft EIR:

IMPACT 5.4-5 Cumulative development within the project area may affect sensitive biological resources, including special-status species, wetland habitat, and oak woodlands.

Development of the proposed project would result in the conversion of approximately 46.2 acres of annual grassland to urban uses; fragmentation of approximately 42 acres of annual grassland; conversion of approximately 146.24 acre of oak woodland to urban uses; and fragmentation of approximately 300.4 acres of oak woodland, thereby contributing to the cumulative regional loss of grasslands and oak woodlands that may support special-status plant and animal species, nesting bird habitat, migration corridors, and general wildlife habitat.

Whereas MM 5.4-1a requires a permanent conservation easement to be established to partially offset the loss of oak woodlands, and MM 5.4-1b and MM 5.4-1c require permanent conservation easements and deed restrictions for the open space areas and RMAs for the protection of oak woodlands and habitat values, the conversion and fragmentation of annual grasslands and oak woodlands are irreversible losses of wildlife habitat and remain cumulatively considerable, and therefore, significant and unavoidable impacts.

2. Greatly increased volume of traffic on already overburdened roads, such as Deschutes Road in Palo Cedro, as stated in the draft EIR. Deschutes Road is already overburdened during peak flow times because of Foothill High School and it bears a great deal of big-rig truck traffic. We cannot imagine any traffic improvements that would significantly ease the added traffic caused by the addition of 166 homes to the area. Additionally, the cost for any traffic improvements, as things now stand, would have to be borne by the taxpayers of Shasta County, as the proposed improvements at the intersection of Old Alturas and Old Oregon Trail and the intersection of Boyle Road and Deschutes Road “are not part of any current Shasta County improvement plan or fee program,” according to the draft EIR:

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71-a

71-b

IMPACT 5.16-5 Implementation of the proposed project could result in increased traffic volumes at study area intersections under Year 2035 cumulative plus project conditions.

The improvements identified for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) are not currently part of any current Shasta County improvement plan or fee program. As a result, full implementation as described in MM 5.16-3 and MM 5.16-4 cannot be assured by the project applicant. This is considered to be a cumulatively considerable and significant and unavoidable impact.

The Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in MM 5.16-3 and MM 5.16-4, should Shasta County update the fee program to include the Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) Intersections. The payment of applicable fair-share costs towards a programmed improvement would result in a cumulatively less than significant impact at each intersection.

According to a December 11, 2018 article in the *Record Searchlight* (<http://www.redding.com/story/news/2017/12/11/neighbors-worried-subdivision-east-redding/940908001/>), a traffic analysis of the proposed project will generate 1,656 additional vehicle trips per day (upon build-out) on the roads surrounding the project. The intersection at the Hwy. 44 westbound onramp and Airport Road and the intersection of Boyle and Deschutes Roads will be significantly impacted, according to a traffic analysis cited in the article. A signal, or roundabout, is proposed for the Hwy. 44/Airport Road intersection, while a four-way stop is proposed for the intersection at Boyle and Deschutes Road.

Based on our experience, we feel that the four-way stop proposed at the intersection of Boyle and Deschutes Road would not alleviate the increased traffic expected from the proposed development. During peak traffic hours, traffic is already backed up on Deschutes, from Foothill High School, all the way to Hwy. 44 E. As it now stands, it's difficult to get out onto Deschutes Road from our residential area, due to traffic, even during non-peak traffic flows.

The addition of 1,656 additional vehicle trips is unsustainable, even with the proposed traffic mitigations.

3. Water availability is a critical issue. We strongly disagree with the EIR that the project's impact on hydrology is a "less than significant" impact. Consider the following:

- a. The proposed project would get its water from the Bella Vista Water District.

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71-b
Cont.

71-c

- b. The recently approved Bethel Church campus in north Redding will also draw its water from the Bella Vista Water District.
- c. Because of the drought, in 2015, the Bella Vista Water District's allocation of water was cut by 75% (agricultural water allocation was cut by 100%), so the district rationed water to users under a declared water shortage emergency.
- d. Water is a finite resource.

71-c
Cont.

The County expects the developer of Tierra Robles to find other sources of water as the project is built out. This is wishful thinking, and, unfortunately, wishful thinking does not supply people with drinking water, water for farming and gardening, or water for household uses. Given California's frequent droughts in the face of climate change, this is an unrealistic expectation. The project as it is currently proposed is not sustainable, due to lack of water resources alone. This is not only a quality-of-life issue, it's an issue of sustainability for our current community. How is the developer going to find more available water when current residents of Shasta County are already suffering significant cutbacks in their water supply during periods of drought?

4. Growth inducement, which affects the quality of life here in Shasta County, is also of great concern to us. We disagree with the following assessment in the draft EIR:

Growth Inducement

The location of future growth throughout unincorporated Shasta County would continue to be controlled guided by its General Plan. Therefore, the proposed project would not have a significant growth-inducing effect. Refer to Section 6.0, GROWTH-INDUCING IMPACTS, for detailed analysis and discussion.

The developer of this project has applied for variances to the current zoning on several parcels. If these variances are granted for this developer, as has happened for other developers, it will further dilute the effectiveness of the General Plan and set yet another precedent for developers in the future who want to apply for zoning variances for their projects. Accordingly, we see this project as a significant inducement to growth in this rural area.

If a person/entity purchases property with a specific zoning, they should be expected to abide by that zoning.

71-d

5. Increases in greenhouse gas emissions will be "unavoidable and significant," according to the draft EIR:

Unavoidable Significant Adverse Impacts

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County of Shasta
Permit Committee

71-e

IMPACT 5.7-1 Greenhouse gas emissions, either directly or indirectly, generated by the proposed project may have a significant impact on the environment.

Therefore, the proposed project would potentially conflict with the County's RCAP and AB 32 despite the implementation of the Project Design Features and MM 5.7-1. Impacts would be significant and unavoidable.

IMPACT 5.7-1 Greenhouse gas emissions, either directly or indirectly, generated by the proposed project may have a significant impact on the environment.

Despite the implementation of the Project Design Features and MM 5.7-1, project related GHG emissions would not meet the reduction targets established by AB 32 or SB 32, and impacts would remain significant and unavoidable.

IMPACT 5.7-2 Implementation of the proposed project could potentially conflict with an applicable greenhouse gas reduction plan, policy, or regulation.

Therefore, the proposed project would potentially conflict with the County's RCAP and AB 32 despite the implementation of the Project Design Features and MM 5.7-1. Impacts would be significant and unavoidable.

71-e
Cont.

Summary – The proposed project is not in keeping with the current zoning and rural nature of the area. As stated in the EIR, the project will have significant and unavoidable impacts on the oak woodlands and annual grasslands in the area, affecting both the wildlife and the quality of life for current/future human residents. Water availability is a huge issue, especially with recent drought conditions/rationing and December 2017 being the second driest year in Shasta County recorded history. The additional traffic generated by the proposed project is unsustainable, even with the proposed mitigation measures, and will result in additional noise and pollution. Zoning variances granted for this project would fuel future growth in an area that is known for its rural nature and open space values.

71-f

Because of all these significant and unavoidable impacts, we urge that the project, as it is currently proposed, not be approved.

Respectfully,

Kathleen M. Callan
Steve T. Callan
Kathy and Steve Callan

Palo Cedro, California

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Response to Letter 71 – Kathy and Steve Callan

Response 71-a: The commenter restates Impact 5.4-5 and the impact discussion under the Annual Grassland and Oak Woodlands heading on page 5.4-56 of Section 5.4, BIOLOGICAL RESOURCES.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 71-b: The commenter expresses concern regarding the increased volume of traffic on already overburdened roads and the cost of roadway and intersection improvements because they are not in the plan or fee program. The commenter states that the four-way stop proposed at Boyle Road and Deschutes Road would not alleviate the traffic congestion because it would result in additional traffic queue lengths and exacerbate the existing conditions.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above. These responses to comments provide discussion regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 71-c: The commenter disagrees with less than significant conclusion of the Draft EIR regarding water supply and availability. The commenter makes additional statements regarding water supply, droughts, and sustainability. The commenter then questions how the developer will find additional supply for the increased demand.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 71-d: The commenter states that growth inducement is of concern and disagrees with the assessment in the Draft EIR and correctly quotes a discussion of growth inducement from the Draft EIR. The commenter continues stating if the variances are accepted it will dilute the effectiveness of the General Plan and set precedence for other zoning variances, and purchasers should have to abide by the existing zoning.

The commenter is referred to **Master Response-2** regarding the listed concerns, and **Response 65-a** regarding precedent setting action. The commenter states disagreement with the conclusion of the Draft EIR but does not provide comments accompanied by substantial evidence or factual support. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. The comment is noted for the record and will be provided to the Planning Commission and

Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 71-e: The commenter restates that impacts to Greenhouse gas emission would be significant and unavoidable. The commenter also restates Impact 5.7-1, Impact 5.7-2, and portions of the conclusions of the Draft EIR.

Although, no issue or adequacy of the Draft EIR was raised by the commenter the commenter is referred to **Response 11-a** through **11-j** for discussions of greenhouse gas emissions. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 71-f: The commenter restates concerns regarding the above listed comments. The commenter restates concern about zoning, impacts to oak woodland, grassland, and wildlife, water availability, and increased traffic, and requests the project not be approved.

The commenter is referred to **Responses 71-a** through **71-e**, above. Regarding impacts to wildlife, the commenter is referred to **Responses 3-a** through **3-v**, **10-d**, **12-a** through **12-d**, **13-j**, **13-k**, **16-c**, and **32-i**. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 72 – Ann Mobley (December 28, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 28, 2017 8:07 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR Public Comments

From: dmobley@frontiernet.net [mailto:dmobley@frontiernet.net]
Sent: Wednesday, December 27, 2017 7:39 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles DEIR Public Comments

Please DO NOT approve the Tierra Robles proposed development. It is critical that no precedent be set for the rezoning of rurally zoned parcels since such approvals will result in unsustainable water demands within the Bella Vista Water District, among many other serious problems. The resulting suburban sprawl does not meet the County's General Plan and Zoning Ordinances.

72-a

Water and wastewater are of huge concern. The documents (the DEIR) submitted to you are in error in many ways, including estimates of per household daily use of water, even during drought years. If these erroneous figures are the basis of any concrete plans, then obviously any resulting infrastructure would be seriously flawed.

72-b

Water problems are already significant in the area of the proposed subdivision, and the addition of such a large number of homes, without a significant increase in delivery methods, not to mention drought mitigation in our drought prone state, will only create worse problems for both current and proposed residents.

Traffic circulation on flawed roads is another area of significant concern. The roads in this area are already over-taxed with current traffic, and adding such a large number of homes will have a serious impact for all current (and future) residents.

72-c

I urge you to seriously consider the ramifications of this proposed development, and that if it is approved in any way, it will only be with further study, and with the implementation of significant mitigations as proposed by Brad Seiser and others. Remember the County's General Plan and Zoning Ordinances!

Ann Mobley
10339 Oriole Lane
Palo Cedro, CA 96973
530-547-3823

72-d

Response to Letter 72 – Ann Mobley

Response 72-a: The commenter states concern about the proposed project setting precedent for rezoning and place additional demand on the Bella Vista Water District. The commenter states the resulting urban sprawl does not meet the General Plan and Zoning Ordinances.

The commenter is referred to **Response 65-a** regarding precedent setting. The commenter is referred to **Master Response-3** regarding the BVWD and water supply. The commenter is referred to **Master Response-2** regarding project consistency with the General Plan and Zoning Ordinance. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 72-b: The commenter states that water and wastewater are of concern and the Draft EIR erred in water use rates and results in infrastructure being flawed. The commenter also states that water issues are already significant and approval of the project will worsen problems.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p** regarding water supply and water rates, and **Responses 13-d, 36-a, 43-d, 53-f, 57-e, 57-p, 57-r, and 65-f** regarding wastewater. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 72-c: The commenter states that the roads in the area are already over-taxed and adding the homes from the proposed project will have a serious impact but does not provide comments accompanied by substantial evidence or factual support.

Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 72-d: The commenter requests the ramifications of the proposed project be considered and that if the project is approved that it should only be done with the mitigation measures proposed by Brad Seiser and others.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter is referred to **Responses 65-a through 65-y**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 73 – Glenn and Sara Hoxie (December 29, 2017)

From: SARA CRANDELL-HOXIE roadrunnerfarm@sbcglobal.net
Subject: Tierra Robles Public Comments
Date: December 29, 2017 at 12:07 PM
To: resourcemanagement@co.shasta.ca.us

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December 28, 2017
Kent Hector, Senior Planner,
Shasta County Department of Resource Management, Planning Division,
1855 Placer St., Suite 103,
Redding, CA 96001

Dear Mr. Hector,

We have reviewed the the Draft Environmental Impact Report for proposed Tierra Robles subdivision and have concluded that it is not adequate in addressing the water deficits in this region of Shasta County. It also does not comply with the counties General Plan. Infrastructure such as wastewater treatment are not adequately addressed, nor is traffic and its impact on area roads and schools.

73-a

Droughts are the new normal. We are currently experiencing a drought. Existing residents were allocated water in the last drought. There is simply not enough water in this part of rural eastern Shasta County to sustain a subdivision. The DEIR does not adequately address this deficit. It does not address the needed water over time and the sources of this water. There is insufficient data on future water demands of the area and how theses demands will be met. Water usage statistics used in the DEIR are not consistent with actual water district data. Language in the DEIR leaves the Bella Vista Water District and existing customers paying for new sources of water if a drought occurs several years into the building of the development. That is if ancillary water can even be delivered in the future. This is unacceptable. The water district and the current residents must be protected from this liability.

73-b

If the planned development comes to fruition and other developments are installed in the area due to the precedent set by Tierra Robles, what water source will be used? Furthermore it the DEIR states that a development would have a "significant impact" on groundwater. This is a rural area, groundwater is is a precious resource for existing residents. This cannot be compromised.

Tierra Robles is not in compliance with the general plan for the county. It violates zoning requirements. Existing zoned parcel sizes require this area to be rural/agricultural. The DEIR is contradictory when stating whether this area would be considered rural or semi rural. In any case the change in parcel size with this planned development will be in direct violation of the general plan for Shasta County. A zoning amendment would cause

73-c

parcel sizes to be inconsistent with the surrounding area. The existing zoning regulations are sustainable, an exception would not be sustainable and would likely result in setting a precedent causing more development in this area thus further violating the general plan and further compromising sustainability for all who currently reside in the area.

73-c
Cont.

The projected water usage is based on faulty data and therefore the need for adequate water treatment is also understated. The plan to treat wastewater must be rewritten using the actual data on water usage and be mitigated accordingly.

73-d

Boyle Road is a thoroughfare connecting several schools including Columbia School, Foothill High School and North Cow Creek School. There are other schools linked by area roads including Redding Christian School, Chrysalis Charter School, Junction School and Bela Vista School. The DEIR does not address speeds on these roads. Anecdotal I observe most private vehicles traveling on Boyle Road to be traveling in excess of 50 MPH. All schools have students who live in the area. Several have busses that use Boyle Road, Old Alturas Road and Deschutes Road. The safety of students with increased traffic flow is a great concern. Speed was not a factor in the DEIR yet speed related accidents occur on these roads frequently.

73-e

This type of leapfrog development is not sustainable in terms of water use and infrastructure. The county plan as it stands is sustainable for this area. Tierra Robles Subdivision is ill conceived and poorly planned. The DEIR omits important data and leaves existing land owners with an unknown future costs not carried by the developer. For these reasons we are opposed to this development.

73-f

Sincerely,

Glenn and Sara Hoxie

10024 Roadrunner Way Redding, Ca 96003

(530) 221-7057



Response to Letter 73 – Glenn and Sara Hoxie

Response 73-a: The commenter states that the Draft EIR is not adequate in addressing water supply, wastewater treatment, schools, and traffic, and it does not comply with the general plan but does not provide comments accompanied by substantial evidence or factual support. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence.

The commenter is referred to **Master Response-3** regarding water supply, **Responses 13-d, 36-a, 43-d, 53-f, 57-e, 57-p, 57-r, and 65-f** regarding wastewater, **Responses 32-g, 48-h, 48-k, and 48-m** regarding school, is referred to Section 5.16, TRAFFIC AND CIRCULATION, for a discussion of traffic impacts, and **Master Response-2** for a discussion of the General Plan and Zoning Ordinance. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 73-b: The commenter states that the Draft EIR does not adequately address water resources including water use over time, water sources, impacts to other residents, and impacts from drought. The commenter asks what water will be used is the proposed project sets a precedent for other developments, and makes an unclear statement that, “Furthermore it the DEIR states that a development would have a “significant impact’ on groundwater.” The commenter concludes that groundwater is a precious resource and can’t be compromised for existing residents.

Please refer to **Responses 7-a** through **7-p**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 73-c: The commenter states that the proposed project is not in compliance with the General Plan, violates zoning requirements, and is inconsistent in discussion of rural and semi-rural. The commenter further states that the existing zoning regulations are sustainable but the exception is not and would likely be precedent setting resulting in additional impacts.

The commenter does not provide substantial evidence to support statements made. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. For additional clarification, however, the commenter is referred to **Master Response-2**, regarding conformance with the General Plan and Zoning Ordinance, and discussion of rural and semi-rural. In addition, the commenter is referred to **Response 65-a** and page 6-6 of Section 6.0, GROWTH INDUCEMENT, which discusses the potential for precedent setting action. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 73-d: The commenter states that the water use rates are based on faulty data and therefore, wastewater treatment impacts are no correct, must be rewritten and mitigated.

The commenter does not provide substantial evidence to support statements made. Pursuant to State *CEQA Guideline* §15064 an effect shall not be considered significant in the absence of substantial evidence. For additional clarification, however, the commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, **48-b**, **48-d**, **64-d**, and **69-b** through **69-d**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 73-e: The commenter states that Boyle Road is a thoroughfare connecting several schools and that the Draft EIR does not address speeds on these roads. The commenter expresses concern for the safety of the students with the addition of project-generated traffic.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic speed and roadway safety. Specifically, **Responses 17-l, 53-c, 65-l, and 67-e** provide further discussion related to speed of traffic. **Response 48-k**, above, is specific to traffic impacts and school zones. These responses to comments provide discussion regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 73-f: The commenter states that the proposed project is a type of leapfrog development and is not sustainable. The commenter then restates that the Draft EIR omitted important data without providing specific examples and the proposed project leaves existing land owners with unknown future costs.

The commenter is referred to page 6-5 of Section 6.0, GROWTH-INDUCING IMPACTS, which discusses, “leap frog” development. The Draft EIR concludes that the proposed project is consistent with surrounding land use patterns and fills in a gap between developed areas, which is the opposite of “leap frog” development. In addition, the Draft EIR concludes the proposed project would result in a contiguous development pattern within the area, would be accessed by the existing transportation network, and includes utility infrastructure to serve increased demand. For these reasons, the proposed project is not considered a “leap frog” or “premature” type of development. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 74 – Andrew Creasey (December 28, 2017)

Kimberly Hunter

From: Resource Management
Sent: Thursday, December 28, 2017 9:39 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR Public Comments
Attachments: Tierra_Robles_DEIR_Cheat_Sheet.doc

From: Andy Creasey [mailto:andcre32@gmail.com]
Sent: Thursday, December 28, 2017 9:36 AM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles DEIR Public Comments

Dear Ms Hunter,

I am opposed to the Tierra Robles rezoning application. In the interest of brevity, please see the attached.

Sincerely,

Andrew Creasey
10490 Maddelein Lane
Palo Cedro, CA 96073

74-a

Tierra Robles DEIR Cheat Sheet

Overall Comment: Most important to the analysis of this DEIR is how the approval of the Tierra Robles planned development sets the precedent for the rezoning of rurally zoned parcels for future planned developments, that result in suburban sprawl and unsustainable water demands within the Bella Vista Water District (BVWD) service boundaries. Also, the DEIR proposal for a zoning amendment revision to a Planned Development classification does not meet the County's General Plan and Zoning Ordinances as outlined below.

74-a

Currently, BVWD has outstanding will serve commitments to supply water to 707 parcels within the district. Does BVWD know how much water demand is needed from these active will serve parcels? Where's that water going to come from, particularly in the 'new normal' of single and multiple drought years that result in severe water allocation cutbacks from the Central Valley Project (CVP).

Is the answer to all these CVP water allocation cutbacks more restrictions to existing customers, or do we stop or scale back suburban sprawl developments in rural areas that have finite water supply resources?

74-b

Before the Planning Commission or Board of Supervisors can approve this or any large suburban development, they must re-examine the assumptions and estimates that BVWD used for determining the amount of water it can expect long term to be allocated to the district by the Central Valley Project in relation to the growth expected in demand from within the District from planned development zones and the East Redding infill areas. Until this analysis is completed the county cannot responsibly determine how much planned development water demand can be sustained into the future.

Regarding the Proposed Zone Amendment Z10-002, Tract Map 1996, SCH No. 2012102051

Comment 1. Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres...for development in six phases". The DEIR proves that proposed distribution of lot sizes does not meet General Plan and Zoning requirements that development be consistent with existing parcel sizes and zoning and fitting in with the rural/agricultural character of the surrounding area. The analysis below proves Tierra Robles is an example of a suburban planned development dumped in the middle of a rural residential area!

74-c

In Sec. 5.10.12, the DEIR states, "Although the proposed project would alter current conditions on the site, the proposed project would be compatible in density with the surrounding existing

uses.” It goes on to say that the rezone would not change the rural character of the area but later contradicts and states it will change to “semi-rural.”

74-c
 Cont.

A zoning amendment for a Planned Development should not be granted because the number of parcels, acreage sizes and percentages of parcels in each acreage size do not meet the standard to fit with the area’s existing zoning and parcel sizes which would be against the County General Plan and Zoning Regulations.

The DEIR uses the Composite Parcel Size Map, Section 5.10-1 to show the land area parcel sizes that are 1 to 1.5 miles surrounding the proposed development. By counting the number of mapped parcels in each acreage category, a percentage in each category can be determined and then compared to the Development’s percentage of homes to be built in each acreage category, which shows there is no correlation of this Development to the surrounding rural community.

The chart below combines and compares Table 3-4 “Project Acreage and Lotting Summary” on page 3-16 of the Subdivision Development Summary to the number and percentage of parcel acreages from the Composite Parcel Map Figure 5.10-1:

74-d

<u>Acreage</u>	<u>Lotting Description</u>	<u>% Parcels</u>	<u># of Surrounding Parcels**</u>	<u>% of Surrounding</u>
0 - .99 ac	0	0	46	5%
1.00 – 1.99 ac	45 Homes	27%	48	5%
2.00 – 2.99ac	65 Homes	39%	155	17%
3.00 – 3.99 ac	25 Homes	15%	137	15%
4.00 – 4.99 ac	16 Homes	10%	117	13%
5.00 – 5.99 ac	10 Homes	6%	128	14%
6.0+ ac	5 Homes	3%	293	32%
Totals	166 Homes		924 Parcels	

** Non-Exempt Parcels less than 6 acres - 273 - not included in the above surrounding percent calculations since the exact acreage is unknown, other than less than 6 acres.

