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- 64-21 **NOISE-**  
On page 4.6-12 of the DEIR, the railroad noise impact is considered “less than significant.” However, the analysis does not mention train horns which are significantly louder than “railroad noise.” Union Pacific Railroad wrote a very strong letter opposing the project based on train horns and safety issues. Train horns need to be considered in the noise evaluation.
- 64-22 **LAND USE -**  
The Clover Valley project is in conflict with the Open Space, Conservation, and Recreation Element policies of the City of Rocklin’s own General Plan. On page 4.2-7 and 8 these policies are listed. On page 4.2-11, the DEIR states that there are significant impacts to oaks, wetlands, sensitive status species and the creek. The DEIR states that these impacts are imitigable.  
The DEIR does not recognize the value of the property as an intact watershed and natural ecosystem. The land use of the property for outdoor education is extremely valuable. Since the property has been virtually untouched since the 1920’s, it is a perfect outdoor laboratory for studying the functions of riparian and wetland environments, oak savanna habitat, wildlife species, and cultural resources.
- 64-23 This proposed project is in direct opposition to Policy 1 (protection of natural resources), Policy 2 (protection of wetlands), Policy 4 (protection of oak trees), policy 15 (setback of houses from creeks), Policy 19 (degradation of water quality, prohibition of cut and fill grading), and Policy 20 (visual consistency, especially with rural areas to the east). Although the DEIR states that the project is less dense than required by the General Plan zoning and has more Open Space, this does not mitigate for the conflict with General Plan policies having to do with protection of natural resources.
- 64-24 Approximately 60 acres of the dedicated “Open Space” is composed of city maintained landscaped lots or disturbed, revegetated utility corridors. This type of Open Space designation is misleading since it is not equal to the high quality, natural Open Space of Clover Valley today.
- 64-25 The project is not consistent with the intent of the General Plan and this impact is underestimated in the DEIR on page 4.2-12 as “less than significant.” The City of Rocklin leaves itself open to challenge on it’s weak and generalized zoning rational for consistency of this project with Rocklin’s General Plan Policies. Just because the project is downsized and provides greater Open Space than is required by the zoning, do not confuse this with a project that is well planned and protects natural resources.
- 64-26 The proposed project will contribute to urban sprawl, the hallmark of Rocklin. The project destroys one of the last remaining Open Spaces within the city limits. This project is an example of extremely poor urban planning because it places sprawled

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64-26 ↑ development at the outer fringes of the city limits, adding to traffic, noise, pollution, and destruction of scenic view. The project will be built on pristine land which currently exists as a greenbelt and community separator for the City of Rocklin. This project is truly the worst of it's kind.

**AESTHETICS-**

64-27 This Chapter needs complete revision as it underestimates the visual impacts to residents living east of the site who live in a rural area and have unobstructed views of a completely undeveloped and scenic watershed, Clover Valley. The residents on the rural Loomis side of Clover Valley should not be held to what is considered "consistent" with development on the Rocklin side. The view to the west will be permanently altered by cut and fill terracing, development near the ridgeline, and road development on the steep east facing canyon slope. The view from the west will be permanently altered with loss of the Sierra Nevada Mountains. This is a significant unmitigatable impact which was brought up at public hearing. This impact is not addressed in the DEIR.

**HYDROLOGY AND WATER QUALITY-**

**Stormwater-**

64-28 Storm water is the single largest problem that will face this project post development. This development will contribute to alteration of the natural drainage pattern of Clover Valley and the riparian wetlands and significantly degrade water quality. Stormwater discharges resulting from this project will lead to increased erosion, siltation of the creek and wetlands, and degradation of water quality. The factors which will contribute to the decline in water quality are development of the steep slopes of Clover Valley using cut and fill terracing, grading of 309.6 acres of the project site, permanent removal of 7,400 oak trees, removal or destruction of riparian and wetland vegetation and function, a dramatic overall increase in impervious surfaces of the project site, and construction of roads adjacent to and crossing the wetlands and creek.

64-29 The stormwater drainage plan is incomplete and vague. On page 4.11-21, the DEIR states that "the final water drainage plan shall be submitted for the review and approval of the City Engineer prior to approval of the final maps." However, prior to City Engineer approval, the Regional Water Quality Control Board is the agency that needs to review the stormwater system for compliance with State stormwater and surface water antidegradation policy for the protection of water quality. The ACOE needs to approve the final water drainage plan as the agency with jurisdiction over impoundment of water, i.e. the detention basins (page 4.11-6).