Proposed Mitigation: Since the above chart shows that the proposed zoning amendment change for a Planned Development is not consistent with the existing parcel zoning in the surrounding area, the following Alternative Plan shall be adopted: The Developer shall be required to convert the proposed 471.92 usable acres to a number of lot parcels that mimic the exact percentages of the surrounding parcels as depicted in Composite Parcel Map Figure 5.10-1, with the exception of parcel sizes that fall below 2 acres since the rural residential zoning require one dwelling per 2 acre minimums. If not, then the Developer should not be granted a zoning amendment revision for this Planned Development.

Section 5.17 Utilities and Service Systems:

IMPACT 5.17-4 Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed. **Significance: Potentially Significant Impact.**

Comment 1. In single and multiple drought years when the CVP cuts water allocations to the BVWD, the Developer or the Tierra Robles Community Services District *must provide water augmentation to the BVWD from the start of the project to total buildout of the project per the amended mitigation language 5.17-4b below.* Existing BVWD customers have successfully conserved and restricted water usage in response to recent and historical drought periods. The added water demand for this planned development will only exacerbate the finite resources of the BVWD, particularly in years when the CVP cuts water allocations.

The Amended MM 5.17-4b language below was adapted from the “Potential Mitigation language” proposed in Appendix 15.10 in Tully and Young’s Water Demand Evaluation April 26, 2017 on Page 29. The DEIR version of MM 5.17-4b gives the Developer ‘a sweet heart deal’, where the Developer or Community Service District is off the hook to purchase water until “such time as BVWD has completed 3 full years of full CVP water allocation after commencement of operations at the project site.”

The DEIR language is a bad deal for BVWD and its existing customers. For example, let’s say 3 full years of full CVP water allocations begins in 2020, the same year the Developer begins construction, which is slated to last two years (end 2022). Then in the third year of full CVP allocations (2023), construction continues or maybe lot sales begin. Let’s say that in the 4th year a single drought year occurs or it’s the start of multiple drought years. What happens? The Developer is no longer required to purchase additional water to BVWD in the fourth year or thereafter and the 166-home buildout is 10-15 years down the road, leaving BVWD and its existing customers holding an empty water bucket for the life of the buildout!

Hence prior to any approval of any project, the Planning Commission and Board of Supervisors must adopt the Amended MM5.17-4b language below:

Amend MM 5.17- 4b to read as follows: “Concurrent with the formation of the Tierra Robles Community Services District, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with the BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 100 percent (full) of the project’s prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the USBR that it will receive less than 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination

74-e

has been announced by USBR as of April 15 of each year. THE AUGMENTING WATER SUPPLIES SHALL BE MADE AVAILABLE TO THE DISTRICT THROUGH THE AGREEMENT UNTIL THE DISTRICT HAS COMPLETED THREE YEARS OF FULL CVP WATER ALLOCATION *FOLLOWING BUILDOUT OF THE PROJECT*. For any shortage condition that occurs after three years of full CVP allocation, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement.”

74-e
Cont.

Comment 2. BVWD Urban Water Management Plan Update – 2015 page 49 shows the actual water usage for the 2015 drought year, which excludes all agricultural water, at 335 GPPD. Each 2.5-person District home, will use 837 gallons per day. Extrapolating out, the actual yearly water demand for 166 Tierra Robles homes would be 156 AF, not the Draft EIR estimate of 80 AF.

Proposed Mitigation: Prior to approval by the Planning Commission and Board of Supervisor a new water demand analysis must be completed in conjunction with the Bella Vista Water District Engineer, based on actual rural residential demand data, so there is an accurate determination of water demand for this development at buildout. Based on these new projections new mitigation measures must be developed or enhanced.

74-f

Proposed Mitigation: The Developer and/or the Tierra Robles Community Services District will pay for the drilling of a new well in the south county water basin that ties into the BVWD system so the total water demand for the project is met and existing customers will not be impacted by the increased need for water in the District in Normal and single or multiple drought years.

Comment 3. Bella Vista Water District acknowledges “major components of the District’s water system are more than 50 years old and approaching the end of their design life.” The Draft EIR fails to mention or mitigate fluctuating water pressures to existing customers throughout the Welsh pumping system that will only be exacerbated by a concentration of 166 new homes.

74-g

Proposed Mitigation: Before approving any project, the Planning Commission and Board of Supervisors must require that BVWD (at the Developer’s expense) complete a hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

Impact 5.17-2 – Implementation of the proposed project would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Noted as Less Than Significant and No mitigation measures are required.

Comment 1. The DEIR states that the Design Flow of the Wastewater treatment system is based on 200 gallons per day, per home.

As stated above, actual water usage from the severe drought year of 2015 shows tremendously more water than 200 gallons coming into the home daily. If the DEIR misstates the amount of water each home will use for residential purposes, then all the design flow data used to plan for and size the onsite black and grey Wastewater Treatment and Dispersal system must also be flawed and could cause severe environmental impacts if not corrected.

DEIR system proposes five Orenco AXMax waste treatment modules to handle the black and grey wastewater coming in for treatment. Given the history of power outages in this community, from the site schematics of the system there does not appear to be a backup electrical generator to run the pumping system for the treatment modules and to operate the necessary home pumping devices to draw out the untreated effluent.

Also, the DEIR calls for the installation of the AXMax treatment modules with three modules in Phase I and one each in Phase 2 and Phase 3. This phased in buildout of the AXMax treatment modules is unacceptable and must be completed in its entirety before any site maps are recorded by the County. The Developer and The TR Community Services District must assume full responsibility for the technical operation and sustainability of the entire system. If this Developer disappears or goes bankrupt the County and its taxpayers should not have to assume the fiscal liability to finish the system.

Proposed Mitigations: Prior to approval by the Planning Commission and Board of Supervisors a new Wastewater Treatment design flow study must be completed using actual residential water data that is consistent with BVWD rural residential homes. Also, based on this revised study the entire Wastewater Treatment System will be resized as appropriate, including additional or enlarged effluent dispersal areas, or added storage facilities and a backup generator system.

DEIR Section 5.16 Traffic and Circulation

Comment 1. While Section 5.16 and Appendix 15.9 provides much data for traffic counts and traffic delays at various intersections, projected trips on surrounding roads, average daily trips on various road segments, etc. NO vehicle speed data was measured for any of the listed road segments and the impact of speed on approaches to all the studied intersections is unknown.

74-h

74-i

Proposed Mitigation: Redo the Traffic Study to consider the impact of speed, which must be measured and assessed in compliance with accepted Caltrans standards, so that any proposed and new traffic mitigations are consistent with the analysis for all local roads and intersections studied in the DEIR. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

74-i
Cont.

Comment 2. The DEIR Appendix 15.9 (and presumably Section 5.16) uses older 5-year Collision data (2009-2013) from CHP's SWITRS system to generate data and assumptions about Safety Performance on studied road segments as compared with statewide averages for similar type roads, that ultimately led to DEIR mitigation proposals. The Supplemental Traffic Impact Analysis of August 2017 should have retrieved the 2014-2016 SWITRS Collision data and then created a new 5-year data set, 2012-2016, which has been available on the CHP SWITRS website.

More important the DEIR traffic methodology makes NO comment or analysis of how the expected Project increase in Average Daily Traffic (ADT) will impact rates and number of accidents for all road segments and intersections at full buildout. If a roadway already has a 38% higher rate of collisions than the state average, the DEIR does not address what the new rate and number of accidents would be given the increased ADT coming from the Project. There is no analysis of how this would affect proposed mitigations or new mitigations to lower the number and rates of accidents. The DEIR fails to even mention the school zone for Foothill High School on the Deschutes Road segment from Boyle Road to SR 44.

74-j

Proposed Mitigation: Completely revise and reassess the 5-year SWITRS Collision data using the years 2012-2016 for all studied road segments; Conduct a new Safety Performance assessment to determine which roadway segments are higher than the statewide average for similar roadways. Reconsider all the DEIR mitigations proposed or new mitigations that are needed based on the updated data. Ensure that the school zone of Foothill High School is studied and assessed for needed mitigations. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

The Formation of the Tierra Robles Community Services District (TRCSD):

Comment 1. The formation of the Tierra Robles Community Services District (TRCSD) promotes an entity that is overtasked, underfunded and lacking in ANY enforcement powers to ensure compliance by builders, homeowners, waste treatment operators, etc.

This proposed entity can be likened to an 'oversized' Home Owner's Association that lacks the technical expertise, and long term financial sustainability to deliver on the proposed Mitigations related to the Waste Treatment facilities, all the management and oversight of the RMA's, establishment and sustainability of all the required off-site biological areas in perpetuity. The notion that 166 homes can pay for all the required services and mitigations is preposterous.

74-k

Proposed Mitigation Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, there shall be a mechanism in place to ensure that the TRCSD has enforcement powers to function in a sustainable way regarding it's programmatic and financial relationship to builders, homeowners, etc.

74-k
Cont.

Comment 2. Regarding the proposed mitigation for a TRCSD purchase agreement of water in single and multiple drought years, there does not appear to be a line item for this purchase in this budget, except for landscaping watering which does not appear to be related to this contingency water purchase.

Where in the DEIR is the financial analysis of the financial condition, viability and sustainability of Shasta Red LLC? What is the mechanism for the County to ensure that all the required mitigations that will be part of the final EIR are to be delivered upon by the Developer or TRCSD, regardless of how lot sales proceed?

74-l

Proposed Mitigation: Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, Shasta Red LLC must submit to a financial stress test that ensures they have the financial sustainability to see this project through total buildout and the full capitalization of all final Mitigations and responsibilities for the TRCSD

Response to Letter 74 – Andrew Creasey

Response 74-a: The commenter states that the proposed project would set a precedent for rezoning, resulting in urban sprawl and increasing water demand within the Bella Vista Water District (BVWD). The commenter also states the proposed project does not meet the General Plan or Zoning Ordinance.

Regarding setting a precedent, the commenter is referred to **Response 65-a**. In addition, the commenter is referred to **Response 73-f** regarding urban sprawl and associated “leap frog” development. The proposed project is an infill development and, although it would increase demand on water resources, it would not induce additional growth. The commenter is referred to **Master Response-3** regarding BVWD and water supply. Lastly, the commenter is referred to **Master Response-2** for a discussion of the proposed project and the General Plan and Zoning Ordinance. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-b: The commenter states BVWD has outstanding commitments to serve 707 other parcels and questions demand and water supply. The commenter questions if additional restrictions will be needed. The commenter states that BVWD water supply assumptions must be re-examined and states that until this is done, responsible development cannot occur.

The commenter is referred to **Master Response-3** regarding **Responses 7-a** through **7-p**, **48-b**, **48-d**, **64-d**, **65-c**, and **69-b** through **69-d**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-c: This comment is a copy of Comment 65-p, provide above.

The commenter is referred to **Response 65-p**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-d: This comment is a direct copy of portions of Comment 65-p and 65-q.

The commenter is referred to **Response 65-p** and **65-q**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-e: This comment is a copy of portions of Comment 65-b.

The commenter is referred to **Response 65-b**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-f: This comment is a copy of portions of Comment 65-c.

Accordingly, the commenter is referred to **Response 65-c**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-g: This comment is a copy of portions of Comment 65-e.

The commenter is referred to **Response 65-e**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-h: This comment is a copy of portions of Comment 65-f.

The commenter is referred to **Response 65-f**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-i: This comment is a copy of portions of Comment 65-l.

The commenter is referred to **Response 65-l**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-j: This comment is a copy of portions of Comment 65-j.

The commenter is referred to **Response 65-j**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-k: This comment is a copy of portions of Comment 65-r.

The commenter is referred to **Response 65-r**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 74-l: This comment is a copy of portions of Comment 65-s.

The commenter is referred to **Response 65-s**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 75 – Nancy Main (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 4:18 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR Public Comments

From: Nancy Main [mailto:nancy@shasta.com]
Sent: Friday, December 29, 2017 3:57 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: : Tierra Robles DEIR Public Comments

To whom it may concern,

Below please find my concerns with the proposed Tierra Robles subdivision.

5.0 Description of Environmental Setting, Impacts, and Mitigation Measures

Referring to Figure 5.1-5, which is Key View 1 in figure 5.1-2 This view is taken at the end of Northgate Drive.

The Proposed picture that has a depiction of a single possible house on the property is very misrepresentative of what that view would look like after the build out no matter what color or architectural style they may be. One look at Figures 3-6 and 3-7 and the density of housing proposed would certainly change the aesthetics and visual character of the area. The proposed lots from that view would be some of the smallest as noted on the Composite Parcel Map Figure 5.10-1. Most less than the present R-R-BA-3 zoning as noted on Figure 3.5. The draft EIR concludes a less than significant impact. How can that be? Figure 5.1-5 should include all proposed house locations as close as possible for a truly accurate decision. This should also include depictions of the 6 foot high fences allowed surrounding building envelopes and the entitlement of each lot to build accessory dwelling units.as noted on page 3-16 pursuant to Government Code 65852.2. There also seems to be a discrepancy between Figures 3-6 and 3-7. Figure 3-7 shows 5 lots running north on the west side of the proposed road Tierra Robles terminating at the end of Northgate Drive while Figure 3-6 shows 5. Which is the correct number as that would be a very visible lot?

Referring to Figure 5.1-6, which is Key View 2 in Figure 5.1-2. This view taken from Boyle Road at what is the proposed main entrance to the Tierra Robles subdivision.

The same issues of misrepresentation of the final build out as noted above apply but this view would be seen much more by the public and would be altered more severely since the proposed lots run narrow along a straight road. The building envelopes all run close (clustered) to this road as well. This would create a look of a suburban subdivision not a rural one which is what the area has been zoned for. 5.1-15 proposes that the residential units would appear generally similar in massing and scale to the existing development to the west. When actually comparing the two developments there are almost 2 proposed lots next to each other for every 1 in the adjacent development. The topography of these proposed lots is flat. The adjacent development has relief creating a very different look and feel. .

Changing the zoning in the area would alter the look and feel of this rural community. No zoning changes should be made especially on the scale of this proposal. This would also open up the opportunity for other developers to ask for such changes on large scales further degrading the rural aspect of the surrounding area.

75-b

Further comments involve the water issue and Bella Vista Water's ability to provide enough water to it's customers especially in drought years. Last year's rain season was a great one but here we are next season and exceedingly dry so far. I spent three years under water restrictions and would rather not make the next one sooner by allowing rezoning and irresponsible development. It was noted on the individual lot maps that they each had a possible location for a pool. Would that be allowed under the constant threat of drought, water restrictions and potential increased water rates as a result?

75-c

Noted in the Executive Summary, page 2-6 that Northgate Drive is proposed as an emergency access. No notice was given to the Northgate Owners nor has any such permission been given. No official easement has ever been issued to the present owner of the Tierra Robles property that I am aware of. How can this happen without the Northgate Property owner's permission? Would Northgate be improved at Tierra Robles expense if we have no say whether we agree to the emergency designation? The road presently is not up to County fire or Cal Fires' standards required for such an access.

75-d

Thank you for your consideration of my concerns in these matters.

Nancy Main
10697 Northgate Drive
Palo Cedro, CA 96073

Response to Letter 75 – Nancy Main

Response 75-a: The commenter states Figure 5.1-5 is misrepresentative, should include all home locations, fencing, building envelopes, and accessory units and questions the less than significant impact finding. The commenter also notes a discrepancy in the lots on Figures 3-7 and Figure 3-6. The commenter states the description of homes and views of the proposed homes at the intersection of Tierra Roble Boulevard with Boyle Road are misrepresented, and would not appear generally similar in massing and scale because the proposed project is more dense than existing adjacent developments, adjacent development has a different look and feel, and the topography is flat.

Regarding Figure 5.1-5, the commenter is referred to page 5.1-15 of Section 5.1, AESTHETICS AND VISUAL RESOURCES. The commenter disagrees with the findings of the Draft EIR which relates that due to the limited grading, preservation of most surrounding vegetation, the views north would maintain a similar visual character. In addition, the Draft EIR states that the homes would be comprised of earth tones, would be similar in terms of mass and scale to surrounding residences. Because of these factors, impacts were found to be less than significant.

Regarding the discrepancy between figures, Figure 3-6 provides a representation of the proposed tentative map, while Figure 3-7 represents the proposed phases of the project. All residential lots are numbered in Figure 3-7, and show a proposed 166 residential areas, just at Figure 3-6 depicts. Figure 3-7 also includes lines representing drainages within the project site. This could result in areas that may appear to be residential; however, these areas depicted as drainages are not numbered because they are not proposed for residential units. In reviewing the figures, the Lead Agency determined that there is an extra line on Figure 3-7 that appears to depict a residential lot adjacent to the northwest corner of the project area and intersection with Northgate Boulevard; however, this is not a residential lot and does not contain a number assigned to it as the other residential lots do on Figure 3-7. There is no proposed residence at this location. No further response is necessary and no change to the Draft EIR is necessary.

Regarding the analysis in the Draft EIR of views from Key View 2 (Figure 5.1-6) and views from motorists on Boyle Road and from adjoining residential uses, the Draft EIR discloses that project implementation would change the character of the area as a result of the addition of hardscape and massing from the new residential structures. The Draft EIR concludes, however, that through similar massing and scale and the use of earth tone exteriors to reduce contrast with the natural landscape, impacts to the character and quality of the proposed project site and its surroundings, as seen from Key View 2, would be *less than significant*.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 75-b: The commenter states that changing the zoning would alter the feel of the rural community, that no changes should be made, and it would create an opportunity for other developers to do the same and degrade other areas.

The commenter is referred to **Master Response-2** regarding the zone change. The commenter is referred to **Response 65-a** regarding setting a precedent for other development. The commenter is referred to **Response 73-f** regarding “leap frog” development and degradation of other areas. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 75-c: The commenter comments on Bella Vista Water Districts ability to provide enough water questioning that if under drought and water restrictions would pools be allowed.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p**, regarding water supply and availability. The commenter is referred to Section 3.0, PROJECT DESCRIPTION, which discusses the potential for future residences to have a pool. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 75-d: The commenter notes that Northgate Drive is shown as a proposed emergency access. The commenter states that no notice to owners was given, and asks how this can happen without property owner’s approval.

Please refer to **Responses 23-b** and **65-g** regarding the use of Northgate Drive, which will be gated and used as a secondary project site access for emergencies only. The comment is noted and the emergency access would not be constructed until the proposed project and access was approved by Planning Commission. No further response is necessary and no change to the Draft EIR is necessary.

Letter 76 – Terri Thompson (December 29, 2017)

RECEIVED

DEC 29 2017

County of Shasta
Building Division

Shasta County Department of Resource Management
Planning Division
Attn: Kent Hector, Senior Planner
1855 Placer St.
Redding, CA. 96001

December 26, 2017

Mr. Hector:

I am writing to voice my opposition to the planned development by Geringer Capital of Beverly Hills on land west of Deschutes and South and East of Old Alturas Road lying North of Boyle Road.

76-a

We have lived on Easy Street which is South off Old Alturas and directly West of a portion of this plan for more than 30 years. For Mr. Geringer to say that no one would notice the development is absolutely ludicrous. I don't appreciate the idea of someone coming here from Southern California to tear up the nature of our surroundings for a quick buck.

In a drought year, there is not enough water as it is for our neighborhood and surrounding area. I find it hard to believe that this planned development would have enough water – only that it would be taking away from the rest of us who have built our lives here.

76-b

The natural beauty of the area would be destroyed. The wildlife (deer, turkeys, owls, bats, numerous bird varieties, and more) would be run out of their homes. As it is, they are running out of places to live, all in the name of "more development".

76-c

I sincerely hope that your department, the department of fish & game/wildlife, water district(s) and all others involved have really taken a serious look at what will happen if this is allowed.

76-d

Those of us that have been in this area for most of our adult lives are here for the beauty, serenity and natural beauty of the area. We've started and raised families here and I am not alone in saying we don't want that destroyed.

76-e

Sincerely,



Terri Thompson
11321 Easy Street
Redding, CA. 96001

Response to Letter 76 – Terri Thompson

Response 76-a: The commenter makes statements about being opposed to the proposed project.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 76-b: The commenter states there is not enough water and the proposed project would be taking water from existing residents.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter, however, is referred to **Master Response-3** which provides additional detail about Bella Vista Water District and water supply. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 76-c: The commenter states that the natural beauty of the area would be destroyed and wildlife would be forced from the area.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter, however, is referred to Section 5.1, AESTHETICS AND VISUAL RESOURCES, for a discussion of visual impacts of the proposed project, and is referred to Section 5.4, BIOLOGICAL RESOURCES, and **Responses 3-a** through **3-v**, **10-d**, **12-a** through **12-d**, **13-j**, **13-k**, **16-c**, and **32-i**, for additional discussion of impacts to wildlife. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 76-d: The commenter states hope that Department of Fish and Wildlife and the water district has looked at the project.

The commenter is referred to **Responses 2-a** through **2-g** for comments from the Central Valley Regional Water Quality Control Board, **Responses 3-a** through **3-v** for comments from the California Department of Fish and Wildlife, and **Responses 7-a** through **7-p** for comments from the Bella Vista Water District. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 76-e: The commenter states opposition to the project and does not want the serenity, beauty of the area destroyed.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter is referred to **Responses 76-a** through **76-d**, immediately above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 77 – Gary and Angela French (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 2:07 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR Public Comments
Attachments: Tierra Robles letter.pdf

From: Angela French [mailto:angela.celeste.french@gmail.com]
Sent: Friday, December 29, 2017 1:36 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles DEIR Public Comments

Please find comments in attached pdf.

Please acknowledge receipt.

Thank you,

Gary and Angela French

77-a

Angela and Gary French
10705 Green Oaks Ln.
Redding, CA 96003
angela.celeste.french@gmail.com

December 28, 2017

Shasta County Dept. Resource Management
Planning Division
Attn: Kent Hector, senior planner
1855 Placer St.
Redding, CA 96001
resourcemanagement@co.shasta.ca.us

Re: Tierra Robles proposed development

Dear Mr. Hector and planning committee members:

As new homeowners in Shasta county abutting the proposed Tierra Robles development, we are writing to express our concerns regarding what so far appears to be an injudicious plan.

We bought property in this area as a stake toward seeing this area grow and begin to emulate cities that have successfully melded rural country atmosphere with culture and commerce. Therefore, we applaud wise forward-thinking planning toward area growth.