64-30 ↓ The analysis of storm water impacts are not complete. The specifics of a well thought out storm water plan are omitted in the DEIR evaluation. The DEIR proposes the use of pipes and ditches to run 100% of the storm water from the development to the most sensitive environment in the project area, the creek and wetlands. The volume of stormwater due to impervious surfaces, grading and road construction, combined with the

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- 64-30 <sup>↑</sup>steep sided canyon slopes, will result in both increased peak flows and increased speed of the storm flows. This will cause erosion and sedimentation into the pristine waters of Clover Valley Creek and associated wetlands.
- 64-31 Although water quality treatment systems are proposed at the end of pipe for each storm drain outlet, "the specific treatment structures to be used have not yet been determined. (pg4.11-21). Again we see that the storm water issues are up in the air and details of the design have not been worked out. The treatment systems may ultimately prove inadequate because of the sheer volume and force of storm water flow down 30 to 40 % slopes. As a precaution, the DEIR recommends maintenance of the treatment structures 4 times a year instead of once a year because of the "high erosion/sedimentation rates observed on the project site" (page 4.11-22). The DEIR recommends the use of BMPs on each parcel due to concerns about storm water runoff contributing to degradation of Clover Valley Creek and wetlands. The City of Rocklin needs to require, not just recommend the BMPs listed on pages 4.11-24 and 25 or face the consequence of becoming a discharger of polluted stormwater to the pristine creek and wetlands.
- 64-32 The City of Rocklin needs to require that all vegetation planted at storm water outfalls, along roads, the biketrail, for all city landscaping, and utility easements utilize only native plants. No non-native species should be planted for landscaping, erosion control, or bank stabilization in and near the creek and wetlands.
- 64-33 The tentative maps show numerous 10 foot drainage easements coming off the steep slopes and draining into Clover Valley Creek. Storm water would be conveyed to the creek through pipes and open ditches. According to the DEIR, all storm water will drain to the creek and two artificial detention ponds will be created in Clover Valley Creek at the Valley Clover Way and Nature Trail Way upstream crossings by restricting the flow capacity under the bridge. However, parcels 435 through 439 are located 50 feet from the 100 year flood line at the Valley Clover Way detention basin. If flows are increased and backup at this location, there is a potential for flooding of homes at this location. A more creative and well engineered storm water design plan is needed which would use vegetated swales on the level (horizontal) terraces of the cut slopes between individual parcels for slowing, filtering and infiltrating storm water **BEFORE** it is directed downslope. Each parcel should incorporate a retention or infiltration basin in it's landscape plans to reduce the need for the large polluted and stagnant detention basins during the winter months.
- 64-34 The use of box culverts for roads crossing the creeks restricts natural creek meandering and flows and restricts the movement of mammals and aquatic species. All road crossings should be spanned arched culverts to maintain the natural creek bottom, allowing the creek to meander and wildlife to pass underneath. This is addressed on page 4.11-27 and needs to be implemented for all creek and wetland crossings.
- 64-35 The only way to fully mitigate the significant impacts due to stormwater are to pump all or a portion of the runoff uphill out of the canyon into an off-site conveyance system.

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64-36 The DEIR states on page 4.11-6 that non-point source discharges are “generally exempt from federal NPDES requirements.” However, municipalities are ultimately responsible for non-point source discharges within their city limits and requirements to control non-point source discharges are likely to increase in the future. Oversight and regulation of non-point source discharges is the responsibility of the Regional Water Quality Control Board. After the developers are long gone, the City of Rocklin will be responsible for the non-point source discharges of this project and the degradation of Clover Valley Creek and the wetlands due to storm water impacts. This may cost the City of Rocklin lots of money over the long term.

64-37 On page 4.11-13, the DEIR states that the hydrologic/ hydraulic modeling needs to be revised and the “final master drainage plan” is not prepared. Therefore, because the plan is incomplete and the public has not had a chance to evaluate the drainage design plan, the drainage plan must be finalized and recirculated for public review according to CEQA before the final EIR can be approved.

### **Detention Basins for Stormwater Ponding-**

64-38 An important function of wetlands is to filter and slow storm water prior to entering a drainage channel. By creating the proposed detention basins in the wetland areas, the ponded water will reduce the ability of the wetlands to perform their important filtering function. Large volumes of sediment will be deposited in the creek and wetlands as a result of upslope grading and ground disturbance. Over time, the wetlands and creek corridor will fill in with debris, trash and sediment and require dredging. Dredging will negatively impact the overall function of the creek and wetlands and put wildlife in danger of being injured or killed. This impact is not addressed in the DEIR. Mitigation is needed to replace the loss of function and the eventual filling of the creek and wetland at the detention basins. A no net loss replacement wetland should be required to mitigate the loss of wetland function due to the detention basins.

64-39 Even with the best and well-maintained end of pipe filtration systems, storm water is polluted. The DEIR states on page 4.11-22, “that even with the proposed treatment system there would be an increase in the pollutants reaching Clover Valley Creek.” The fact is that stormwater will negatively impact the creek and wetlands and that this impact is likely to increase over time. This impact is even more egregious since the baseline water quality of Clover Valley Creek prior to development is very high.