77-a

However, we believe the Tierra Robles proposed development stands in stark contrast to that vision, primarily due to its proposed population density:

1. The Environmental Impact report's (EIR) suggested mitigation for increased traffic from the proposed 166 home build out is insufficient. It is particularly disturbing that at least some of the data used for the EIR's traffic impact analysis stems from old data (before 2013) when more up-to-date data is available through the California Highway Patrol's SWITRS system.

Since our lane empties into Boyle Rd., we can attest that an additional 1600+ new daily vehicle trips (statistics taken from Record Searchlight and East Valley Times) will significantly increase the risk of collisions and fatalities.

77-b

As the developer's proposal now stands, the increase in population density demands not only a roundabout and traffic light as suggested by the EIR, but also widening of roads, additions of bike lanes, and additions of turn lanes. Anything less puts residents at significant risk. Any pre-approval consideration by the Planning Commission should be put on hold until the traffic study is redone using current data and taking vehicle speeds into account.

2. Another issue in the EIR is related to water usage. The EIR apparently based its suggested mitigation for the development's additional water needs on an estimated 80 AF yearly, but extrapolating from Bella Vista Water District's (BVWD) Water Management Plan and actual

77-c

water usage for 2015, 80AF is a significant *underestimate*. The numbers should be closer to 156 AF. Given the severe water cutbacks experienced by area residents in 2015 - a declared water shortage emergency - the EIR mitigation for water needs seems like a sweet deal for the developer. Given that in single and multiple drought years Central Valley Project cuts water allocations to BVWD, it is imperative that the developer provide water augmentation to BVWD from the start of the project to total build out of the project. Additionally, given the "new normal" of drought years, the developer should be tasked with the drilling of a new well in the south county water basin to tie into BVWD's system so needs of existing BVWD customers will not be impacted by the increased need for water in single or multiple drought years.

77-c
Cont.

Finally: Personally speaking, we can attest that prospective residents with capital to invest will be looking at this area to get away from urban sprawl and daily traffic issues. The proposed development sets a dangerous precedent toward rezoning rural and semi-rural areas that may very well cost Shasta county new and moneyed residents. By all means, let Geringer Capital drop their money into Shasta County and build luxury homes that will appeal to those who can bring economic growth to the area - but make them do it on *our* terms within a long-term forward thinking vision.

77-d

To that end Geringer Capital should be required to convert the usable acres to a number of lot parcels that mimic the percentages of surrounding parcels. This will not only help toward mitigation of the above stated concerns, but maintain the area's atmosphere that will, ultimately, attract residents capable of supporting and innovating real economic growth.

Thank you for your consideration of the above concerns.

Sincerely,


Gary French


Angela French

Response to Letter 77 – Gary and Angela French

Response 77-a: The commenter states opposition to the proposed project stating they are new homeowners to the area and believe the proposed project conflicts with surrounding rural uses and the country atmosphere.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 77-b: The commenter states that mitigation for traffic impacts is not sufficient and the more current data from California Highway Patrol's SWITRS system should be used. The commenter states that the risk of fatalities and collisions will increase on Boyle Road. The commenter also states that additional mitigation should include widening roads, additions of bike lanes, and turn lanes to reduce risks. The commenter suggests the project be put on hold until the traffic study is redone and accounts for vehicle speed.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic speed and roadway safety. Specifically, **Responses 17-l, 53-c, 65-l, and 67-e** provide further discussion related to speed of traffic. These responses to comments provide discussion regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 77-c: The commenter states that the water use rates in the Draft EIR are inadequate and a significant underestimate and the numbers should be closer to 156 acre-feet (AF). The commenter states the developer should provide water augmentation to BVWD and the developer should drill a new well in the south county water basin to tie into BVWD so existing customers will not be impacted.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p, 48-b, 48-d, 64-d, 65-c, and 69-b** though **69-d**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 77-d: The commenter states the proposed project sets a precedent to rezone other rural and semi-rural areas of Shasta County. The commenter states the proposed project should be required to include lots that mimic the surrounding parcels to maintain the existing atmosphere.

Regarding a precedent setting rezone, the commenter is referred to Section 6.0, GROWTH INDUCING IMPACTS, and **Response 65-a**. Regarding varying use of lots, the commenter is referred to Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, which discusses a reasonable range of different project configurations and **Master Response-2** which also discusses alternatives, as well as the zoning ordinance and general plan. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 78 – Glenn and Sara Hoxie (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 12:57 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles Public Comments

From: SARA CRANDELL-HOXIE [mailto:roadrunnerfarm@sbcglobal.net]
Sent: Friday, December 29, 2017 12:11 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles Public Comments

December 28, 2017
Kent Hector, Senior Planner,
Shasta County Department of Resource Management, Planning Division, 1855 Placer St., Suite 103,
Redding, CA 96001

Dear Mr. Hector,

We have reviewed the the Draft Environmental Impact Report for proposed Tierra Robles subdivision and have concluded that it is not adequate in addressing the water deficits in this region of Shasta County. It also does not comply with the counties General Plan. Infrastructure such as wastewater treatment are not adequately addressed, nor is traffic and its impact on area roads and schools.

Droughts are the new normal. We are currently experiencing a drought. Existing residents were allocated water in the last drought. There is simply not enough water in this part of rural eastern Shasta County to sustain a subdivision. The DEIR does not adequately address this deficit. It does not address the needed water over time and the sources of this water. There is insufficient data on future water demands of the area and how theses demands will be met. Water usage statistics used in the DEIR are not consistent with actual water district data. Language in the DEIR leaves the Bella Vista Water District and existing customers paying for new sources of water if a drought occurs several years into the building of the development. That is if ancillary water can even be delivered in the future. This is unacceptable. The water district and the current residents must be protected from this liability.

If the planned development comes to fruition and other developments are installed in the area due to the precedent set by Tierra Robles, what water source will be used? Furthermore it the DEIR states that a development would have a "significant impact" on groundwater. This is a rural area, groundwater is a precious resource for existing residents. This cannot be compromised.

Tierra Robles is not in compliance with the general plan for the county. It violates zoning requirements. Existing zoned parcel sizes require this area to be rural/agricultural. The DEIR is contradictory when stating whether this area would be considered rural or semi rural. In any case the

change in parcel size with this planned development will be in direct violation of the general plan for Shasta County. A zoning amendment would cause

parcel sizes to be inconsistent with the surrounding area. The existing zoning regulations are sustainable, an exception would not be sustainable and would likely result in setting a precedent causing more development in this area thus further violating the general plan and further compromising sustainability for all who currently reside in the area.

The projected water usage is based on faulty data and therefore the need for adequate water treatment is also understated. The plan to treat wastewater must be rewritten using the actual data on water usage and be mitigated accordingly.

Boyle Road is a thoroughfare connecting several schools including Columbia School, Foothill High School and North Cow Creek School. There are other schools linked by area roads including Redding Christian School, Chrysalis Charter School, Junction School and Bela Vista School. The DEIR does not address speeds on these roads. Anecdotally I observe most private vehicles traveling on Boyle Road to be traveling in excess of 50 MPH. All schools have students who live in the area. Several have busses that use Boyle Road, Old Alturas Road and Deschutes Road. The safety of students with increased traffic flow is a great concern. Speed was not a factor in the DEIR yet speed related accidents occur on these roads frequently.

This type of leapfrog development is not sustainable in terms of water use and infrastructure. The county plan as it stands is sustainable for this area. Tierra Robles Subdivision is ill conceived and poorly planned. The DEIR omits important data and leaves existing land owners with an unknown future costs not carried by the developer. For these reasons we are opposed to this development.

Sincerely,

Glenn and Sara Hoxie
10024 Roadrunner Way Redding, Ca 96003

(530) 221-7057

78-a
Cont.

Response to Letter 78 – Glenn and Sara Hoxie

Response 78-a: These comments are duplicate copies from Comment Letter 73.

The commenters are referred to **Response 73-a** through **73-f**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary.

Letter 79 – Irene and Jason Salter (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 3:36 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles

-----Original Message-----

From: Irene Salter [mailto:iysalter@gmail.com]
Sent: Friday, December 29, 2017 3:15 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Cc: Jason P. Salter <jason@fivepaths.com>
Subject: Tierra Robles

Dear Resource Management,

My husband and I would like to voice our concerns about the Tierra Robles planned development and DEIR. We own a home on 9.4 acres on Coloma Drive, Palo Cedro and are very concerned that rezoning would 1) set an unnecessary precedent for rezoning within our lovely rural community, 2) would negatively impact traffic patterns, and 3) would negatively impact water usage and infrastructure. As the principal of Chrysalis Charter School with over 220 students in grades K-8, I would welcome population growth. However, I see the Tierra Robles project as currently proposed as an example of irresponsible growth that disregards established zoning regulations and does not fully nor carefully consider pedestrian/bike safety and water usage.

79-a

1) Rezoning

Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres". This zoning amendment should NOT be granted because the proposed development DOES NOT meet the current standards in our area and goes against the County General Plan and Zoning Regulations. The DEIR itself admits that "the proposed project would alter current conditions on the site" and would change the region from "rural" to "semi-rural".

79-b

There is no need to make an exception to the current zoning requirements. The developer should be required to mimic the percentages of the sizes of surrounding parcels and conform to the 3 acre minimum requirement for rural residential zoning. There are plenty of sites available for infill closer to Redding before a large new development is considered for the out-lying rural neighborhoods like Palo Cedro and Bella Vista. The current zoning in our area was established for good reason after considerable input from the community. Zoning exceptions should only be granted when there is a clear benefit to the surrounding community. We do not see any such benefit with this project.

2) Traffic

The projected increase in traffic along Boyle, Deschutes, and Old Alturas would negatively impact the safety of our neighborhoods. No vehicle speed data was measured on the traffic study and that is an issue of grave concern to my husband and I. We have 2 small children and it is completely unsafe for them to be anywhere near Boyle or Deschutes (our home is 1 block from these roads). The cars along those stretches zoom along at over 60 miles per hour, even in the 40 mph area near Foothill High School and Palo Cedro town where Chrysalis and Redding Christian School are located. Chrysalis is known for its outdoor focus and our students walk to Palo Cedro Park weekly for field study and our students often cross the intersection at Old 44 and Deschutes to go to Dutch Bros after school. It is incredibly dangerous for our students to cross Deschutes on their way to the Park or Dutch Bros. NONE of our students can safely walk or bike to school.

79-c

Therefore, a new Traffic Study must be conducted to examine the impact of speed on pedestrian and bike safety, with emphasis on the areas around Foothill High School, Chrysalis Charter School, and Redding Christian School. These areas should be carefully assessed for necessary safety mitigations.

79-c
Cont.

3) Water

The DEIR estimate of 80 AF per household per year is incorrect. The actual annual water demand based on actual water usage for 2015 is 156 AF. These accurate projections must be taken into consideration in the planning process. Moreover, with climate change, the frequency and intensity of droughts in our area will only increase. These factors — water usage and climate change — will impact Bella Vista Water District's plans for providing sufficient water and taking care of wastewater.

79-d

Therefore, before approving this project correct estimates of water demand must be considered so that existing customers will not be impacted in single or multiple drought years and so that water infrastructure such as wells and water treatment facilities are resized appropriately. Any mitigation efforts should be at the Developer's expense.

In conclusion, there is no reasonable argument for rezoning. The DEIR fails to fully consider student safety in school areas. And the DEIR fails to use the correct estimates for water usage. Before approval, these factors must be considered. My husband and I do not support the current Tierra Robles proposed development.

79-e

Thank you for your consideration.

Sincerely,
Irene and Jason Salter
21935 Coloma Dr.
Palo Cedro, CA 96073

Response to Letter 79 – Irene and Jason Salter

Response 79-a: The commenter notes they live in the area and are concerned that the proposed project would set a precedent regarding rezoning. The commenter also voices non-specific impacts to traffic, and water use and infrastructure, and that the proposed project does not fully or carefully consider pedestrian/bike safety and water use.

The commenter is referred to Section 6.0, GROWTH INDUCING IMPACTS, **Master Response-2**, and **Response 65-a**, regarding the rezoning and precedent setting. The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p** regarding the Bella Vista Water District and water supply. The commenter is referred to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-v, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic and pedestrian and bicycle safety. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 79-b: The commenter states that the rezoning for the proposed project should not be granted and does not meet the current standards and goes against the zoning ordinance and general plan. The commenter states there is no need to make such an exception and the developer should be required to mimic surrounding development with 3-acre lots.

The commenter is referred to page 7-10 of Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT, of the Draft EIR, which describes the “Clustered 3-Acre Parcels” Alternative. This alternative would result in the development of 166 single family units on 3-acres parcels. This Alternative too, however, would require a zone change from Unclassified (U), Rural Residential 3-Acre Minimum (RR-BA-3), and Rural Residential 5-Acre Minimum (RR-BA-5) to Planned Development (PD) on the 715.4-acre project site to allow development of the 166 single-family units. This alternative was removed from consideration however, because it did not fully meet several Project Objectives and because subsequent environmental impacts in all environmental categories would be greater than those of the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 79-c: The commenter states that traffic increases would negatively impact traffic safety. The commenter notes that no speed data was measured and vehicles on area roadways and gives examples of schools in the area and states it is dangerous for people and school children to cross area roadways and states none of their students can safely walk or bike to school and a new traffic study must be conducted with emphasis around Foothill High School, Chrysalis Charter School, and Redding Christian School and mitigated.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic speed and roadway safety. Specifically, **Responses 17-l, 53-c, 65-l, and 67-e** provide further discussion related to speed of traffic. **Response 48-k**, above, is specific to traffic impacts and school zones. These responses to comments provide discussion regarding traffic impacts, safety,

mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 79-d: The commenter notes that the Draft EIR incorrectly estimates water use at 80 AF per household per year and the actual demand is 156 AF and this must be taken into account in the analysis and also will change impacts the wastewater treatment plant and states that mitigation must be at the developer's expense.

Please refer to **Master Response-3** and **Responses 7-a** through **7-p**, above, in particular, **Responses 7-a, 7-e, and 7-f**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 79-e: The commenter restates concerns about rezoning, student safety, and water, and states they must be considered prior to approval, and reiterates lack of support for the proposed project.

The commenter is referred to **Responses 79-a** through **79-d**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 80 – Carol & David Waters (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 8:31 AM
To: Kimberly Hunter
Subject: FW: Comments on the Tierra Robles 2016 DEIR
Attachments: 1 Tierra Robles 2016 DEIR Comments.docx

From: David Waters [mailto:dwaters@frontiernet.net]
Sent: Friday, December 29, 2017 5:16 AM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Comments on the Tierra Robles 2016 DEIR

Having been residents of Palo Cedro for 39 years, residing off Boyle Road, we are concerned that our rural lifestyle and amenities will be adversely impacted by the proposed Tierra Robles project. After reviewing the draft 2016 DEIR, there appear to be potentially many negative effects that have been inadequately mitigated should the Tierra Robles project be approved as outlined in the current DEIR. Therefore, we are taking this opportunity to note some of the areas of the DEIR that we take exception to and offer some additional input as noted in the attached document.

80-a

These concerns, along with many other identified issues, beg the question: Is the placement of the Tierra Robles development in Palo Cedro area a good idea? We think the answer is a resounding no and urge that approval of the project as currently outlined in the 2016 DEIR be denied unless the significant impacts to zoning, water supply, traffic, and other identified key issues are addressed

80-b

Thank you for the opportunity to present our views on the TR project and especially for the extension of the public comment period.

Sincerely,

Carol & David Waters
10303 Jackson Hole Rd.
Palo Cedro, CA 96073
530-549-5669

Tierra Robles DEIR Comments Carol & David Waters | 10303 Jackson Hole Rd. | Palo Cedro CA

Section 5.17 Utilities and Service Systems:

IMPACT 5.17-4 Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed. Significance: Potentially Significant Impact.

Comment: The Amended MM 5.17-4b language below was adapted from the "Potential Mitigation language" proposed in Appendix 15.10 in Tully and Young's Water Demand Evaluation April 26, 2017 on Page 29. The DEIR version of MM 5.17-4b gives the Developer 'a sweet heart deal', where the Developer or Community Service District is off the hook to purchase water until "such time as BVWD has completed 3 full years of full CVP water allocation *after commencement of operations at the project site.*"

The DEIR language is a bad deal for BVWD and its existing customers. For example, let's say 3 full years of full CVP water allocations begins in 2020, the same year the Developer begins construction, which is slated to last two years (end 2022). Then in the third year of full CVP allocations (2023), construction continues or maybe lot sales begin. Let's say that in the 4th year a single drought year occurs or it's the start of multiple drought years. What happens? The Developer is no longer required to purchase additional water to BVWD in the fourth year or thereafter and the 166-home buildout is 10-15 years down the road, leaving BVWD and its existing customers holding an empty water bucket for the life of the buildout!

Therefore, prior to any approval of the TR project, the Planning Commission and Board of Supervisors should consider amending MM5.17-4b as follows:

Amend MM 5.17- 4b to read as follows: "Concurrent with the formation of the Tierra Robles Community Services District, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with the BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 100 percent (full) of the project's prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the USBR that it will receive less than 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination has been announced by USBR as of April 15 of each year. THE AUGMENTING WATER SUPPLIES SHALL BE MADE AVAILABLE TO THE DISTRICT THROUGH THE AGREEMENT UNTIL THE DISTRICT HAS COMPLETED THREE YEARS OF FULL CVP WATER ALLOCATION FOLLOWING BUILDOUT OF THE PROJECT. For any shortage condition that occurs after three years of full CVP allocation, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement."

Comment 2. The DEIR severely underestimates by nearly double the amount of water that will be taken from the finite resources of the Bella Vista Water District system. The DEIR erroneously estimates the total indoor and outdoor water demand for 166 homes at 80 Acre Feet (AF) per year. Real-world water demand estimates should come from page 49 of Bella Vista Water District's Urban Water Management Plan Update 2015 (UWMPU) using actual 2015 water use data, which reflects the severe CVP water allocation cutbacks and an extreme customer conservation effort.

The UWMPU shows the actual water usage for the 2015 drought year, which excludes all agricultural water, at 335 GPPD. Each 2.5-person District home, will use 837 gallons per day. Extrapolating out, the actual yearly water demand for 166 Tierra Robles homes would be 156 AF, not the Draft EIR estimate of 80 AF.

Proposed Mitigation: Prior to approval by the Planning Commission and Board of Supervisor a new water demand analysis must be completed in conjunction with the Bella Vista Water District

80-c

80-d

Engineer, based on actual rural residential demand data. Based on these new projections new mitigation measures must be developed or enhanced.

80-d
 Cont.

Proposed Mitigation: The Developer and/or the Tierra Robles Community Services District will pay for the drilling of a new well in the south county water basin that ties into the BVWD system so the total water demand for the project is met and existing customers will not be impacted by the increased need for water in the District in Normal and single or multiple drought years.

Comment 3. Bella Vista Water District acknowledges "major components of the District's water system are more than 50 years old and approaching the end of their design life." The Draft EIR fails to mention or mitigate fluctuating water pressures to existing customers throughout the Welsh pumping system that will only be exacerbated by a concentration of 166 new homes.

80-e

Proposed Mitigation: Before approving any project, the Planning Commission and Board of Supervisors must insist that BVWD (at the Developer's expense) complete a hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

Section 5.17 Utilities and Service Systems (continued)

Impact 5.17-2 – Implementation of the proposed project would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Noted as Less Than Significant and No mitigation measures are required.

Comment 1. The DEIR erroneously estimates the total water demand for 166 homes at 80 Acre Feet (AF) per year for indoor and outdoor use. The indoor water usage estimates come from the State's 55 gallons per person per day data, which extrapolates to 137.5 gallons per home per day, based on a 2.5-person occupancy. The DEIR states that the Design Flow of the Wastewater treatment system is based on 200 gallons per day, per home.

As stated in Comment 2 above, actual water usage from the severe drought year of 2015 shows tremendously more water than 200 gallons coming into the home daily. If the DEIR misstates the amount of water each home will use for residential purposes, then all the design flow data used to plan for and size the onsite black and grey Wastewater Treatment and Dispersal system must also be flawed and could cause severe environmental impacts if not corrected.

80-f

The DEIR system proposes five Orenco AXMax waste treatment modules to handle the black and grey wastewater coming in for treatment. From the site schematics of the system there does not appear to be a backup electrical generator to run the pumping system for the treatment modules and to draw the untreated effluent from the homes.

Also, the DEIR calls for the installation of the AXMax treatment modules with three modules in Phase I and one each in Phase 2 and Phase 3. The 2016 DEIR plan for a phased buildout of the AXMax treatment modules is unacceptable and must be completed in its entirety before any site maps are recorded by the County. The Developer and The TR Community Services District must assume full responsibility for the technical operation and sustainability of the entire system! If this Developer disappears or goes bankrupt the County and its taxpayers should not have to assume the fiscal liability to finish the system.

DEIR Section 5.16 Traffic and Circulation

Impact 5.16-3 "Implementation of the proposed project may result in inadequate emergency access."

Comment 1. Under "Long Term Operation" this impact should read "non-existent" emergency access, not "inadequate emergency access". The Draft EIR states that No mitigation measures are required and that the impact would be less than significant. This could not be further from the truth.

80-g

The Draft EIR calls for northern terminus of Northgate Drive to intersect with the southerly terminus of Tierra Robles Lane to provide the project with a secondary emergency access road.

Northgate Drive is a Private Road and only the 28 homeowners on this road have legally recorded easements which only grants them use of Northgate Drive.

In the Executive Summary, page 2-6, "Site Access and Roadways" it states, "The southerly terminus of Tierra Robles Lane is at the northerly terminus of Northgate Drive, a road used for over 40 years as access to the southeast corner of the proposed project site. The proposed connection with Northgate Road (Drive) would be gated per County fire standards and used for reciprocal emergency access only." The parcel number containing the terminus of Tierra Robles Lane is APN-061-210-001.

County deed records for parcel APN #061-210-001 indicate there is no legally recorded easement for the subject property, by the current owner, Shasta Red LLC, nor the previous owners, Landmark Investment Group, RHS NorCal Investments LLC and UJB Investments LLC nor the previous owners, Chatham Family 1991 Trust and Haryette Chatham J-TR, nor the previous owners, Haryette and Gordon Chatman.

The only legal description for APN-061-210-001 is: "North One-Half of Lots 1 and 2 of the Northwest One-Quarter, Section 30, Township 32 North, Range 3 West, M.D.B &M." There is no recorded easement for access to the adjacent parcel that includes Northgate Drive in that or any other parcel description.

While there may be a history of Northgate Drive being used to move grazing cattle on and off the subject property and to allow access for bee farming, these were limited uses for agricultural purposes only and is not consistent with the purpose of a Planned Development. Again, no legally recorded easement exists.

Proposed Mitigation: The DEIR designation of Northgate Drive as an emergency access road must be removed from all current and future site maps and the developer must determine a new emergency access road, other than Northgate Drive.

Comment 2. The DEIR Appendix 15.9 (and presumably Section 5.16) uses older 5-year Collision data (2009-2013) from CHP's SWITRS system to generate data and assumptions about Safety Performance on studied road segments as compared with statewide averages for similar type roads that ultimately led to DEIR mitigation proposals. The Supplemental Traffic Impact Analysis of August 2017 should have retrieved the 2014-2016 SWITRS Collision data and then created a new 5-year data set, 2012-2016, which has been available on the CHP SWITRS website.

More important the DEIR traffic methodology makes NO comment or analysis of how the expected Project increase in Average Daily Traffic (ADT) will impact rates and number of accidents for all road segments and intersections at full buildout. If a roadway already has a 38% higher rate of collisions than the state average, the DREI does not address what the new rate and number of accidents would be given the increased ADT coming from the Project. There is no analysis of how this would affect proposed mitigations or new mitigations to lower the number and rates of accidents.

Proposed Mitigation: Completely revise and reassess the 5-year SWITRS Collision data using the years 2012-2016 for all studied road segments; Conduct a new Safety Performance assessment to determine which roadway segments are higher than the statewide average for similar roadways. Reconsider all the DEIR mitigations proposed or new mitigations that are needed based on the updated data.

Comment 3. While Section 5.16 and Appendix 15.9 provides much data for traffic counts and traffic delays at various intersections, projected trips on surrounding roads, average daily trips on various road segments, etc. NO vehicle speed data was measured for any of the listed road segments and the impact of speed on approaches to all the studied intersections is unknown.

For example, we have observed that vehicle speeds on Boyle Road and surrounding roads reveals two-way, peak A.M and P.M traffic speeds that are significantly higher than the speed

80-g
Cont.

80-h

80-i

limit. This is particularly true for the many cars traveling to and from Cow Creek Elementary and Foothill High Schools and/or driving to work in Redding.

Proposed Mitigation: Redo the Traffic Study to consider the impact of speed, which must be measured and assessed in compliance with accepted Caltrans standards, so that any proposed and new traffic mitigations are consistent with the analysis for all local roads and intersections studied in the DEIR.

80-i
 Cont.

Comment 4. According to DEIR data there will be 1,774 added trips per day to surrounding roads and intersections. The Project Trip Distribution Map on page 5.16-16 shows Boyle Road will have 80% of new projected trips with 61% of trips going towards Old Alturas Road and 19% going towards Deschutes Road. This indicates the Tierra Robles Entrance/Exit at Intersection 18 (Boyle Road and Project Road A) will have by far the highest volume of traffic entering and exiting the development versus the entrance/exil Intersection 3 at Old Alluras and Seven Lakes Roads.

Intersection 18 has not been evaluated to ensure safe turning into and out of the development so that Boyle through traffic is safely accommodated, particularly during peak A.M. and PM times. The DEIR only proposes a two-way stop sign mitigation for this congested, high speed intersection.

80-j

Proposed Mitigation: To ensure safe, unimpeded through traffic on Boyle Road, use the Tierra Robles property frontage to adjust Boyle Road for the installation of a dedicated left turn lane into the development. For vehicles turning left out of the Project onto Boyle, install a left turn access lane that adds cars safely into the flow of Boyle through traffic. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

Regarding the Proposed Zone Amendment Z10-002, Tract Map 1996, SCH No. 2012102051

Comment 1. Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres...for development in six phases".

The DEIR proves that the proposed distribution of lot sizes does not meet General Plan and Zoning requirements that development be consistent with existing parcel sizes and zoning and fitting in with the rural/agricultural character of the surrounding area. The analysis below proves Tierra Robles is an example of a suburban planned development dumped in the middle of a rural residential area!

The DEIR uses the Composite Parcel Size Map, Section 5.10-1 to show the land area parcel sizes that are 1 to 1.5 miles surrounding the proposed development. By counting the number of mapped parcels in each acreage category, a percentage in each category can be determined and then compared to the Development's percentage of homes to be built in each acreage category, which shows there is no correlation of this Development to the surrounding rural community.

80-k

The chart below combines and compares Table 3-4 "Project Acreage and Lotting Summary" on page 3-16 of the Subdivision Development Summary to the number and percentage of parcel acreages from the Composite Parcel Map Figure 5.10-1:

<u>Acreage</u>	<u>Lotting Description</u>	<u>% Parcels</u>	<u># of Surrounding Parcels**</u>	<u>% of Surrounding</u>
0 - .99 ac	0	0	46	5%
1.00 - 1.99 ac	45 Homes	27%	48	5%
2.00 - 2.99 ac	65 Homes	39%	155	17%
3.00 - 3.99 ac	25 Homes	15%	137	15%
4.00 - 4.99 ac	16 Homes	10%	117	13%
5.00 - 5.99 ac	10 Homes	6%	128	14%
6.0+ ac	5 Homes	3%	293	32%
Totals	166 Homes		924 Parcels	

** Non-Exempt Parcels less than 6 acres - 273 - not included in the above surrounding percent calculations since the exact acreage is unknown, other than less than 6 acres.

Proposed Mitigation: Since the above chart shows that the proposed zoning amendment change for a Planned Development is not consistent with the existing parcel zoning in the surrounding area, the following Alternative Plan shall be adopted: The Developer shall be required to convert the proposed 471.92 usable acres to a number of lot parcels that mimic the exact percentages of the surrounding parcels as depicted in Composite Parcel Map Figure 5.10-1, with the exception of parcel sizes that fall below 2 acres since the rural residential zoning require one dwelling per 2 acre minimums. If not, then the Developer should not be granted a zoning amendment for a Planned Development.

80-k
 Cont.

The Formation of the Tierra Robles Community Services District (TRCSD):

Comment 1. The formation of the Tierra Robles Community Services District (TRCSD) promotes an entity that is overtasked, underfunded and lacking in ANY enforcement powers to ensure compliance by builders, homeowners, waste treatment operators, etc.

80-l

Proposed Mitigation Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, there shall be a mechanism in place to ensure that the TRCSD has enforcement powers to function in a sustainable way regarding it's programmatic and financial relationship to builders, and homeowners, etc.

Comment 2. Regarding the proposed mitigation for a TRCSD purchase agreement of water in single and multiple drought years, there does not appear to be a line item for this purchase in this budget, except for landscaping watering which does not appear to be related to this contingency water purchase.

How does the TRCSD propose to enforce any of the CC&Rs or the collection of the requisite annual fees that the TRCSD needs to finance its activities and responsibilities?

80-m

Where in the DEIR is the financial analysis of the financial condition, viability and sustainability of Shasta Red LLC? What is the mechanism for the County to ensure that all the required mitigations that will be part of the final EIR are to be delivered upon by the Developer or TRCSD, regardless of how lot sales proceed?

Proposed Mitigation: Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, Shasta Red LLC must submit to a financial stress test that ensures they have the financial sustainability to see this project through total buildout and the full capitalization of all final Mitigations and responsibilities for the TRCSD.

Response to Letter 80 – Carol & David Waters

Response 80-a: The commenter states they are concerned about the rural lifestyle of the area make a non-specific statement about many areas being inadequately mitigated and suggest input in the subsequent comments.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-b: The commenter reiterates that they are concerned about the project, urge it not be approved unless the significant impacts to zoning, water supply, traffic and other issues are resolved.

The commenter is referred to **Master Response-2** regarding zoning and densities. Refer to **Master Response-3** and **Responses 7-a** through **7-p** regarding water supply. Refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. **Response 48-k**, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-c: This comment is a copy of portions of Comment 65-b.

The commenter is referred to **Response 65-b**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-d: This comment is a copy of portions of Comment 65-c.

The commenter is referred to **Response 65-c**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-e: This comment is a copy of portions of Comment 65-e

The commenter is referred to **Response 65-e**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-f: This comment is a copy of portions of Comment 65-f.

The commenter is referred to **Response 65-f**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-g: This comment is a copy of portions of Comment 65-g.

The commenter is referred to **Response 65-g**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-h: This comment is a copy of portions of Comment 65-g.

The commenter is referred to **Response 65-g**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-i: This comment is a copy of portions of Comment 65-g.

The commenter is referred to **Response 65-g**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-j: This comment is a copy of portions of Comment 65-m.

The commenter is referred to **Response 65-m**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-k: This comment is a copy of portions of Comment 65-p and 65-q.

The commenter is referred to **Responses 65-p** and **65-q**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-l: This comment is a copy of portions of Comment 65-r.

The commenter is referred to **Response 65-r**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 80-m: This comment is a copy of portions of Comment 65-s.

The commenter is referred to **Response 65-s**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 81 – John Witmer (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 8:30 AM
To: Kimberly Hunter
Subject: FW: Concerns about Tierra Robles

From: John Whitmer [mailto:john.whitmer@yahoo.com]
Sent: Thursday, December 28, 2017 6:05 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Concerns about Tierra Robles

To Whom It May Concern:

I live on Northgate Drive in Palo Cedro. The proposed Tierra Robles project will negatively affect my property, property value, and quality of life. If the county agrees to make changes to the existing zoning restrictions by approving this project, I will seek political and legal remedies to recoup my losses. Northgate Drive will become the second (emergency) road for the development. This means increased traffic and road improvements that require private funds and tax dollars--thereby charging Northgate residents twice. Easements to widen the road will reduce property and construction of development and road widening will negatively influence quality of life for the residents. Shrinking the required lot sizes will flood the market and reduce housing prices. All of this is being done to allow an absentee investor to make money. Why should the county as well as current tax-paying residents have to subsidize the profit of one investor?

81-a

Please make the right decision by not making exceptions to long-standing zoning codes; they are there for a reason.

John Whitmer
10659 Northgate Drive
Palo Cedro, CA 96073

Response to Letter 81 – John Witmer

Response 81-a: The commenter states the proposed project will negatively affect property values and quality of life and resulting in increased taxes, use of easements, increased traffic by changing the zoning restrictions, and use of Northgate boulevard for emergency access, but the commenter does not make any comment or questions the adequacy of the Draft EIR. The commenter also restates that emergency access on Northgate Drive will be used and impact nearby residents.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter is referred to **Master Response-2** regarding zoning and density. Refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. Refer to **Responses 23-b** and **65-g** regarding the use of Northgate Drive, which will be gated and used as a secondary project site access for emergencies only.

Regarding increased property taxes State *CEQA Guideline* § 15126 discusses that all phases of a project must be considered when evaluating its impact on the environment. State *CEQA Guideline* § 15360 defines the Environment as the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and object of historical or aesthetic significant. Therefore, discussion of the potential for property taxes to rise are omitted from the CEQA analysis.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 82 – Leah Mecchi (December 29, 2017)

Mr. Kent Hector
Shasta County Resource Management, Planning Dept
1855 Placer St. Suite 103
Redding, Ca 96001

RECEIVED
DEC 29 2017
County of Shasta
Permit Counter

Tierra Robles Subdivision.

I have been a resident of Palo Cedro for more than 10 years. I've been in and out of area my entire life. I moved here for the rural lifestyle. I used to live in Brentwood, Ca (Northern Ca) when it was small like Palo Cedro, rural, farming and small ranches. Then the first subdivision moved in. It ruined rural ranching in Brentwood. It ruined the lifestyle. It impacted wildlife, crime rose and ranchers moved out. Look what it is today. I left before it was ruined and so did many people I know.

82-a

I fear the same thing will happen to Palo Cedro, once 1 subdivision starts it's all over by greed. Or would you call it, environmental manipulation?

But I want to know why these issues have NOT been fully addressed and WHY this project has been swept under the "carpet" as they say without enough knowledge to the public or general population of Palo Cedro. I was never notified.

82-b

How come the issue of impact on wildlife has not been addressed?

82-c

The fact that police and fire are all ready short staffed?

82-d

The extreme fire danger this will bring, should a fire take off in the wind?? Just look at what happened in Napa and Southern Ca.

82-e

The issues of water to small ranchers like me? I already lost my crop during the drought. Just to be able to keep and maintain my household use and animals. During the drought, I had to buy summer water for \$1500.00 and I lost what I did not use... I could not afford to buy enough water to keep my crop.

82-f

The traffic survey appears incomplete? why is that? Where is the traffic survey on Swede Creek up to Deschutes. Everything I could find looks incomplete.

82-g

I was told the surveys of these roads are outdated? Is that true?

How come only some residents were sent disc's with all the information and most of us were not?

82-h

Guest house caregiver units?? More people?

The impact on the schools?

82-i

Crime rates will go up, why has that not been addressed? that is easy to prove.

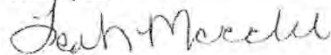
What about all the residents/small ranchers who will be close to this subdivision, the street lights at night, loud music, increased vehicle traffic noise at night, and all the comes with subdivisions? | 82-j

Will property taxes increase or will there be additional tax bills to pay for their sewer? | 82-k

Will homeowners be required to pay the State Fire Tax each year like the rest of us?

I am profoundly opposed to the Tierra Robles project. It is super negative to the lifestyle of Palo Cedro. I'm willing to move away should this be pushed through out of County Greed and No care of the current lifestyle of small ranching. People who purchase Subdivision property do not care to understand ranching life, then they are the one's who start complaining the loudest. Tractor noise, smoke from burn days, smell from livestock, ect ect ect. There are so many negative impacts. I can only see greed.. Money from property taxes.. Money for the builders. Again look what happened in Brentwood Ca. | 82-l

Thank you,



Leah Mecchi

Response to Letter 82 – Leah Mecchi

Response 82-a: The commenter reflects his experience and observations in Brentwood and seeing the area change from a rural to more suburban area. The commenter fears the same thing will happen to Palo Cerdro.

Although, no issue of adequacy of the Draft EIR was raised by the commenter, the commenter is referred to **Master Response-2** regarding the change of zoning and change to the character of the proposed project site. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-b: The commenter makes a non-specific statement asking why these issues were not addressed and states that he was not notified of the proposed project.

regarding addressing issues of concern for the commenter, refer to **Response 82-a**, above. Regarding noticing, refer to **Master Response-1**. The County noticed the document's availability in accordance with the State *CEQA Guidelines* and circulated a Notice of Availability to surrounding property owners. The commenter is referred to page 1-6 of Section 1.0, INTRODUCTION AND PURPOSE, of the Draft EIR which describes the steps that were taken to comply with these State *CEQA Guidelines* requirements to include the EIR Scoping Process, preparation and review of the Initial Study, Scoping Meetings, preparation and drafting of the EIR, and review of the EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-c: The commenter states that impacts to wildlife have not been addressed.

The commenter is referred to Section 5.4, BIOLOGICAL RESOURCES, which described impacts to wildlife as well as **Responses 3-a** through **3-v**, **10-d**, **12-a** through **12-d**, **13-j**, **13-k**, **16-c**, and **32-i**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-d: The commenter writes "the fact police and fire are already short staffed?"

The commenter is referred to **Response 37-f** and **51-b**, as well as Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the Draft EIR. Impacts to public services, including fire and police services, were found to be less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-e: The commenter notes the potential dangers from wildfires but does not question the adequacy of the Draft EIR.

The commenter is referred to Section 5.8, HAZARDS AND HAZARDOUS MATERIALS, and **Response 37-f** regarding wildfires. The comment is noted for the record and will be

provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-f: The commenter makes a statement about being a small rancher asking about water.

The commenter is referred to **Master Response-3** and **Responses 7-a** through **7-p** regarding water supply. No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-g: The commenter questions why the traffic report is incomplete, outdated, and asks about the survey from Sweede Creek to Deschutes.

Refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-h: The commenter questions why only some residents were sent disks.

The commenter is referred to **Master Response-1** regarding the extended review period. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-i: The commenter questions the use of a guest house care giver units and questions the potential for more people and the impact on schools and crime.

The commenter appears to be questioning the estimate of 15 accessory dwelling units. The commenter is referred to page 5.12-9 of Section 5.12, POPULATION AND HOUSING, which estimates a total of 15 accessory dwelling units that would be occupied by 2 persons, which equates to 30 residents. Impacts were found to be *less than significant*. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Regarding impacts to schools, the commenter is referred to **Responses 32-g, 48-h, 48-k, and 48-m**. Regarding impacts crime the commenter is referred to Section 5.13, PUBLIC SERVICES AND FISCAL IMPCTS, and **Response 51-b**. Impacts were found to be less than significant. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-j: The commenter questions the impact to nearby residents and ranchers from street lights, loud music, traffic noise, and a non-specific question about other things.

The commenter is referred to Section 5.1, AESTHETICS AND VISUAL RESOURCES, for a discussion of impacts to lighting, and Section 5.11, NOISE, for a discussion of impacts from noise including vehicle noise. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-k: The commenter asks if property taxes will increase to pay for the sewer and if new homeowners will be required to pay State Fire Tax.

The commenter is referred to **Responses 43-e, 47-f, 53-g, 57-b, 57-x, 65-f, 65-o, and 81-a** regarding the analysis of tax increase in relation to environmental analysis. The future property owners within the project site will pay taxes, just as other County residents pay taxes. The County uses these taxes to fund various programs to benefit its residents. Therefore, the residents will be paying taxes, that in turn, will help with all County services including infrastructures and public services. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 82-l: The commenter reiterates opposition to the proposed project and restates reasons listed above.

No issue or adequacy of the Draft EIR was raised by the commenter. The commenter is referred to **Responses 82-a** through **82-k**, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 83 – Tom and Rebecca Semb (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 8:30 AM
To: Kimberly Hunter
Subject: FW: Tierra Robles EIR Comments
Attachments: Tierra Robles EIR Letter.docx

From: Tom Semb [mailto:tomsemb@hotmail.com]
Sent: Thursday, December 28, 2017 8:11 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles EIR Comments

Here are our comments regarding the Tierra Robles Subdivision EIR draft.

Thank you,

Tom and Becki Semb

83-a

Tierra Robles Subdivision

To Whom It May Concern:

We have reviewed the Tierra Robles draft EIR and traffic control plan and have the following questions and concerns:

1. Zoning would change to accommodate 1.3 acre parcels which is concerning to us for the following reasons. Shasta Counties zoning map and Google Maps seems to show that for several miles in any direction of the project site the minimum zoning is 2.5 acres sites. It appears that a person would have to drive to the town of Palo Cedro 3.5 miles from the projects access to Boyle Rd before encountering lots this size or smaller. There may be a few exceptions of lots less than 2.5 acres within a 3.5 mile radius of the project that were not easily noticeable on the maps but it does not change the fact that parcels this small are an anomaly and a change of zoning that would allow lots of this size is unprecedented in this area. Current residences have sought out this area and paid a premium for the enjoyments that a less populated area provides. The Tierra Robles subdivision should blend in with the existing zoning of 2.5+ acre lots and the current residences should not be made to suffer losses to their quality of life. The EIR indicates that the majority of the surrounding parcels are vacant. A quick glance on Google Maps show that most lots are developed within a several mile radius of the proposed subdivision and will be adversely impacted by a high density development that does not mesh well with the surrounding land usage.
2. The traffic report says that 62% of the traffic from the project would go west on Boyle Rd to Redding. This seems like a very low percentage since this is the likely direction people would go to work and shop.
3. The traffic report excludes from is study the section of roadway that would be most highly impacted which is on Boyle Rd west of the project to Old Alturas Rd. This road does not have shoulders and is unfit for pedestrian or bike access. Additional traffic would make matters worse and both pedestrian and bike access should be included as required improvements.

83-b

83-c

83-d

Thank you for your time,

Sincerely,

Tom and Rebecca Semb

10646 Green Oaks Lane

Redding CA 96003

Response to Letter 83 – Tom and Rebecca Semb

Response 83-a: The commenter noted an attached or subsequent sheet with comments.

These comments are addressed in **Responses 83-b** through **83-d**, below. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 83-b: The commenter states that the zoning change is concerning because the proposed project conflicts with the size of surrounding lots and such a conversion is unprecedented. The commenter states that the proposed project should blend in with the surrounding areas, that Draft EIR incorrectly says the majority of surround parcels are vacant, and surrounding parcels would be adversely impacted.

The commenter is referred to **Master Response-2** which discusses zoning, residential densities, and how the proposed project would blend in with the surround areas. The commenter also is referred to Section 5.1 AESTHETIC AND VISUAL IMPACTS for additional discussion of the visual elements of the proposed project and design elements to reduce visual conflicts. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 83-c: The commenter questions the reported 62% of traffic travelling west on Boyle Road.

Refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 83-d: The commenter states that the study does not adequately discuss impacts to Boyle Road west of the project to Alturas Road. The commenter notes there are no shoulders, it is unfit for pedestrians and bicycles, and the proposed project would make it worse, and pedestrian and bicycle access should be included to the project.

Refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-v, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 84 – Leslie Golden (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 4:18 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR Public Comments
Importance: High

From: Leslie Golden [mailto:leslie@catpublishing.com]
Sent: Friday, December 29, 2017 4:15 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles DEIR Public Comments
Importance: High

To: Kent Hector, Senior Planner, Shasta County Department of Resource Management, Planning Division

Dear Mr. Hector,

The purpose of this letter is to express my concerns about the Draft Environmental Impact Report prepared for the Proposed Tierra Robles Planned Development Project.

As a resident of Shasta County, specifically living on Northgate Drive in Palo Cedro, CA, I am deeply concerned about the negative impact this proposed project will have on our community. My concerns include, but are not limited to:

- 1) Section 5.17 Utilities and Service Systems: I am very concerned about the supply of water available to our area through the Bella Vista Water District (BVWD). Our community has already experienced a shortage of water, due to severe Central Valley Project water allocation cutbacks during previous drought years (2015). An addition of 166 households would put an unreasonable strain on limited water resources that have proven unable to meet the current demand for water. The total water demand for an additional 166 households could cause severe environmental impacts.
- 2) Section 5.16 Traffic and Circulation: The Draft EIR indicates that Northgate Drive would be designated as a secondary emergency access road to the proposed project. Northgate Drive is a private drive maintained by current residents. The road is not appropriate/adequate for emergency traffic and should be removed from current and future site maps. The developers must determine an alternative secondary emergency access to the proposed project.
- 3) Traffic safety is a serious concern. Local surface streets such as Boyle Road currently suffer from overuse and unsafe conditions due to cars traveling at speeds over and above the posted speed limits particularly during high use times when parents/students are traveling to local schools (example: Foothill HS). The Draft EIR should be revised to evaluate the safety of roadway segments that will be impacted by the additional traffic expected during high usage commute times (AM and PM). For example, vehicles turning left out of the Project onto Boyle, should have a left turn access lane to insure cars are safely added into the flow of Boyle through traffic.
- 4) Changing local zoning laws to allow smaller parcels would be an overall negative to homeowners that have invested in homes/property and have chosen to live in a rural area.

Thank you for your consideration.

Sincerely,

84-a

84-b

84-c

84-d

Leslie Golden
10793 Northgate Drive
Palo Cedro, CA 96073
530-356-7926

Response to Letter 84 – Leslie Golden

Response 84-a: The commenter makes an introductory statement expressing concern about the proposed project. The commenter states concern about water supply and says the additional 166 residences would put additional strain on the limited resources causing severe environmental impacts.

The commenter is referred to **Master Response-3** regarding the Bella Vista Water District and water supply. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 84-b: The commenter states that the use of Northgate Drive is a private drive maintained by current residents and is not appropriate or adequate for emergency access and should be moved to an alternative location.

Please refer to **Responses 23-b** and **65-g** regarding the use of Northgate Drive, which will be gated and used as a secondary project site access for emergencies only. The comment is noted and the emergency access would not be constructed until the proposed project and access was approved by Planning Commission. No further response is necessary and no change to the Draft EIR is necessary.

Response 84-c: The commenter states that traffic safety is a serious concern and local surface streets such as Boyle Road is overused and cars travel over the speed limit. The commenter states that Draft EIR should be revised to evaluate the safety of roadway segments during high use times. The commenter provides an example of left turns from the proposed project to Boyle Road.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 84-d: The commenter states that changing zoning laws to allow smaller parcels would be an overall negative to homeowners and rural community.

The commenter misstates that a zoning law would be changed. The proposed project would result in a change of the existing zoning of the proposed project site from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U), to a Planned Development (PD) zone district. Regarding the changes to rural community, the commenter is referred to **Master Response-2**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 85 – Eleanor Townsend (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 2:43 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles DEIR public comments
Attachments: TierraRobles DEIR Public Comments 12.27.17.doc; ATT00001.htm

From: Eleanor Townsend [mailto:eftownsend50@gmail.com]
Sent: Friday, December 29, 2017 2:38 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Cc: Mary Rickert <mricket@co.shasta.ca.us>
Subject: Fwd: Tierra Robles DEIR public comments

Tierra Robles Draft EIR Public Comments 12/27/2017

Section 5.17 Utilities and Service Systems:

IMPACT 5.17-4 Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed. Significance: Potentially Significant Impact.

MOST IMPORTANT TO THE ANALYSIS OF THIS DEIR IS HOW DOES THE APPROVAL OF THE TIERRA ROBLES PLANNED DEVELOPMENT SET THE PRECEDENT FOR THE REZONING OF RURALLY ZONED PARCELS FOR FUTURE PLANNED DEVELOPMENTS, THAT RESULT IN SUBURBAN SPRAWL AND UNSUSTAINABLE WATER DEMANDS WITHIN THE BVWD SERVICE BOUNDARIES.

CURRENTLY, BELLA VISTA WATER DISTRICT HAS OUTSTANDING WILL SERVE COMMITMENTS TO SUPPLY WATER TO 707 PARCELS WITHIN THE DISTRICT. DOES BVWD KNOW HOW MUCH WATER DEMAND IS NEEDED FROM THESE ACTIVE WILL SERVE PARCELS? WHERE'S THAT WATER GOING TO COME FROM, PARTICULARLY IN THE 'NEW NORMAL' OF SINGLE AND MULTIPLE DROUGHT YEARS THAT RESULT IN SEVERE WATER ALLOCATION CUTBACKS FROM THE CENTRAL VALLEY PROJECT (CVP).

IS THE ANSWER TO ALL THESE CVP WATER ALLOCATION CUTBACKS MORE RESTRICTIONS TO EXISTING CUSTOMERS, OR DO WE STOP OR SCALE BACK SUBURBAN SPRAWL DEVELOPMENTS IN RURAL AREAS THAT HAVE FINITE WATER SUPPLY RESOURCES?

BEFORE THE PLANNING COMMISSION OR BOARD OF SUPERVISORS CAN APPROVE THIS OR ANY LARGE SUBURBAN DEVELOPMENT, THEY MUST RE-EXAMINE THE ASSUMPTIONS AND ESTIMATES THAT BVWD USED FOR DETERMINING THE AMOUNT OF WATER IT CAN EXPECT LONG TERM TO BE ALLOCATED TO THE DISTRICT BY THE CENTRAL VALLEY PROJECT IN RELATION TO THE GROWTH EXPECTED IN DEMAND FROM WITHIN THE DISTRICT FROM PLANNED DEVELOPMENT ZONES AND THE EAST REDDING INFILL AREAS. UNTIL THIS ANALYSIS IS COMPLETED THE COUNTY CANNOT RESPONSIBLY DETERMINE HOW MUCH PLANNED DEVELOPMENT WATER DEMAND CAN BE SUSTAINED INTO THE FUTURE.

Comment 1. In single and multiple drought years when the CVP cuts water allocations to the BVWD, the Developer or the Tierra Robles Community Services District *must provide water augmentation to the BVWD from the start of the project to total buildout of the project per the amended mitigation language 5.17-4b below.* Existing BVWD customers have successfully conserved and restricted water usage in response to recent and historical drought periods. The

85-a

85-b

added water demand for this planned development will only exacerbate the finite resources of the BVWD, particularly in years when the CVP cuts water allocations.

The Amended MM 5.17-4b language below was adapted from the "Potential Mitigation language" proposed in Appendix 15.10 in Tully and Young's Water Demand Evaluation April 26, 2017 on Page 29. The DREI version of MM 5.17-4b gives the Developer 'a sweet heart deal', where the Developer or Community Service District is off the hook to purchase water until "such time as BVWD has completed 3 full years of full CVP water allocation after commencement of operations at the project site."

The DREI language is a bad deal for BVWD and its existing customers. For example, let's say 3 full years of full CVP water allocations begins in 2020, the same year the Developer begins construction, which is slated to last two years (end 2022). Then in the third year of full CVP allocations (2023), construction continues or maybe lot sales begin. Let's say that in the 4th year a single drought year occurs or it's the start of multiple drought years. What happens? The Developer is no longer required to purchase additional water to BVWD in the fourth year or thereafter and the 166-home buildout is 10-15 years down the road, leaving BVWD and its existing customers holding an empty water bucket for the life of the buildout!

Hence prior to any approval of any project, the Planning Commission and Board of Supervisors must adopt the Amended MM5.17-4b language below:

Proposed Amend MM 5.17- 4b to read as follows: "Concurrent with the formation of the Tierra Robles Community Services District, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with the BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 100 percent (full) of the project's prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the USBR that it will receive less than 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination has been announced by USBR as of April 15 of each year. THE AUGMENTING WATER SUPPLIES SHALL BE MADE AVAILABLE TO THE DISTRICT THROUGH THE AGREEMENT UNTIL THE DISTRICT HAS COMPLETED THREE YEARS OF FULL CVP WATER ALLOCATION *FOLLOWING BUILDOUT OF THE PROJECT*. For any shortage condition that occurs after three years of full CVP allocation, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement."

85-b
Cont.

Comment 2. The DEIR severely underestimates by nearly double the amount of water that will be taken from the finite resources of the Bella Vista Water District system. The DEIR erroneously estimates the total indoor and outdoor water demand for 166 homes at 80 Acre Feet (AF) per year, which extrapolates down to each 2.5-person home as 172 gallons per person per day (GPPD) or 430 gallons per home per day. The indoor usage alone is taken from the State's 55 gallons per person per day minimum requirements or 137.5 gallons per day per home.

Real-world water demand estimates should come from page 49 of Bella Vista Water District's Urban Water Management Plan Update 2015 (UWMPU) using actual 2015 water use data, which reflects the severe CVP water allocation cutbacks and an extreme customer conservation effort.

The UWMPU shows the actual water usage for the 2015 drought year, which excludes all agricultural water, at 335 GPPD. Each 2.5-person District home, will use 837 gallons per day. Extrapolating out, the actual yearly water demand for 166 Tierra Robles homes would be 156 AF, not the Draft EIR estimate of 80 AF.

The BVWD actual 335 GPPD is a conservative view on water demand and does not reflect UWMPU higher 5 and 10-year baseline studies showing a GPPD usage of 758 and 853 respectively and a 2020 target of 947.

Proposed Mitigation: Prior to approval by the Planning Commission and Board of Supervisor a new water demand analysis must be completed in conjunction with the Bella Vista Water District Engineer, based on actual rural residential demand data, so there is an accurate determination of water demand for this development at buildout. Based on these new projections new mitigation measures must be developed or enhanced.

Proposed Mitigation: The Developer and/or the Tierra Robles Community Services District will pay for the drilling of a new well in the south county water basin that ties into the BVWD system so the total water demand for the project is met and existing customers will not be impacted by the increased need for water in the District in Normal and single or multiple drought years.

Comment 3. While BVWD advises no problems in supplying surface water from the Central Valley Project (CVP) in Normal years, the District has had to impose drastic water restrictions during Single and Multiple Dry Years when CVP water allocations were severely cut back. Such cutbacks resulted in the District having to impose severe restrictions and conservation efforts on customers during the following 14 drought periods: 1990 to 1998, 2011 - 2012, 2012 – 2013; 2013 - 2014, 2014 –2015, and 2015 – 2016.

85-c

85-d

The DEIR references Table 5.17-4 (Single Year Droughts) and Table 5.17.5 (Multiple Year Droughts) from the District's Urban Water Management Plan Update 2015 (page 75) which show estimated water supply and demand data for future projections out to the year 2040.

All BVWD water projections for single year droughts out to the year 2040 show over a 6,000 Acre Feet shortage in water supply against demand.

85-d
Cont.

Question:

If multiple drought years start as a single year drought, with a deficit in water supply against demand of over 6,000 AF, how can the second year of drought show a surplus against demand and again a surplus in the third year of a drought?

Comment 4. Bella Vista Water District acknowledges "major components of the District's water system are more than 50 years old and approaching the end of their design life." The Draft EIR fails to mention or mitigate fluctuating water pressures to existing customers throughout the Welsh pumping system that will only be exacerbated by a concentration of 166 new homes.

85-e

Proposed Mitigation: Before approving any project, the Planning Commission and Board of Supervisors must insist that BVWD (at the Developer's expense) complete a hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

Section 5.17 Utilities and Service Systems (continued)

Impact 5.17-2 – Implementation of the proposed project would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Noted as Less Than Significant and No mitigation measures are required.

Comment 1. As noted above in Section 5.17-4 Comment 2, the DEIR erroneously estimates the total water demand for 166 homes at 80 Acre Feet (AF) per year for indoor and outdoor use. The indoor water usage estimates come from the State's 55 gallons per person per day data, which extrapolates to 137.5 gallons per home per day, based on a 2.5-person occupancy. The DEIR states that the Design Flow of the Wastewater treatment system is based on 200 gallons per day, per home.

85-f

As stated in Comment 2 above, actual water usage from the severe drought year of 2015 shows tremendously more water than 200 gallons coming into the home daily. If the DEIR misstates the amount of water each home will use for residential purposes, then all the design flow data used to plan for and size the onsite black and grey Wastewater Treatment and Dispersal system must also be flawed and could cause severe environmental impacts if not corrected. The DEIR system proposes five Orenco AXMax waste treatment modules to handle the black and grey

wastewater coming in for treatment. From the site schematics of the system there does not appear to be a backup electrical generator to run the pumping system for the treatment modules and to draw the untreated effluent from the homes.

Also, the DEIR calls for the installation of the AXMax treatment modules with three modules in Phase I and one each in Phase 2 and Phase 3. The 2012 EIR process proposed for the development to tie into the Palo Cedro sewer system down on Deschutes Road. This plan was rejected; however, that sewer system was not going to be phased in, but fully built out at the start.

The 2016 DEIR plan for a phased buildout of the AXMax treatment modules is unacceptable and must be completed in its entirety before any site maps are recorded by the County. The Developer and The TR Community Services District must assume full responsibility for the technical operation and sustainability of the entire system! If this Developer disappears or goes bankrupt the County and its taxpayers should not have to assume the fiscal liability to finish the system.

Questions:

If the Design Flow data is underestimated at 200 gallons per day per home, how many additional AXMax treatment modules will be necessary to meet the demands of a 166 home subdivision with significantly more water flow per home?

If the design flow data is underestimated at 200 gallons per day per home, what will be the actual amount of treated effluent that will have to be dispersed to the roadway median landscape areas?

What is the total area in square feet for all the roadway median areas to accommodate all the treated effluent that must be dispersed?

In the winter rain season, how will fully soaked medians be able to absorb all the treated effluent? How and where will treated effluent be stored if it can't be disbursed? If it can't be absorbed in the medians, will the treated effluent make its way into the storm drains and where will it flow?

Since this rural area has a history of power outages, and no backup generators are present in the site plans, what is the plan for backup generators so that flow system will continue to operate should there be power outages of any duration?

Proposed Mitigations: Prior to approval by the Planning Commission and Board of Supervisors a new Wastewater Treatment design flow study must be completed using actual residential water data that is consistent with BVWD rural residential homes. Also, based on this revised

85-f
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study the entire Wastewater Treatment System will be resized as appropriate, including additional or enlarged effluent dispersal areas, or added storage facilities and a backup generator system.

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Cont.

DEIR Section 5.16 Traffic and Circulation

Impact 5.16-3 "Implementation of the proposed project may result in inadequate emergency access."

Comment 1. Under "Long Term Operation" this impact should read "non-existent" emergency access, not "inadequate emergency access". The Draft EIR states that No mitigation measures are required and that the impact would be less than significant. This could not be further from the truth.

The Draft EIR calls for northern terminus of Northgate Drive to intersect with the southerly terminus of Tierra Robles Lane to provide the project with a secondary emergency access road. Northgate Drive is a Private Road and only the 28 homeowners on this road have legally recorded easements which only grants them use of Northgate Drive.

In the Executive Summary, page 2-6, "Site Access and Roadways" it states, "The southerly terminus of Tierra Robles Lane is at the northerly terminus of Northgate Drive, a road used for over 40 years as access to the southeast corner of the proposed project site. The proposed connection with Northgate Road (Drive) would be gated per County fire standards and used for reciprocal emergency access only." The parcel number containing the terminus of Tierra Robles Lane is APN-061-210-001.

85-g

County deed records for parcel APN #061-210-001 indicate there is no legally recorded easement for the subject property, by the current owner, Shasta Red LLC, nor the previous owners, Landmark Investment Group, RHS NorCal Investments LLC and UJB Investments LLC nor the previous owners, Chatham Family 1991 Trust and Harryette Chatham J-TR, nor the previous owners, Harryette and Gordon Chatman.

The only legal description for APN-061-210-001 is: "North One-Half of Lots 1 and 2 of the Northwest One-Quarter, Section 30, Township 32 North, Range 3 West, M.D.B &M." There is no recorded easement for access to the adjacent parcel that includes Northgate Drive in that or any other parcel description.

While there may be a history of Northgate Drive being used to move grazing cattle on and off the subject property and to allow access for bee farming, these were limited uses for

agricultural purposes only and is not consistent with the purpose of a Planned Development. Again, no legally recorded easement exists.

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Proposed Mitigation: The DEIR designation of Northgate Drive as an emergency access road must be removed from all current and future site maps and the developer must determine a new emergency access road, other than Northgate Drive.

Comment 2. The DREIR states on Page 5.16.1 "This section is based upon the *Tierra Robles Traffic Impact Study* (May 2015) and *Supplemental Traffic Impact Analysis* (August 2017) prepared by Omni-Means Engineering Solutions, both included as Appendix 15.9, TRAFFIC IMPACT STUDY."

85-h

Appendix 15.9 Traffic Impact Study only includes the May 2015 documents and does not include the Supplemental Traffic Impact Analysis of August 2017. The data in Section 5.16 shows some data from May 2015 and some from the inaccessible August 2017 data making it difficult, if not impossible to make complete, accurate assessments, evaluations, conclusions and mitigation proposals for this Section's Public Comments.

Proposed Mitigation: All assessments, evaluations, conclusions and mitigations contained in Section 5.16 Traffic and Circulation and Appendix 15.9 must be revised and updated to include the August 2017 Supplemental Analysis prior to any pre-approval consideration by the Planning Commission and the Board of Supervisors.

Comment 3. Traffic count errors are given for Intersection 8 Old Oregon Trail at Old Alturas Road. The AM traffic existing counts (151-113) are the same as Existing Plus (151-113). Also, the PM traffic existing counts (158-121) are the same as Existing Plus (158-121) counts.

Questions

What are the real numbers for traffic counts at Intersection 8 during all peak travel times? What are the revisions to all further analysis that are dependent on these traffic counts (Intersections 12, 18 and 13) in all of Section 5.16, e.g. change to LOS, Warrant, Safety Performance, etc?

85-i

Given this revised data, how are the proposed mitigations changed or what new mitigations are needed for Intersections 8, 12, 18 and 13?

Comment 4. The DEIR Appendix 15.9 (and presumably Section 5.16) uses older 5-year Collision data (2009-2013) from CHP's SWITRS system to generate data and assumptions about Safety Performance on studied road segments as compared with statewide averages for similar type roads, that ultimately led to DEIR mitigation proposals. The Supplemental Traffic Impact Analysis of August 2017 should have retrieved the 2014-2016 SWITRS Collision data and then created a new 5-year data set, 2012-2016, which has been available on the CHP SWITRS website (and downloaded by the undersigned upon enrollment into the CHP application).

85-j

(Recently, it was announced that nationally there has been a 10% increase in fatalities, which is likely caused by distracted driving.)

More important the DEIR traffic methodology makes NO comment or analysis of how the expected Project increase in Average Daily Traffic (ADT) will impact rates and number of accidents for all road segments and intersections at full buildout. If a roadway already has a 38% higher rate of collisions than the state average, the DREI does not address what the new rate and number of accidents would be given the increased ADT coming from the Project. There is no analysis of how this would affect proposed mitigations or new mitigations to lower the number and rates of accidents.

The DEIR fails to even mention the school zone for Foothill High School on the Deschutes Road segment from Boyle Road to SR 44.

Questions:

Using updated CHP Collision data (2012-2016), for all studied roads and intersections, what are the revised Collision rates and number of collisions projected from new ADT data at Project Plus and full buildout?

How do any proposed or new traffic mitigations prove they are effective in reducing the number and rates of collisions at full buildout of the development?

What is the Traffic Flow data for the intersection entrance at Foothill High School and how will the increased ADT on the Deschutes Road from Boyle to SR 44) affect the Safety Performance of that segment of roadway to ensure the safety of student pedestrians and bicyclists?

Proposed Mitigation: Completely revise and reassess the 5-year SWITRS Collision data using the years 2012-2016 for all studied road segments; Conduct a new Safety Performance assessment to determine which roadway segments are higher than the statewide average for similar roadways. Reconsider all the DEIR mitigations proposed or new mitigations that are needed based on the updated data. Ensure that the school zone of Foothill High School is studied and assessed for needed mitigations. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

Comment 5. Page 5.16-14 shows Table 5.16-6 EXISTING ROADWAY LEVEL OF SERVICE Source: Omni-Means Engineering Solutions. *Tierra Robles Traffic Impact Study. May 2015.*

Questions:

What is the data for this Table from the August 2017 Supplemental Analysis?

How does this data revise the analysis for all aspects of Boyle, Old Alturas and Deschutes Roads throughout Section 5.16?

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85-k

How does this data revision change the proposed traffic mitigations or the need for new mitigations on all studied road segments and intersections? How are the Existing Plus conditions and 2035 Cumulative conditions changed?

85-k
Cont.

Comment 6. While Section 5.16 and Appendix 15.9 provides much data for traffic counts and traffic delays at various intersections, projected trips on surrounding roads, average daily trips on various road segments, etc., NO vehicle speed data was measured for any of the listed road segments and the impact of speed on approaches to all the studied intersections is unknown.

For example, since no data exists, our personal experience of walking and driving on Boyle Road reveals two-way, peak A.M and P.M traffic speeds that mimic a racetrack as parents and students travel to and from Cow Creek Elementary and Foothill High Schools and/or drive to work in Redding.

Questions:

What are the existing average road speeds for ALL road segments in all directions that have data for Average Daily Trips?

What are the existing average road speeds in both directions on Boyle Road during A.M. and P.M peak times?

With the inclusion of a speed analysis, what are the projections for Existing Plus and 2035 Cumulative conditions for all surrounding roadways, intersections, including LOS and Warrant Analysis. How are delay times affected?

How are currently proposed traffic mitigations impacted by speed data and how would they be modified or changed? What new traffic mitigations would be proposed to reflect this additional information?

Regarding the proposed mitigation of a four way stop sign at the Intersection 13 of Deschutes and Boyle Roads:

What are the existing average road speeds for through traffic in both directions on Deschutes Road at Intersection 13?

What is the impact of speed in the effectiveness and safety of this mitigation, particularly since this is an intersection where there is large curve on Deschutes just south of the intersection and a long steep hill just north of the intersection and a school zone going east towards Cow Creek Elementary School?

Given the new speed data analysis, what new traffic mitigation options would be appropriate and effective at Intersection 13?

85-l

Proposed Mitigation: Redo the Traffic Study to consider the impact of speed, which must be measured and assessed in compliance with accepted Caltrans standards, so that any proposed and new traffic mitigations are consistent with the analysis for all local roads and intersections studied in the DEIR. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

85-l
Cont.

Comment 7. According to DEIR data there will be 1,774 added trips per day to surrounding roads and intersections. The Project Trip Distribution Map on page 5.16-16 shows Boyle Road will have 80% of new projected trips with 61% of trips going towards Old Alturas Road and 19% going towards Deschutes Road. This indicates the Tierra Robles Entrance/Exit at Intersection 18 (Boyle Road and Project Road A) will have by far the highest volume of traffic entering and exiting the development versus the entrance/exit Intersection 3 at Old Alturas and Seven Lakes Roads.

The Boyle Road segment from Northgate Drive to October Lane is almost a straight stretch of road that passes this new Intersection 18. On this segment there are approximately 14 streets and driveways on the north side of Boyle and approximately 16 streets and driveways on the south side of Boyle. In either direction there are significant dips and rises in the sight lines on this stretch of road which can make visibility a challenge to see cars turning onto Boyle from side streets and driveways. It is not uncommon to see vehicles crossing the center line or almost driving off the edge of the road which has almost no shoulder at all.

Intersection 18 has not been evaluated to ensure safe turning into and out of the development so that Boyle through traffic is safely accommodated, particularly during peak A.M. and PM times. The DEIR only proposes a two-way stop sign mitigation for this congested, high speed intersection.

85-m

Questions:

At Intersection 18, what is the existing Boyle through traffic flow data in both directions that passes this proposed intersection during peak A.M. and P.M. timeframes?

At Intersection 18 what is the existing average speed of vehicles passing this proposed intersection during peak A.M. and P.M timeframes?

If 80% of the new added projected trips use this Intersection, how many cars will be entering or exiting the development during peak A.M. and P.M. timeframes?

What will be the delay times at this Intersection for Boyle through traffic in either direction due to traffic turning left into the development or turning left out of the Project during peak A.M. and P.M times?

How does the above data collected for traffic flow, delay and speed correlate to determine what mitigations are needed to ensure this intersection meets safety requirements for those vehicles turning into and out of the Project and those that are passing through this intersection during A.M. and P.M peak times?

How does this new data impact LOS Project Plus and 2035 Plus Project traffic conditions for this intersection and the entire road segment of Boyle Road?

Proposed Mitigation: To ensure safe, unimpeded through traffic on Boyle Road, use the Tierra Robles property frontage to adjust Boyle Road for the installation of a dedicated left turn lane into the development. For vehicles turning left out of the Project onto Boyle, install a left turn access lane that adds cars safely into the flow of Boyle through traffic. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

85-m
Cont.

Comment 8. Under Project Trip Distribution -
According to the study, 20% of project traffic is expected to use Old Oregon Trail between Old Alturas Rd and SR 44, causing the ADT to change from 8031 to 8386. This increase leads to a recommended mitigation of installing a traffic signal/roundabout.

The study also shows that 15% of project traffic is expected to use Deschutes Rd between Boyle Rd and SR 44 causing the ADT to change from 8495 to 8761. This increase leads to a recommended mitigation of installing street name signs along Deschutes Rd.

85-n

Question:

Why does Old Oregon Trail, with an ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and Deschutes Rd, with 8761 and an accident rate 38% above average (old 2009-2013 data) not need a signal/roundabout)?

Proposed Mitigation: Instead of the DEIR proposed street signs, install a signal or roundabout on Deschutes Road to handle the increased project ADT.

Additional Traffic Questions:

For all the proposed traffic mitigations, such as roundabouts, warning signs, two-way and four-way stop signs etc. what is the supporting simulation data that prove the proposed Draft EIR mitigations are effective at full buildout of the subdivision?

What increased maintenance timeframes and expenses can the County expect to incur because of the 1,774 daily added trips to surrounding roads, particularly Boyle Road, which is already being resurfaced on a year schedule a two-year schedule now?

85-o

Due to the increased rate of deterioration of local roads, caused by the Project's increase in Average Daily Traffic, what costs will be borne by the Developer or Tierra Robles residents, rather than existing tax payers, to repair and maintain these roads?

What is the analysis for a Board of Supervisor approved Mello Roos fee being considered for Tierra Robles homeowners to pay for increased maintenance costs for local road maintenance and other impacts to County services including Sheriff and Fire Services, Schools etc.?

Shasta County is already behind for already funded and approved 'on the books' roadway improvements, let alone any new traffic mitigations for this development.
What assurances and guarantees do East County residents have that the County and Developer will buildout the mitigations described in a Final Draft EIR prior to the selling of any parcels?

Proposed Mitigation: Before any site maps are recorded by the County all traffic mitigation plans and solutions must be built out and fully operational.

85-o
Cont.

Regarding the Proposed Zone Amendment Z10-002, Tract Map 1996, SCH No. 2012102051

Comment 1. Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres...for development in six phases". The DEIR proves that proposed distribution of lot sizes does not meet General Plan and Zoning requirements that development be consistent with existing parcel sizes and zoning and fitting in with the rural/agricultural character of the surrounding area. The analysis below proves Tierra Robles is an example of a suburban planned development dumped in the middle of a rural residential area!

In Sec. 5.10.12, the DEIR states, "Although the proposed project would alter current conditions on the site, the proposed project would be compatible in density with the surrounding existing uses." It goes on to say that the rezone would not change the rural character of the area but later contradicts and states it will change to "semi-rural."

A zoning amendment for a Planned Development should not be granted because the number of parcels, acreage sizes and percentages of parcels in each acreage size do not meet the standard to fit with the area's existing zoning and parcel sizes which would be against the County General Plan and Zoning Regulations.

The DEIR uses the Composite Parcel Size Map, Section 5.10-1 to show the land area parcel sizes that are 1 to 1.5 miles surrounding the proposed development. By counting the number of mapped parcels in each acreage category, a percentage in each category can be determined and then compared to the Development's percentage of homes to be built in each acreage category, which shows there is no correlation of this Development to the surrounding rural community.

85-p

The chart below combines and compares Table 3-4 "Project Acreage and Lotting Summary" on page 3-16 of the Subdivision Development Summary to the number and percentage of parcel acreages from the Composite Parcel Map Figure 5.10-1:

<u>Acreage</u>	<u>Lotting Description</u>	<u>% Parcels</u>	<u># of Surrounding Parcels**</u>	<u>% of Surrounding</u>
0 - .99 ac	0	0	46	5%
1.00 – 1.99 ac	45 Homes	27%	48	5%
2.00 – 2.99ac	65 Homes	39%	155	17%
3.00 – 3.99 ac	25 Homes	15%	137	15%
4.00 – 4.99 ac	16 Homes	10%	117	13%
5.00 – 5.99 ac	10 Homes	6%	128	14%
6.0+ ac	5 Homes	3%	293	32%
Totals	166 Homes		924 Parcels	

** Non-Exempt Parcels less than 6 acres - 273 - not included in the above surrounding percent calculations since the exact acreage is unknown, other than less than 6 acres.

Proposed Mitigation: Since the above chart shows that the proposed zoning amendment change for a Planned Development is not consistent with the existing parcel zoning in the surrounding area, the following Alternative Plan shall be adopted: The Developer shall be required to convert the proposed 471.92 usable acres to a number of lot parcels that equal the exact percentages of the surrounding parcels as depicted in Composite Parcel Map Figure 5.10-1, with the exception of parcel sizes that fall below 2 acres since the rural residential zoning require one dwelling per 2 acre minimums.

The Formation of the Tierra Robles Community Services District (TRCSD):

Comment 1. The formation of the Tierra Robles Community Services District (TRCSD) promotes an entity that is overtasked, underfunded and lacking in ANY enforcement powers to ensure compliance by builders, homeowners, waste treatment operators, etc.

This proposed entity can be likened to an 'oversized' Home Owner's Association that lacks the technical expertise, and long term financial sustainability to deliver on the proposed Mitigations related to the Waste Treatment facilities, all the management and oversight of the RMA's, establishment and sustainability of all the required off-site biological areas in perpetuity.

Given the County's limited financial resources, it can ill afford to approve any project or CSD where the long term financial viability of the project is in question. With the project slated for buildout in 10-15 years, how will be the Developer be able to ensure that the TRCSD will collect the necessary annual fees to cover all the costs associated with all the tasks required by this CSD. What will happen to this project and CSD if there is another economic downturn and the Developer lacks the financial staying power to ride it out.

While the County's Resource Management Department and Shasta LAFCO may be willing to oversee the buildout of the project and the formation and running of the CSD, how can they

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85-q

responsibly deliver on new activities when they are having challenges delivering on their current workloads and responsibilities?

The last thing this County needs, given its limited financial resources, is to get back the responsibilities for running and financing the mandated activities of the TRCSD. To that end, the DEIR present no documentation or analysis to show the financial integrity and sustainability of this Developer to meet the required budgeted costs associated with the operation of this CSD, particularly when buildout is expected to take place over 10-15 years and a budget which apparently is at the effect of home buyers to pay on a yearly basis.

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Most CSD's in California do not have any powers to enforce anything. There is no mention of enforcement powers and it seems this is a toothless entity.

Proposed Mitigation Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, there shall be a mechanism in place to ensure that the TRCSD has enforcement powers to function in a sustainable way regarding it's programmatic and financial relationship and responsibilities to builders, and homeowners, etc.

Comment 2. Regarding the proposed mitigation for a TRCSD purchase agreement of water in single and multiple drought years, there does not appear to be a line item for this purchase in this budget, except for landscaping watering which does not appear to be related to this contingency water purchase.

Questions:

How will the TRCSD pay for the cost of the drought contingency water agreement? Will the cost of this contingency water purchase be a cost absorbed by the Developer or is the plan to bill homebuyers? Where does this accounting appear in the proposed budget?

How does the TRCSD propose to enforce any of the CC&Rs or the collection of the requisite annual fees that the TRCSD needs to finance its activities and responsibilities?

85-r

Where in the DEIR is the financial analysis of the financial condition, viability and sustainability of Shasta Red LLC? What is the mechanism for the County to ensure that all the required mitigations that will be part of the final EIR are to be delivered upon by the Developer or TRCSD, regardless of how lot sales proceed?

Proposed Mitigation: Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, Shasta Red LLC must submit to a financial stress test that ensures they have the financial sustainability to see this project through total buildout and the full capitalization of all final Mitigations and responsibilities for the TRCSD.

Section 5.4 Biological Resources

MM 5.4-1e Potential Impacts to the Red Bluff Dwarf Rush:

Comment 1. There is approximately a quarter acre population of Red Bluff Dwarf Rush and while the DREI states there will be no development within the RMAs of approximately 13 lots, 60-69 or 77-79 the proposed road alignment is currently not designed to maintain the minimum buffer of 100 feet. The mapped population of Red Bluff Dwarf Rush occurs in or adjacent to the roadway right of way and thus would have a significant adverse effect.

85-s

Proposed Mitigation: Looking at the Figure 3 on page 22 of the Appendices 15.4 - ALL road development must be moved outside the buffer area for the Dwarf Rush. Ensure that no run off from the road or from the parcels adjacent to the Dwarf Rush area drain into the drainage where the plant is found.

Comment 2. The rare plant surveys should be done at the proper time of year and in a year when there are proper hydrologic regimes present since most of the species we're looking at are wetland dependent. The study was completed in 2016 and was not a very good year as the that water year was dry. Spring of 2017 was quite wet and would have been the proper time to conduct the surveys. Surveys done 2015 or earlier are probably not very reliable. Also, the hydrologic conditions in the winter of 2016 to 2017 was substantially different than that of 2010 when the original work was done.

85-t

Proposed Mitigation: Repeat all the rare plant surveys at the proper time of year to identify all the species that were identified in the table of potentially significant species, pages 5.4-20 to 24.

Comment 3. An Army Corp of Engineer verification of wetlands is valid for only a five-year period. Information about the current verification is as follows: **Chatham Ranch Wetlands Delineation Addendum May 2011 Introduction** - On September 25, 2009 Wildland Resource Managers (WRM) submitted a wetlands delineation for Chatham Ranch (SPK-2008-00428) to the Army Corp of Engineers for verification. Subsequent to that submittal, on March 30 and 31st of 2010 a field visit was conducted by Mr. Josh Emory of the Corp and Steve Kerns of WRM for the purpose of verifying the accuracy of the delineation mapping.

85-u

Proposed Mitigation: The Developer must request a current wetland delineation and resubmittal to the Army Corps of Engineers for verification because the verification of the previous wetland delineation is more than five years old.

Comment 3. The Elderberry clusters is the habitat for the long horn beetle (VELB). This species is still Federally listed and thus has the protection of the Federal Endangered Species Act and the California Endangered Species Act. The clusters of Elderberry's that were found on the site should be given protection, not just from clearing of shrubs around them, but in permanent protection of the species in perpetuity.

85-v

Comment 4. *Oak Woodland*. Approximately 88 percent of the project site supports an oak woodland. TRCSD Oak Management Plan - The plan implementation will provide for a variety of things including the maintenance of Oak Woodlands to reduce fire hazards.

85-w

Question:

How will that be accomplished? Will that involve the removal of shrubs, trees or other vegetation? If so, where, when and what will the ultimate effect be on native vegetation?

Response to Letter 85 – Eleanor Townsend

Response 85-a: This comment is a direct copy, or copy of portions, of Comment 65-a.

The commenter is referred to **Response 65-a**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-b: This comment is a direct copy of, or copy of portions of, Comment 65-b.

The commenter is referred to **Response 65-b**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-c: This comment is a direct copy of, or copy of portions of Comment 65-c.

The commenter is referred to **Response 65-c**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-d: This comment is a direct copy of, or copy of portions of Comment 65-d.

The commenter is referred to **Response 65-d**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-e: This comment is a direct copy of, or copy of portions of Comment 65-e.

The commenter is referred to **Response 65-e**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-f: This comment is a direct copy of, or copy of portions of Comment 65-f.

The commenter is referred to **Response 65-f**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-g: This comment is a direct copy of, or copy of portions of Comment 65-g.

The commenter is referred to **Response 65-g**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-h: This comment is a direct copy of, or copy of portions of Comment 65-h.

The commenter is referred to **Response 65-h**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-i: This comment is a direct copy of, or copy of portions of Comment 65-i.

The commenter is referred to **Response 65-i**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-j: This comment is a direct copy of, or copy of portions of Comment 65-j.

The commenter is referred to **Response 65-j**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-k: This comment is a direct copy of, or copy of portions of Comment 65-k.

The commenter is referred to **Response 65-k**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-l: This comment is a direct copy of, or copy of portions of Comment 65-l.

The commenter is referred to **Response 65-l**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-m: This comment is a direct copy of, or copy of portions of Comment 65-m.

The commenter is referred to **Response 65-m**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-n: This comment is a direct copy of, or copy of portions of Comment 65-n.

The commenter is referred to **Response 65-n**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-o: This comment is a direct copy of, or copy of portions of Comment 65-o.

The commenter is referred to **Response 65-o**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-p: This comment is a direct copy of, or copy of portions of Comment 65-p and 65-q.

The commenter is referred to **Response 65-p** and **65-q**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-q: This comment is a direct copy of, or copy of portions of Comment 65-r.

The commenter is referred to **Response 65-r**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-r: This comment is a direct copy of, or copy of portions of Comment 65-s.

The commenter is referred to **Response 65-s**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-s: This comment is a direct copy of, or copy of portions of Comment 65-t.

The commenter is referred to **Response 65-t**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-t: This comment is a direct copy of, or copy of portions of Comment 65-u.

The commenter is referred to **Response 65-u**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-u: This comment is a direct copy of, or copy of portions of Comment 65-v.

The commenter is referred to **Response 65-v**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-v: This comment is a direct copy of, or copy of portions of Comment 65-w.

The commenter is referred to **Response 65-w**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-w: This comment is a direct copy of, or copy of portions of Comment 65-x.

The commenter is referred to **Response 65-x**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 86 – Gina Knowles (December 29, 2017)

Kimberly Hunter

From: Gina Knowles <gknowles@frontiernet.net>
Sent: Friday, December 29, 2017 9:40 AM
To: Kimberly Hunter
Subject: tierra robles opposition letter
Attachments: tierra robles opposition letter.pdf

Good morning Kim,

Please let me know that this came through ok and that you got it stamped received today.

Thank you.

Gina

86-a

December 27, 2017

Mr. Kent Hector, Senior Planner
Shasta County Resource Management, Planning Department
1855 Placer St., Suite 103, Redding, CA 96001

Re: Proposed Zoning Change Tierra Robles Subdivision

Dear Mr. Hector,

This letter is written in opposition to the proposed Tierra Robles Subdivision. We and our neighbors have many objections to this project and ask that the following comments be given consideration by Shasta County, the Board of Supervisors, and the Planning Commission.

To begin with, we are surprised that this issue is still being considered four years later as this Beverly Hills developer is asking for unreasonable and unrealistic zoning changes not characteristic to this kind of area. We believe that the established zoning laws and regulations have been set for a reason and should be upheld, as allowing exceptions or changes would set precedent that could negatively impact Shasta County residents now and in the future. We hope Shasta County will continue to protect its residents and areas and the integrity of the zoning laws and not allow developers to come in and undermine them putting our community, rural life style, and environment at risk, leaving local area residents with the resulting costs and consequences. We all have, have had to, and think others (including developers) should follow the same set of established rules and conditions therefore making this proposal unacceptable to all of us.

86-a

Below is a list of only a few of the environmental factors potentially affected that could diminish existing homeowners property values and quality of life.:

Utilities/Water/Sewer Treatment Collection and Disposal/Sanitation

Public Service/Fire and Police Protection

Traffic/Hazardous Conditions/Costly Road Maintenance and Improvements

Water Quality/Drainage/Soils/Waterways/Storm Water Management

Air Quality/Pollution/Noise

Recreation/Safety/Increased Crime

Agricultural/Cultural and Historical Resources

Biological/Flora and Oaks/Fauna

86-b

We chose to spend more building here to raise our family seventeen years ago because of the quiet, safe, slower paced, simple and laid-back lifestyle this area has to offer. We were attracted to the lesser populated area with wide open spaces, larger lot size minimums and all the amenities living in the country has to offer including it's natural beauty and aesthetics. We certainly did not choose nor expect to be surrounded by a large urban sized, busy paved and lit up subdivision serviced by a foul smelling sewage plant amongst many other concerns as well that would contradict this kind of lifestyle.

86-c

Will we have less water due to supplying new homes and charged even more for our already expensive Bella Vista Water? Will we be denied water during another drought year? Will the area be able to continue to provide water for important agricultural crops? Will our law enforcement resources that are already strained be less due to increased crime and no budget to pay for more deputies putting our safety in jeopardy? Will we still have as many deer and wildlife and rare annual visits by Hooded Mergansers and Wood Ducks as they are pushed out of their 700+ acres of habitat leaving them only 192 acres? Will soils be depleted, grounds destroyed by foot and vehicle, and run-off increased impacting our precious waterways? Will the ancient Oaks that house many animal species be cut down and taken over by unsightly power poles and power lines producing dangerous cancer causing EMF's? Will we still get to enjoy the clean fresh air with increased air pollution? Will we be paying more taxes for road maintenance, improvements, traffic lights and roundabouts to accommodate the nearly 2000 more drivers per day? Will my family be safe driving on an already busy and hazardous Boyle Road?

86-d

The previous house on our property was destroyed in the 1999 Jones Valley Fire due to lack of resources, accessibility and water availability. Since then we have been denied any new insurance provider coverage, so could our existing coverage be taken away like it was for fire victims in Paradise, CA, or our premiums increased because of water shortages and reduced fire fighting response times?

86-e

I ask Geringer Capital, why here and why not in a more urban area more conducive to this kind of project? Yes, we will notice the impact once the building starts and over the more than ten years it takes to complete. This is the largest proposed development that has been submitted to the county in several years, and according to county resource management, "it's pretty unusual for the unincorporated area of the county, and it's considered a pretty good sized project anywhere."

86-f

If we wanted to be subjected to these sorts of conditions and likely issues, or had we known that lot sizes could be reduced at the request of investors, and subdivisions of this size might possibly be allowed, we would have invested less money and built a house closer to or in Redding. We are not opposed to conscientious and sound growth, but a new development should not harm the environment nor negatively impact the way of life for existing residents, burden the county to uphold proven and trusted policy, financially overwhelm local governments or leave Shasta County taxpayers to endure the burdens caused by the need to enhance infrastructure, roads, fire, schools and public safety.

86-g

Thank you for your review and consideration.

Respectfully,

Ron and Gina Knowles

Mailing address: P. O. Box 844, Palo Cedro, CA 96073

Physical address: off Leslye Lane in Palo Cedro, CA 96073

Response to Letter 86 – Gina Knowles

Response 86-a: The commenter makes an introductory statement related to comments occurring further below in the e-mail of an attachment. The commenter then states the letter is written in opposition to the proposed project and objects. The commenter states the requested zone change is unreasonable and out of character for the area, and the zoning laws, rural lifestyle, and residents of Shasta County should be protected.

The commenter is referred to **Master Response-2** regarding the change of the zone and existing rural community. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-b: Without making any specific comment of any of the issues or questioning the adequacy of the Draft EIR, the commenter lists a series of environmental issues analyzed in the Draft EIR that they state could be impacted and diminish property values and quality of life.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-c: The commenter states they chose the area because it is quiet, less populated and has large lots. The commenter states they didn't choose to live in an urban area with a foul-smelling sewage plant.

The commenter is referred to **Master Response-2** regarding the change of zone and how the project will affect the rural area. The commenter also alludes to the fact that the sewage plant will cause bad odors. The commenter is referred to Page 5.3-20 and 5.3-21 in Section 5.3, AIR QUALITY, and **Responses 13-d, 17-b, 17-j, 36-a, 43-d, 53-f, 57-p, and 59-k** regarding odors from the wastewater treatment plan.

Response 86-d: The commenter asks a series of questions regarding impacts to resources that were discussed in the Draft EIR but does not question the analysis of the impacts. Among the questions, the commenter asks if there will be adequate water will be available for agriculture; if law enforcement resources will be reduced and jeopardize safety; will deer and wildlife be as plentiful; if soils will be depleted and ground impacted; will oaks be cut down and replaced by power poles; if air pollution will be increased; if taxes will be increased for road improvements; and the commenter questions safety on Boyle Road.

None of the questions the commenter asks questions the adequacy of the Draft EIR. The commenter is referred to the appropriate sections of the Draft EIR for a discussion of the impacts questioned. The commenter is referred to **Master Response-3** regarding water and groundwater; to Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, and **Response 51-b** for impacts to law enforcement; to Section 5.4, BIOLOGICAL RESOURCES, and **Responses 3-a through 3-v, 10-d, 12-a through 12-d, 13-j, 13-k, 16-c, and 32-i** for impacts to wildlife and oak trees, Section 5.6, GEOLOGY AND SOILS, for impacts to geology and soils; and Section 5.3, AIR QUALITY, for impacts related to air pollution.

Regarding road improvements and safety on Boyle Road refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**. Regarding taxes, the commenter is referred to **Responses 43-e, 47-f, 53-g, 57-b, 57-x, 65-f, 65-o, and 81-a**.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-e: The commenter makes a statement that the previous house on their property was destroyed due to fire because a lack of resources, accessibility, and water availability. The commenter then asks what will happen to their existing coverage.

No issue or adequacy of the Draft EIR was raised by the commenter. The question of an off-site residence obtaining fire insurance is outside the scope of the CEQA analysis of this Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-f: The commenter questions the applicant and why they are using this site. The commenter then makes statements that do not question the adequacy of the Draft EIR or make comments on its validity. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-g: The commenter makes statements that do not question the adequacy of the Draft EIR or make comments on its validity. The commenter states no opposition to contentious and sound growth and makes a non-specific statement about new development not harming the environment or negatively impacting the way of life for existing residents or burden Shasta County tax payers with costs of enhanced infrastructure, roads, fire, school, and public safety.

As discussed, the commenter makes non-specific statements about the Draft EIR and does not question the adequacy. The commenter is referred to **Responses 86-a** through **86-f**, immediately above, for a discussion of impacts to the issue area mentioned in the last sentence of the comment. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 87 – Michael R. Shapiro (December 29, 2017)

CORRECTED

December 29, 2017

Mr. Kent Hector
Shasta County Resource Management, Planning Dept.
1855 Placer St Suite 103
Redding, CA 96001

In re: Tierra Robles Planned Development
Public input
Statement in opposition
Mitigation suggestions

Dear Mr. Hector or agent:

I am a Palo Cedro resident and retired peace officer living within the area to be affected by the proposed Tierra Robles development project. I am in receipt of the Tierra Robles DEIR dated October 2017, with pendencies, containing 2617 pages, and have made a cursory review of the document. Further review is pending. The following details some of my concerns in opposition to the project.

87-a

Traffic Concerns:

The current traffic counts and analysis moving forward is what I feel should be the focus. As a resident and retired patrol officer with nearly 30 years' experience, radar operator training and certification, with inherent expert knowledge relating to accident investigation and speed estimation, I know what I see, and experience daily on the local roadways.

87-b

Speeding, accidents, and congestion is already present at times in the areas of the proposed servicing schools. Reported and recorded events are incorporated in the DEIR and traffic impact study, but this does not consider unreported events, such as unreported accidents and near misses, right of way violations and speeding. My experience is that traffic problems are generally worse

CORRECTED

than what is shown in reported data. There are no traffic cameras in the area nor were they utilized in the traffic impact study to provide more complete objective information. Mr. Griffith refers to an approximate increase in traffic accident rates referred to in the DEIR at about a 27% increase. Assuming the information reflects those numbers and it has been declared not significant, what does the DEIR or traffic impact study use for a threshold in determining what is considered significant? I concur with Mr. Griffith that an accident rate increase at that level should in fact be considered significant.

87-b
Cont.

I believe It can be assumed that approximately ½ of the Foothill student body are of driving age, and a lot of them drive themselves and fellow students to school. I am informed and believe that the 2016 senior class at Foothill High School was 363 students. Using that class size as an average for the remaining classes results in an estimated total student body of approximately 1452 students. It is reasonable to assume at least half of those students are of driving age and likely ¼ of the student body is driving to school. Keep in mind these are new and inexperienced drivers, with higher than average accident and offense rates. I believe that increased population and resultant traffic will have a negative impact on the community.

87-c

I am informed and believe that the OMNI-MEANS Traffic Impact Study does not address any traffic counts or analysis for Swede Creek Road, which is the only route to the North Cow Creek Elementary School, the school designated as the servicing lower grade and pre-school for the proposed Tierra Robles project. Therefore, without any consideration for the traffic impact East of Boyle (Old Deschutes Road) and Deschutes Road, the report does not address a route clearly to be impacted by increased traffic, although the DEIR report states North Cow Creek Elementary School will be the servicing lower grade school, therefore, the report should be considered incomplete. There is also no mention of traffic impact or survey for Link Lane, a small northbound/southbound feeder road that connects Swede Creek Road to Old Deschutes Road, and ultimately can be used as an alternative to the intersection of Deschutes Rd. and Old Deschutes Road, to gain access to Deschutes Road. No true analysis can be asserted for that part of the residential area to be potentially significantly impacted by increased traffic and resultant collateral negative effects upon property and the community. Also, I have been informed and believe this is in fact one of the areas of county roadways that does not have a current traffic survey. Clearly, the OMNI-MEANS report does not address this area which will most certainly be affected by increased traffic. The OMNI-MEANS Traffic Impact Study should have included traffic analysis of Swede Creek Road at least to the main driveway of North Cow Creek Elementary School. Why wasn't Swede Creek Road included in the traffic impact study?

87-d

Furthermore, regarding increased traffic and safety concerns, I see no mention of potential problems due to the lack of pedestrian sidewalks and equestrian pathways in the subject area, specifically Old Deschutes and Swede Creek Road. The developer in the Tierra Robles project is planning to install these types of pedestrian and equestrian sidewalks and pathways, as detailed in the DEIR. Again, Swede Creek Road is not addressed in the DEIR or traffic impact study, and this is an area of relevant foot traffic with children walking to and from school, and equestrian use.

87-e

Some of the traffic concerns are well addressed by fellow resident Mr. James Griffith in his letter to you. I support and concur with Mr. Griffith's views and opinions expressed in his letter.

87-f

CORRECTED

I have experienced a severe lack of patrol or proactive enforcement of traffic laws within the area of Swede Creek Road that provides the ingress/egress to the North Cow Creek Elementary School. This is no fault of the Sheriff or the California Highway Patrol as I understand the levels of service have been negatively affected by personnel and budget shortages. This is despite calls for proactive service due to personally witnessing dangerous offenses, some of which included speeding and reckless driving in the school zone, at times with and without children present.

87-g

The same is true for the Deschutes Road area, especially near the Foothill High School. Clearly, additional enrollment will increase traffic in this area and thereby affect safety and further disrupt the peaceful enjoyment of the neighboring properties. Statistical analysis does not replace real world experience. I believe, based in part on that experience that the effect of traffic could be of significant impact regardless of the numbers presented thus far in the DEIR and supplemental reports, as they don't necessarily give the reader a clear view of the potential negative effects upon traffic and the community. Of course, that is part of the purpose of public input in these matters. Personal information and knowledge needs to be considered.

87-h

Mitigation suggestion/traffic: intersection of Deschutes Road-Boyle Road- Old Deschutes Road (continuation of Boyle eastbound):

I believe that some of the core traffic problems can be better mitigated by installation of a traffic circle at Deschutes Road and Boyle Road. A 4-way stop would likely result in additional accidents as the approach to the intersection on northbound Deschutes Road to Boyle road is poorly suited for a stop sign. The average vehicle speed traveling northbound appears to me to be frequently faster than what is posted or safe for conditions. I have witnessed many near misses at that intersection due to the limited visibility for the northbound approach; which is a somewhat sweeping turn at elevation with a decline to the approach of the stops at Boyle Road, both east and west. I am aware of at least one recent vehicular accident death at the intersection of Deschutes Road and Old Deschutes Road. This is an area of heavy truck traffic, some with trailers, and is generally a heavy traffic area. There are also visual hazards that have not been abated by the county; improperly erected safety fencing and non-running vehicles that partially block the view of oncoming traffic.

87-i

I also believe some of these safety and traffic issues could be further mitigated by improvement, extension, and installation of pedestrian sidewalks, at least from North Cow Creek School, westbound to the underground pedestrian walkway already present under Deschutes Road, from Old Deschutes Road (Boyle extension). Additionally, this should require an actively lighted and delineated crosswalk at Old Deschutes Road from the south/north fog lines of Old Deschutes, and again at Swede Creek Road south/north fog lines, in front of or near North Cow Creek School. Examples of pedestrian activated lighted features in modern design crosswalks should be familiar to you. The Foothill High School bus stop picks up and drops off students at the N/E corner of Deschutes Road and Old Deschutes Road. Currently, some students must walk across a dangerous part of the roadway without a modern crosswalk or warning signs, or controls. They are frequently walking in and on the shoulder of the roadway which is very dangerous.

87-j

Mitigation suggestion/traffic: Swede Creek Road/North Cow Creek Elementary School:

87-k

CORRECTED

This is an absolute speed area in a residential and school zone, currently posted with 25 MPH signs, but speeding is a frequent problem. Additional traffic will exacerbate this problem and create additional safety issues. I believe the traffic safety concerns around Deschutes Road, Boyle Road eastbound to Old Deschutes (continuation of Boyle going eastbound to Swede Creek Road) can be further mitigated by installation of lighted modern design radar based speed warning signs in approach to the North Cow Creek Elementary School zone. Additionally, the current crosswalk should be upgraded to a modern design pedestrian lighted crosswalk and signs.

87-k
Cont.

Further study suggested: Additional population estimates/Accessory Dwelling Units/Schools:

What is the purpose of mentioning other schools and their enrollment or average daily attendance when clearly the DEIR defines Foothill High School and North Cow Creek Elementary School as the servicing schools for the project? Can the DEIR more clearly define the scope and purpose of the information provided?

87-l

There appears to be no reference or authority section for the information of declining school enrollment, as referenced in section 5.13 and 7.0. I believe declining enrollment should be a moot point in reference to traffic, as it only relates to what a maximum number of enrollment can be, and the information has the appearance of attempting to divert attention away from traffic issues by painting the picture of other schools that may service the development. What is currently being experienced regarding traffic is what the basis should be. Increased traffic is one of the main areas of focus related to this planned residential development, but the current DEIR has the appearance of incomplete and at best confusing the purpose and scope of the limited school enrollment and capacity issues. Isn't it possible for the DEIR to more clearly define the scope and purpose by perhaps obtaining and publishing contingency plans provided by the servicing school authorities, regarding maximum enrollment and ability to handle the increases, in a more clear and concise manner?

87-m

The most recent census, which is the 2010 Census, states a 2.9-person average size California household. The DEIR uses household estimates of 2.5 persons. The percentages of school age children appear low to me. What is the basis for using 2.5 persons as the estimates of total number of residents to be expected?

87-n

What is the basis for estimating the number of potential students that would impact the servicing schools? I do not see any citable data for estimating the number of school age children in the project households. Is there in fact data referenced in the DEIR to factor in appropriate estimates for school age children, as it would relate to increased school enrollments?

The DEIR report remains silent on the current enrollment number for North Cow Creek Elementary School. It's interesting that there is a lot of information regarding numbers of prior years' enrollment for other schools in the area, which aren't designated as servicing schools, perhaps to paint a picture in support of reported declining enrollment. But for the subject servicing schools it appears there is no factual reference noted for current enrollment or average daily attendance figures. Foothill High School and North Cow Creek Elementary Schools are declared the designated schools for this project. The report also remains silent on the number of inter-

87-o

CORRECTED

district transfers and whether priority for the same would be given to the residents to perhaps bump out the current inter-district transferees, and how that would impact other families with established students, or how the numbers will shake out in terms of effect on enrollment. This is all relevant to level of service, impact on families, and traffic concerns. Why haven't inter-district transfers and possible modification thereof in terms of policy regarding allowing it been addressed? Why hasn't the enrollment and average daily attendance inclusive or inter-district transfers, or concise and reasonable estimates of additional student's data been included in assessment of whether or not the servicing schools in fact can handle the increased capacity?

87-o
Cont.

On its face it appears that the project estimate of number of persons in population increase and with it the number of school age children, is significantly underestimated. 166 residential lots at 2.9 persons is 481 persons. This does not give any consideration for "granny flat" or additional caregiver or in-law units (ADU), as defined and allowed by Government Code § 65852.2. I am informed and believe the change in state law took effect 1/1/2017 allowing for these types of units in support of increasing numbers of families having to care for elders, and due to the California housing shortage. With the dramatic state shortfall of housing it is more likely than not that the project household's potential assertion of rights to build an ADU would likely be greater than it appears, as the project estimates only 15 lots would utilize that resource. That suggests that only 9 percent of eligible lots would build an ADU. The percentages of housing unit shortfalls as per government research and published figures indicates a grave problem and I am concerned that the true number of household utilization of ADU's will be greater than what is currently projected in this case, especially once more people become aware of the resource. Per statute this could result in up to a 1200 square foot additional housing unit, which can be rented, too. This could result in the potential to double the number of persons per lot. I am informed and believe that the ADU's cannot be restricted if in compliance with state law. Based on 2010 census estimates of 2.9 person per household, not the 2.5-person estimate used in the report analysis, this could potentially result in a maximum increase in population to 962 persons. A more reasonable "worst case scenario," estimate would likely be ¼ of the number of lots utilizing an ADU with 2 persons residing in those units, giving a revised estimate of potential population increase of 564 persons. What is the basis for using 2.5-person average per household in the DEIR? Is that truly a reasonable average? Other estimates of some issues in the DEIR refer to utilization of "worst case scenario." Why wasn't this done in estimating potential population estimates?

87-p

Water supply/usage estimates, issues:

I am also concerned about the water usage and impact upon the Bella Vista Water District and its resources. I concur with Mr. Griffith in his letter referenced previously herein, and others as shown in published public comment letters, in which they cite potential problems with shortages and problems with the math regarding restrictions and allocation basis during periods of drought.

87-q

Upon cursory review of the information it appears that based on Mr. Griffith's analysis of the information that the new residences would somehow be afforded a 1/3 reduction in prior use basis for allocation in drought, due to lack of information on prior years use. Given the current climate and trends it appears clear that we could likely see another drought situation soon.

CORRECTED

Having livestock and other animals, and not having obtained an agricultural water use basis, I have suffered exceptionally high water bills in time of drought, as I have not and do not currently have alternative water resources, and therefore suffered the consequences of doubled and sometimes nearly tripled bills. This of course directly relates to true CCF usage, even with conservation efforts, like those utilized by Mr. Griffith. It appears to me that the basis per household on estimated water usage appears low. I am confident that the county and developer will utilize low flow water fixtures *initially*, but this does not negate the fact that outdoor use or modification of fixtures can and will occur. Despite everybody's best efforts I am suspicious that the CCF averages will in fact be much higher than estimated in the DEIR. Using my personal records and experience since mid-2013 as an example of a typical household with several acres, not under cultivation, with conservation practices still in effect, my current *adjusted* average *daily* use is approximately 591 gallons. This represents a period where we had rain and little outdoor water use outside of water for animals was utilized. Barring exceptional circumstances, such as leaks or line breaks, this amount can easily triple, especially during summer months. I have experienced many months of much higher use based on property and animal maintenance requirements and weather changes. The *adjusted* average I have cited in my case is very, very conservative. The DEIR water demand report shows an approximate average estimated usage for households in the project at 336 gallons per *day*. My online research found it appears that California studies in 2011 show an average *daily* household use of 350 gallons. It doesn't appear that the DEIR water report considers exceptional circumstances that can frequently occur, such as non-conforming residents that do not comply with conservation efforts and use excessive amounts, or leaks and line breaks.

87-q
Cont.

I can only assume that with a further draw on the Bella Vista System resources created by 181 residences (166 + 15 ADU's as estimated in the DEIR) that the drought year basis would be further reduced, resulting in further water restrictions, and thereby negatively affect property as it pertains to personal and commercial uses. It is clear by recent past efforts by the Bella Vista Water District to review, modify and enforce the water use allocations and permits, that a further draw on the system would result in the requirement of the water system authority to make more drastic changes, not to mention increased costs. Percentage reduction demands by Bella Vista Water can also be changed, and that might just happen, especially if faced with another drought situation. We might be looking at far greater than 5%-15% reductions or mandatory conservation requirements when the additional burden on the system of 181 households take effect. I am also concerned about the increased costs, whether it be increased water CCF unit costs or operational cost increases that would most certainly be passed on to the consumer. Does the DEIR present a clear picture to the layman of true effect upon future water usage, allocation, potential for future restrictions, and potential increased costs? I am not sure that is the case.

Community design/development/density/growth/urban change to rural setting:

One of the key factors in deciding to settle in Palo Cedro was the rural setting and quality of schools, safety and *increased* quality of life in general. Although I have not had time to review the Shasta County General Plan as it relates to planned developments like this, I feel that it is evident that the density and scope of the project does not fit with the surrounding residential area.

87-r

CORRECTED

On its face it appears to be too much development in a more clustered setting, with references already made to apparent amendments to zoning required for compliance.

87-r
Cont

Mitigation suggestion: Design/development/density/growth/urban change to rural setting:

Reduce the size (number of homes/parcels and increase lot/parcel size). A change in the proposed development plan with a greater minimum lot size, less parcels, greater open space that is more consistent with the local community.

87-s

These are some of the concerns I have over the proposed project. I object to the project as it is currently proposed in part due to the concerns cited herein.

Respectfully,



Michael R. Shapiro

PO Box 44

Palo Cedro, CA 96073-0044

Cc: Mr. James Griffith

File

*Note: Corrections to original letter shown in italics

MRS/me

Response to Letter 87 – Michael R. Shapiro

Response 87-a: The commenter makes an introductory statement in opposition to the proposed project.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-b: The commenter states he has observed speeding, accidents, and congestion in areas servicing schools. The commenter notes the Draft EIR does include some incidents but not those unreported (CEQA Requires best data- if there is not data...). The commenter asks what threshold the Draft EIR uses to determine significance. The commenter states that the 27% accident rate increase should be significant.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above, regarding traffic impacts, safety, mitigation, and fair share funding. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-c: The commenter estimates the current school population of Foothill Highschool is 1,452 students and estimates that 25% of those students drive to school and states such drivers have higher rate of accidents and offenses. The commenter states that he believes that increased population and resultant traffic will have a negative impact on the community.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, *Responses 17-l, 53-c, 65-l, and 67-e* provide further discussion related to speed of traffic. *Response 48-k*, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-d: The commenter states that he believed the traffic study does not address any traffic counts for Sweede Creek Road which is used to access North Cow Creek Elementary School and impacts were unaccounted for. The commenter states that traffic volumes on this road were not taken that it should have been included in the study.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, *Responses 17-l, 53-c, 65-l, and 67-e* provide further discussion related to speed of traffic. *Response 48-k*, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-e: The commenter states he does not see mention of pedestrian and equestrian in the subject area, specifically Deschutes Road and Swede Creek Road. The commenter states that these facilities would be installed as part of the project but states Swede Creek Road is not addressed in the Draft EIR and it should be.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, **Responses 17-l, 53-c, 65-l, and 67-e** provide further discussion related to speed of traffic. **Response 48-k**, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-f: The commenter agrees with, and supports, the letter written by James Griffith.

The commenter is referred to **Responses 48-a** through **48-cc** and **Responses 69-a** through **69-d**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-g: The commenter notes that there is a lack of patrol or proactive enforcement of traffic laws within the area of Swede Cree Road that access North Cow Creek Elementary.

The commenter raises no issue of adequacy of the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-h: The commenter notes that there is a lack of patrol and proactive enforcement in the Deschutes area, especially near Foothill High School. The commenter states that additional enrollment will increase traffic and affect safety. The commenter states that the numbers presented in the Draft EIR and supplemental reports do not give the reader a clear view of impacts.

Please refer to **Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o**, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, **Responses 17-l, 53-c, 65-l, and 67-e** provide further discussion related to speed of traffic. **Response 48-k**, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-i: The commenter states that better mitigation would be to install a traffic circle at Deschutes Road and Boyle Road instead of a four way stop and northbound Deschutes is poorly suited for a stop sign. The commenter notes that he is aware of one accident death at the of Deschutes Road and Old Deschutes Road and further notes additional observation about heavy traffic including truck traffic, visual hazards, and improper safety

fencing, but it is unclear if this is in reference to Deschutes Road and Boyle Road or Deschutes Road and Old Deschutes Road.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, *Responses 17-l, 53-c, 65-l, and 67-e* provide further discussion related to speed of traffic. *Response 48-k*, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-j: The commenter states that the safety and traffic issues would be further mitigated by improvement, extension, and installation of pedestrian sidewalks, at least from North Cow Creek School west to the underground pedestrian walkway at Deschutes Road. In addition, the commenter states a lighted and delineated crosswalk should be installed at Old Deschutes Road in two locations. The commenter also notes how students attending Foothill Highschool are walking in and on the shoulders of the roadway.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-v, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, *Responses 17-l, 53-c, 65-l, and 67-e* provide further discussion related to speed of traffic. *Response 48-k*, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-k: The commenter recommends that mitigation include installation of a lighted modern design radar based speed warning sign in approach to the north Cow Creek Elementary School Zone and the crosswalk should be updated with lighted crosswalk and signs.

Please refer to *Responses 4-b, 5-c, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 32-c, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-p, 48-q, 48-v, 48-w, 49-b, 50-b, 54-a, 54-f, 57-h, 57-i, 59-f, 59-g, 59-i, 65-l, 65-m, 65-n, and 65-o*, above, regarding traffic impacts, safety, mitigation, and fair share funding. Specifically, *Responses 17-l, 53-c, 65-l, and 67-e* provide further discussion related to speed of traffic. *Response 48-k*, above, is specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-l: The commenter questions why other schools are mentioned in the EIR when the Draft EIR defines Foothill High School and North Cow Creek Elementary School as the schools that would service the proposed project. The commenter requests that the Draft EIR define the purpose of the school information provided.

Page 5.13-4 of the Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the Draft EIR explains that the proposed project is within both the Columbia Elementary School District and North Cow Creek School District. In addition, to provide a complete view of the

existing school conditions in these two districts, additional schools were discussed. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-m: The commenter states there appears to be no reference for the declining school enrollment and states they are not pertinent in reference to traffic. The commenter makes additional statements about the Draft EIR appearing incomplete and confuses school enrollment and traffic impacts. The commenter asks for a more clear and concise accounting of maximum enrollment and ability to handle increases.

Regarding the references to declining school enrollment, the commenter is referred to Page 5.13-4 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which has a total of six footnotes and associated numbered references in the text of the corresponding page of the Draft EIR. The references all refer to current enrollment or expansion plans and are noted as from the Education Data Partnership or as Letters received from the school districts.

It is unclear what the commenter is referencing regarding school enrolment and traffic impacts. Section 5.16, TRAFFIC AND CIRCULATION, does not mention school enrollment but does highlight the schools in proximity to the proposed project and associated impacts.

Regarding the request for a more clear and concise accounting of ability to handle increases, the commenter is again referred to Page 5.13-3 and 5.13-4 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which list school enrollments and Page 5.13-13 and 5.13-14 of the same section that discuss impacts to school including use of the enrollment figures. The Draft EIR concludes that the proposed project would not result in the need to alter or construct new facilities for school, thus impacts are *less than significant*. This is in direct response to the CEQA threshold of significance listed in Impact 5.13-1 on page 5.13-11 of the same Section. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-n: The commenter states the most recent Census shows an average 2.9 persons per household and questions the Draft EIR's use of 2.5 persons per household, and says the percentage of school age children appears low. The commenter asks what is the basis for estimating the number of potential students and that he does not see any citable data. The commenter then asks if there is in fact data referenced in the Draft EIR to factor appropriate estimates as it relates to school enrollment.

The commenter is referred to page 5.13-11 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which states the 2.5 persons per household is based on DOF (Department of Finance) estimates. The commenter is also referred to Page 5.12-1 of Section 5.12, POPULATION AND HOUSING, which states in part, the population and housing information is derived from sources including the California Department of Finance, 2016 and U.S. Census Bureau. 2000, 2010, 2015, 2016. The commenter is referred to Page 5.12-2 under the heading Regional and Local Housing Trends which shows that the number of persons per household in Shasta County in 2010 was 2.48 and in 2016 was 2.5. These are sourced as Census, 2010, and DOF, 2016, respectively, immediately following their use in the Draft EIR on the listed page.

The Draft EIR used the data available for Shasta County as opposed to the of the State as a whole to provide a more accurate representation of likely population generation as a result of the proposed project.

Regarding the percentage of school age children being low, the commenter is again referred to Page 5.13-4 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which states, "According to the CESD, the current student generation rates per dwelling unit is 0.5." This source is cited as a letter received from Columbia Elementary School.

Based on the commenters comments, no further response is necessary and no change to the Draft EIR is necessary.

Response 87-o: The commenter states that the Draft EIR stays silent on the enrollment for North Cow Creek Elementary. The commenter continues stating that other schools are mentioned, and alludes to the thought this is to support reports of declining enrollment.

Regarding the enrollment of North Cow Creek Elementary, the commenter is referred to page 5.13-4 and 5.13-5 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, the Draft EIR states that the North Cow Creek Elementary is in the North Cow Creek Elementary School District and is a one school district. North Cow Creek works in partnership with Shasta County YMCA and had a 2014-2015 enrollment of 255 students.

The commenter also states that the number of interdistrict transfers and priorities of transferee's and the resulting potential impacts on families with existing students should be addressed to evaluate level of service, impacts on families, and traffic concerns. The commenter further asks why these things are not considered in determining if the schools can handle the additional capacity.

The commenter is correct that the Draft EIR does not analyze the number of potential interdistrict transfers. Calculating inter district transfers is unnecessary to evaluate the impacts to the school. The commenter is again referred to pages 5.13-13 and 5.13-14 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which, based on information obtained from the pertinent school districts, determine that impacts to school from the projected generated 83 students, would be *less than significant*.

State *CEQA Guideline* §15204 pertaining to the Focus of Review. In part this guidelines states, "At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR."

In addition, CEQA does not call for speculation. State *CEQA Guideline* §15187(d) states, "d) The environmental analysis shall take into account a reasonable range of environmental, economic, and technical factors, population and geographic areas, and specific sites. The agency may utilize numerical ranges and averages where specific data

is not available, but is not required to, nor should it, engage in speculation or conjecture.” Accordingly, the Draft EIR did take into account technical factors, the existing as well as project populations, as well as geographic factors including that of the proposed project and surrounding areas, school used generation rates to determine the demand from future residents of the proposed project. However, to attempt to guess the number of interdistrict transfers, as the commenter suggests, would be based on speculation and conjecture over the years of project buildout and, according to State *CEQA Guidelines*, such speculation is not appropriate.

Response 87-p: The commenter reiterates that the project number of resident of the proposed project is underestimated. The commenter cites the same census data (2.9 persons per household) twice. The commenter also states that the number of accessory dwelling units is underestimated and the overall population generated by the proposed project is underestimated because of Government Code §65852.2 that would allow “granny flats.” The commenter then questions why a “worst case scenario,” such as 25% was not used for the analysis.

The commenter is referred to **Response 87-n**, above, which explains the use of 2.5 persons per household based. The 2.5 persons is based on California Department of Finance data for Shasta County alone, while the 2.9 persons is based on US Census data for the State of California as a whole.

The commenter is referred to page 3-16 of the Section 3.0, PROJECT DESCRIPTION, of the Draft EIR which cites Government Code §65852.2 in text and discusses how it entitles approved lots to an accessory dwelling unit. On the same page the Draft EIR states that it is assumed approximately 9% or 15 lots would have secondary units based on historical County Trends. The Draft EIR states that data obtained from the Shasta County 2009-2014 Housing Element (appendix B-Residential Land Inventory) and the County’s Draft Housing Element (Appendix B-Residential Land Inventory) was used to estimate accessory dwelling units. Accordingly, as states in the citation, from 2007-2009 79 accessory dwelling were constructed out of 664 total units, and from 2014-2016 (the most current data available at the time of the Draft EIR) 11 accessory dwellings were constructed out of 356 units constructed countywide. As a result, the 8.8% accessory dwelling unit assumption was reasonably made based on the available historical data.

Regarding the commenters suggestion to use 25% or a worst-case scenario, State *CEQA Guideline* §15144 requires some degree of forecasting to which an agency must use its best efforts to find out and disclose what it reasonably can. In the case of the proposed project, the Draft EIR used the best information available to forecast a reasonable estimate of accessory dwelling units but CEQA does not require a worst-case analysis.

Response 87-q: The commenter states that he is concerned about water usage and the impact on the Bella Vista Water District (BVWD). The commenter states that he concurs with the comments from James Griffith and others in the comments about water shortfalls, past drought and potential future drought, water rationing, and higher bills. The commenter states that he owns several acres and uses 591 gallons a month and does not think the water use estimates for the proposed project are accurate. The commenter also asks about potential cost increases to water customers and questions if the Draft EIR presents a clear picture of water issues.

The commenter is referred to Section 5.17, UTILITIES AND SERVICE SYSTEMS, for a discussion of impacts to water use, **Master Response-3**, **Responses 7-a** through **7-p**, **Responses 48-a** through **48-cc**, and **Responses 69-a** through **69-d**. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-r: The commenter states that they moved to Palo Cedro was for the rural nature of the area and states that the proposed project does not fit with the surrounding residential area.

The commenter is referred to **Master Response-2** which discusses the proposed project zoning and development. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-s: The commenter suggests mitigation to include a reduced side and numbers of homes, greater minimum lot sizes, less parcels, and greater open space that is consistent with the community. The commenter concludes that he is opposed to the project as proposed in part because of the listed concerns.

The commenter is referred to **Master Response-2** which discusses the proposed lot sizes and also provides some discussion of Alternatives. Regarding the commenters suggested mitigation, these are all elements of the different project alternatives discusses in Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT. The commenter also is referred to **Response 44-a** which further discusses alternatives and CEQA requirements for a discussion of a reasonable range of alternatives, which is again discussed in Section 7.0. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 88 – Brad Seiser (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 4:59 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles Public Comment Submission

From: Brad Seiser [mailto:brad.seiser@frontier.com]
Sent: Friday, December 29, 2017 4:55 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles Public Comment Submission

The proposed DEIR for the Tierra Robles Subdivision demonstrates why this urban/suburban development does not belong in this rurally zoned residential and agricultural area. The fact that the main street of this development is named "Tierra Robles Parkway" denotes how out of touch the Developer is to the true nature of this community. I believe this development has the dubious honor of being the first "Parkway" in Shasta County and reveals the true motivations of this project, namely the introduction of suburban sprawl into the County's rural residential communities.

88-a

And changing the "Parkway" name won't change what's really wrong with this irresponsible, precedent setting development. This size and scope of this project is breathtaking, but not in a good way. It will kill thousands of trees, displace wildlife, add to an already unsustainable water demand that our finite Bella Vista Water District will not be able meet in single and multiple drought years, and will put an additional 300 plus cars on our local roads for over 1700 plus added trips per day. And create a new overtasked and underfunded Community Services District that will ultimately end up on the doorstep of County government to bail out.

88-b

This project does even begin to touch on what Responsible Rural Development is and perhaps the County needs to reconsider the fox it is about to unleash in the henhouse. Approval of this project in it's current configuration would give the message that it's open season for suburban sprawl in Shasta County.

88-c

Please stop this project now so a better plan for responsible rural development can be designed and implemented.

Thank you for your consideration of these issues.

Brad and Barbee Seiser
10603 Northgate Drive
Palo Cedro, CA 96073

Response to Letter 88 – Brad Seiser

Response 88-a: The commenter states that the proposed project is out of place for the rural community and constitutes urban sprawl. The commenter notes that the use of the street name, “Tierra Robles Parkway” demonstrates this.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 88-b: The commenter states that changing the “parkway” name will not change the irresponsible precedent setting development. The commenter states that the proposed project will kill thousands of trees, displace wildlife, and add to unsustainable water demand, add to traffic, and create a new overtasked and underfunded community services district that will ultimately require a bailout by the county.

The commenter states previously noted disclosures in the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. Although no further response is necessary and no change to the Draft EIR is necessary, the commenter is referred to the following sections for further explanation regarding the statements.

Regarding the statement about precedent setting development, the commenter is referred to **Response 65-a**, which explains the discussion in Section 6.0, GROWTH INDUCING IMPACTS, and why the proposed project is not precedent setting. Regarding impacts to trees and wildlife, the commenter is referred to Section 5.4, BIOLOGICAL RESOURCES, and **Responses 3-a through 3-v, 10-d, 12-a through 12-d, 13-j, 13-k, 16-c, and 32-i** for a discussion and explanation of and the Draft EIR’s disclosure of impacts to oaks and wildlife. Regarding impacts regarding water, the commenter is referred **Master Response-3**. Regarding the comment that the community service district is underfunded and will require a bailout, the commenter does not provide any facts or evidence to support the contention that this will occur. In addition, it is speculative to state that community services district would be underfunded and require a bailout. CEQA analysis is limited to what is known or reasonably foreseeable, therefore, this speculation is not a part of the analysis included in the Draft EIR. No changes to the Draft EIR are required.

Response 88-c: The commenter states an opinion about responsible rural development and mentions urban sprawl. The commenter requests the project be stopped so a responsible rural development can be designed and implemented.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

APPLICANT COMMENTS

Letter 89 – Wildland Resource Managers (December 28, 2017)

RECEIVED

DEC 28 2017

County of Shasta
Permit Counter

Wildland Resource Managers

P.O Box 102
Round Mountain, California 96084

Mr. Richard W. Simon, Director
Department of Resource Management
Shasta County
1855 Placer Street, Suite 103
Redding, California 96001

December 28, 2017

Dear Rick,

I have had the opportunity to review the Tierra Robles Draft Environmental Impact Report (DEIR), thank you for sending it to me. I respond here not as a planning commissioner but rather as a professional biologist with over 40 years of management experience, and as one of the team members that worked over 10 years on this project.

My comments are as follows: While the authors of the DEIR have provided a great deal of analysis over many subjects I believe that they have significantly missed the mark with respect to two, those being the projects impacts to the biological resource and a scientific approach to mitigation. The failures in these areas presents a skewed picture of the project and leads to misplaced mitigation emphasis. These concerns are easily illustrated as follows:

On Pg. 2-17: The DEIR states "No projective alternative:" The existing site would remain unaltered and in its current condition...no physical changes would occur... Within a living ecosystem it is incorrect to say that the site would remain unaltered and in its current condition. Vegetation continues to grow, increasing fire fuels and the chance for a dominant fire event. The oak resource will continue to be in an overstocked condition with increasing decadency, reducing the habitat quality. Lack of grazing will result in the reduction of vernal wetland habitat quality as grasses will outcompete sensitive wetland plant species. These are environmental impacts and the concept of no impact through no action is a false premise. A no action will have an impact on the environment and should be spelled out as such. Failure to do so will lead the public to a faulty understanding of what would happen under such a management option.

On Pg. 5.4-30, under Wetland Delineation the DEIR states: "A Corp verification is valid for a 5-year period." The TR planning team requested and received a "preliminary determination" which has no time limit on it. The 5-year period is for a "jurisdictional determination" which involves on-site work done by the ACOE. The "preliminary determination" is utilized to have the ACOE validate the wetlands mapping as accurate. The project received ACOE preliminary jurisdictional determination verification by letter on October 24, 2011 and this letter was forwarded to the authors of the DEIR. So, the statement in the DEIR saying that the wetlands delineation "may be subject to renewal if wetlands or other waters of the US are impacted" is incorrect and misleading.

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On Pg. 2-36 Impact MM5.4-1e states: Project applicant shall preserve an offsite population of Red Bluff dwarf rush in perpetuity.... equal to or greater than on site populations.... My question and concern go hand in hand; Why? The project was specifically designed to avoid all wetlands, including habitat for the RBDR. In addition, a basin hydrology analysis done for the area inclusive of the rush habitat found that post project hydrology would mirror pre-project hydrology. Therefore, the geographical and hydrological features of the basin will retain the present habitat character of the swale post development. This is based on real science, not subjective analysis. In addition, to protect this habitat from disturbance, a buffer area was placed around the wetland areas as well as designated building pad locations being placed greater than 100' from the habitat (BR, Figure 4, pg. 36). Clearly, there will be no impact to the habitat of rush. To say there is impact requiring mitigation is, from all evidence, simply incorrect and without any substantiation within the DEIR. I think this is a serious misuse of the principal of mitigation. Mitigation is defined as: the action of reducing the severity, seriousness, or painfulness of something." So, the question herein is where is the impact that must be mitigated for? This has not been demonstrated in the DEIR.

On Pg.3-34 the DEIR notes: "Provide significant onsite oak woodland *preservation* and implement an oak management strategy designed to maintain and enhance the onsite oak resource." This statement is in conflict with itself. You cannot preserve a living organism, we can *retain* it. Preservation and active management are incompatible terms. By saying the oak woodland will be *retained* we can then say they will be retained through management as described in the TR Oak Management Plan in such a manner as to improve the stand in terms of vigor and habitat quality. This is a fundamental principal of biology and the EIR should clearly state that habitats are retained through management and that a no action alternative actually is an action by default of doing nothing, with a corresponding result of loss of habitat quality, increased fire danger and degradation of the oak resource. The project area is within a fire climax ecosystem and if not managed, in time, it will burn with potential catastrophic results. This should be spelled out in the no action alternative section.

On Pg. 5.4-40-41, under Oak Mitigation Credits, the DEIR states that the impact of the proposed project on oak woodland is high and correlates to a "significant adverse environmental effect;" yet there is no substantiation for such a statement. The report credits the project with 304.2 acres of mitigation credits with 137.8 being applied through an off-site conservation easement. This section on mitigation seems to indicate that the preparers of the DEIR do not comprehend the value of the oak management proposed as part of the plan. Rather than it having a significant adverse environmental effect, it will have a significant positive environmental impact as testified by Dr. Phil McDonald at our meeting with CDFW last spring. To point, the DEIR makes "estimates" of impacts to the oak woodlands without any quantifiable data and notes that there would be direct loss of 221 acres. The statement implies that the project will take out of production these acres. Anyone living below 2,000-foot elevation within Shasta County interfaces with oaks and realize that wildlife certainly utilize oak woodlands in association with residential homes and wildlife will certainly utilize the oak resource of TR post project. Further, house site locations are restricted to those areas on a lot that would impact the fewest number of oaks. The TR Oak Management Plan was put together by a Registered Professional Forester, two PhD oak researchers and a Certified Wildlife Biologist, all with significant experience in oak management, and promotes a management stratagem that enhances oak resource values and stand vigor, and yet the DEIR authors postulate an adverse effect. Further, in the meeting of April 12, 2017 this issue was discussed in detail and the DEIR team members acknowledged, to their credit, that their mitigation numbers were a

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"SWAG." At that meeting it was clearly agreed that there would only be the need for 65 acres of offsite mitigation in combination with the proposed oak management plan. This deviation from agreed to mitigation is most concerning and does not bode well for the reputation of the County Planning process. If one thinks critically about buying into an oak conservation easement, while it might sound good, it accomplishes nothing biologically. Those oaks that make up the conservation easement area are there already and will most likely be retained due to present environmental laws with no actual management planning to enhance the stand vigor; so, such mitigation is a feel-good approach only with no real value. Conversely, the oak management strategy outlined within the TR Oak Management plan is an on-site approach that has real and long-lasting benefits to the oak resource and associated biological resources such as wildlife. This is what should have been brought out in the DEIR and needs to be brought out in the final EIR.

On Pg. 5.4-56: Annual grassland and oak woodlands: The conversion and fragmentation of annual grasslands and oak woodlands are irreversible losses of wildlife habitat and remain cumulatively considerable and therefore, significant and unavoidable impacts. Again, this is an inaccurate and unsubstantiated statement. The only actual conversion would be the footprint of the roads and houses themselves. Other than that, the oak woodland areas and grassland areas will continue provide habitats. The EIR acknowledges this on pg. 5.4-54 where it notes "the proposed project site has a higher potential to be used by smaller mammals such as raccoons and striped skinks, particularly if denning habitat is available nearby. ...these species generally thrive in developed areas, impacts are considered less than significant." It is anticipated that with buildout there will be a greater diversity of habitat and water availability as landscaping occurs which will introduce additional floral species as well as irrigation.

On Pg. 2-31 Impact 5.2-3 states that "loss of agricultural lands on the subject property shall be offset through establishment of a conservation easement providing for agricultural use of offsite lands in perpetuity..."

Further, on page 5.4-38 it states that "Annual grasslands are not considered a sensitive natural community by CDFW and mitigation is not typically warranted." And further it states that "remaining grassland will provide sufficient mitigation." So, the question being, where are the agricultural lands to be mitigated for? The soil type of the grassland areas is of the Red Bluff series of gravelly old alluvium and suitable for range pasture and homesites, possible orchard (Shasta County Soil Survey, 1971). This is not prime agricultural land. The DEIR acknowledges this point on pg. 5.2-16 where it states: "the proposed project would not significantly impact prime farmland, unique farmland, or farmland of statewide importance." If remaining grassland provides sufficient mitigation as stated in the DEIR it stands to reason that there would be no reason to establish a conservation easement offsite to provide for loss of agriculture lands.

On Pg. 5.4-13; Essential Fish Habitat, the DEIR comments: "Project area is within a hydrologic unit (Cow Creek) which is designated as EFH for Chinook salmon." While this may be true, CDFW noted to the project planning team the on-site reach of Clough Creek is not suitable habitat for salmonids. Further, the DEIR on Pg. 5.4-20 Table 5.4-4 states streams on project are potential rearing/spawning habitat. This again is not consistent with the CDFW analysis.

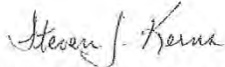
On page 5.4-27 the DEIR states that approximately five elderberry clusters have been identified on-site. EPLAN's map of 8/9/12 that indicates three sites on the project area with three locations just off property. WRM's investigation concurred with the ENPLAN map. The DEIR does not accurately reflect the field conditions noted by both ENPLAN and WRM.

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I believe these examples illustrate my concern that the DEIR misrepresents the true impacts of the project and by failing to do so misapplies mitigation approaches. I would hope that the Shasta County Planning Department would not accept a final EIR that makes the same errors.

Thank you for the opportunity to comment.

I remain, yours respectfully,



Steven J. Kerns, Principal and Certified Wildlife Biologist

cc: Stephen Nelson, Robert Geringer, David Storer

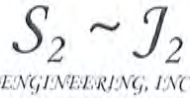
89-a

Response to Letter 89 – Wildland Resource Manager

Response 89-a: The applicant provided comments related to biological resources on the Draft EIR.

The applicant has discussed these concerns with the Lead Agency and has determined that all environmental resources have been evaluated appropriately by the Lead Agency in the Draft EIR and that mitigation measures are sufficient for the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 90 – S2-J2 Engineering – Steve Nelson (December 29, 2017)



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December 29, 2017

Richard W. Simon AICP, Director
Department of Resource Management
Shasta County
1855 Placer Street, Suite 103
Redding, CA 96001

RE: Comments on the Draft Environmental Impact Report (DEIR) for the proposed
Tierra Robles Planned Development Project (SCH No. 2012-102051)

Dear Mr. Simon:

Thank you for the opportunity to provide comments on the above referenced DEIR. I am happy to provide you with the following comments below all in an effort to assist the County as it prepares the Final Environmental Impact Report (FEIR) for Tierra Robles.

Oak Woodland Mitigation

The main area that requires attention by the preparers of the DEIR (and is a significant issue to us as the applicant) is the treatment in the DEIR of the mitigation described for Oak Woodlands. First let me state that, as the applicant, I have not agreed to mitigation measure MM 5.4-1a due to its excessive rate of mitigation as "required" by the County. Specifically, the DEIR does not recognize our groundbreaking efforts contained within the Oak Woodland Preservation Plan (OWPP) and ignores its qualitative treatment/efforts of the significant woodland areas. It is our determination as the applicant that, based on the work strategy contained within the OWPP, our project has more than mitigated for the impacts to Oak Woodland pursuant to CEQA.

The DEIR contains a variety of mitigation components (mitigation ratios) that are not supported by science, the courts or other CEQA documents (EIR's, Mitigated Negative Declarations or Negative Declarations) that we have seen. Further, the ratios are not ones that the County has implemented pursuant to Public Resources Code section 21083.4 (b) (4). The DEIR however, has identified 446.6 acres of the project site as "impacted areas". Of this number, 146.2 acres are areas that have "direct impacts" for roads and building envelopes. There are 300.4 acres identified as having "edge" impacts within the Resource Management Areas (RMA's); and as such, the impact to Oak Woodlands is not as severe as that for "direct impacts". Thus the "edge" impacts are assessed at a lower impact value

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and when added to the direct impacts total an area of 221 acres that need to be mitigated. For a reason uncertain to me, the DEIR then requires a mitigation of 2:1 for these 221 acres, totaling 442 acres. The mitigation standard in the DEIR of 2:1 is taken from a 2008 publication by the University of California (UC) Integrated Hardwood Range Management Program (IHRMP); a program that was discontinued in 2009. The report, which was a "Guide for Planners" in response to recently enacted legislation (SB 1334) – is entitled, "The Oak Woodlands Impact Decision Matrix." The above referenced "recommendation" as stated in the DEIR is actually not a "recommendation" in the document it references, but one of two choices or "considerations" that an agency could use for mitigation and incidentally, is found in the "Appendix" of the 14 page document, entitled "Mitigation Considerations". The FEIR must accurately reflect this source for its lack of a formal recommendation or be deleted in its entirety therein.

Based on our analysis, the project is "over-mitigated" and has a surplus of credits that can be used for other developments in the County at a future date. Assuming that the mitigation ratios are appropriate on page 5.4-41 (as created by the County), then the project has "over-mitigated" by 83.2 acres. This is calculated using a known industry standard of 1:1 mitigation, by recognizing the credit values of 304.2 acres on the same page referenced above and subtracting 221 acres for the "direct and edge impacts".

On a parenthetical note, I do not agree with the notion that the RMA's are "impacted" areas and as such, there should be no mitigation assessed in any calculation. This would mean that the project has actually "over-mitigated" by 158 acres. This is determined by subtracting 146.2 acres of "direct impacts" from the onsite mitigation credits of 300.4 acres. The DEIR should be amended to include one of the two methods that I have outlined above.

Again, thank you for the opportunity to comment on the DEIR. Please call me if you have any questions or need clarification on any comment that I have presented.



Steve Nelson
Project Engineer

90-a

Response to Letter 90 – S2-J2 Engineering

Response 90-a: The applicant provided comments related to biological resources, specifically the Oak Woodland Mitigation on the Draft EIR.

The applicant has discussed these concerns with the Lead Agency and has determined that all environmental resources, specifically biological resources, have been evaluated appropriately by the Lead Agency in the Draft EIR and that mitigation measures are sufficient for the proposed project. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.