64-40 By creating the detention basins within the creek corridor and wetland areas, all of the polluted storm water from the development ends up in the most sensitive environments in the project area, the wetlands and creeks. This is an extremely bad design plan. The stormwater detention basins should be located away from the creek and wetlands in order to avoid polluting them. Another alternative is to filter the stormwater, store it, sheet flow it over grasslands (not oak woodland!) or use it exclusively for irrigating city owned landscaping in the project area or for landscaping on individual private lots. Another alternative is to pump all or a portion of the stormwater up out of the canyon

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The DEIR has proposed the very worst stormwater design system (down slope pipes and drainages, direct discharge into surface water, stormwater impoundment in the creek and wetlands). This design lacks innovation and will result in the most significant impacts to the fresh surface waters of Clover Valley Creek and the Clover Valley wetlands. Potential for erosion and scouring of Clover Valley Creek downstream of the detention basins needs to be evaluated in the DEIR.

**Water Quality Monitoring-**

On page 4.11-23, the DEIR states that water quality monitoring should be implemented because the water quality of Clover Valley Creek is likely to be impacted by the project due to stormwater. No where in this section is the Sacramento Regional Water Quality Control Board mentioned. The DEIR states monitoring shall occur before construction and continue for two years "after construction." Since the development of the project is likely to occur in phases and would not be complete for "five to six years from the start of construction (page 3-28)" the recommended two years of monitoring does not seem adequate to provide information useful in determining true water quality impacts. At a minimum there should be five years of post construction monitoring (ten years would be better) in order to supply useful data on water quality impacts. Also, it is essential to get good baseline documentation for comparison to post development conditions.

64-41

The DEIR implies that the water quality monitoring will be designed and evaluated by the City of Rocklin and made available to the public. To ensure that the program is valid and defensible, the water quality monitoring program should be designed and evaluated with oversight by the Central Valley Water Quality Control Board. It is important that a plan be developed to provide a good baseline analysis of water quality of Clover Valley Creek and the adjacent wetlands prior to the start of the project.

On page 25 of section 4.11, the DEIR states that the water quality monitoring is to include biological monitoring and "overall toxicity". The location of the monitoring is given as upstream and downstream of the development. This is a vague description because it does not identify on a map the location of the monitoring points nor does it identify the constituents or biological parameters that will be monitored. I want to see a list in the revised DEIR of the constituents, parameters and biological species to be monitored, including laboratory detection limits and creek sample points shown on a map. This list needs to be approved by the Regional Water Quality Control Board prior to collection of baseline samples. Results need to be submitted to the Regional Water Board after analyses are received.

Since the development is spread out over a 2 mile stretch of creek, water quality monitoring should include an upstream, downstream and a mid-development sampling point.

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**Cumulative Impacts-**

64-42 Cumulative impacts are not adequately evaluated in the DEIR. During public hearing on February 23, 2006, comment referred to 500 additional homes planned for development north of the proposed Clover Valley development and 50 homes south. The cumulative impacts from additional planned development near the project site is not discussed in the DEIR.

**SUMMARY COMMENTS-**

64-43 The January 2006 Clover Valley DEIR is inadequate and contains many errors and flaws. Flaws include omission of environmental impacts, impacts that are underestimated, and the need for additional maps and information. Comments given above (pages 1-12) identify and describe these flaws and omissions. Since there are so many changes needed to this DEIR, a revised DEIR is needed. Recirculation of a revised DEIR must be required to give the public and trustee agencies an opportunity to review the changes before a final EIR can be prepared.

64-44 As proposed, the Clover Valley project will result in alteration of the existing drainage pattern and substantially degrade surface water quality of Clover Valley Creek and the associated wetlands.

64-45 The construction of the biketrail in the creek setback will result in grading, paving and loss of vegetation in the "protected, Open Space corridor" and will degrade water quality of Clover Creek. The biketrail needs to be eliminated from within the 50 foot creek setback. Incorporating the biketrail into the proposed road system on Nature Trail Way and Forest Clover Road would reduce creek and wetland impacts and reduce mitigation needed for impacted wetlands.

64-46 As recommended by CDFG, residential lots adjacent to the creek need to be eliminated to reduce impacts to the most sensitive areas of the project site. The DEIR does not address or explain why it didn't address CDFG's request to eliminate lots 71-95 which are adjacent to Clover Valley Creek.

64-47 The DEIR does not evaluate the negative impacts from the loss of wildlife movement and wildlife corridor. This is an omission. Wildlife movement and wildlife corridor are currently unrestricted for the entire project area. Requirements for "no fencing" or wildlife friendly fencing only, especially in the riparian corridor and wetland areas, need to be strictly applied and enforced to allow for movement of species. An east to west and north to south wildlife corridor should be created for the project area devoid of bike trails, roads, fencing, structures, or public hiking trails.

64-48 The total loss of wetlands for the project needs to be recalculated due to impacts from the biketrail (TS-1 through TS-4), Nature Trail Way (southern part of TS-2), and the detention basins. The loss of wetlands due to the construction of Nature Trail Way, utility encroachments, and the biketrail is not correctly determined. Although the

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- ↑ biketrail is shown to directly abut or cross ACOE identified wetlands on tentative maps TS-1, TS-2, TS-3, and TS-4, these areas have not been accounted for in the total wetland loss calculations. A re-verified wetlands map signed off and approved by ACOE needs to be presented in the revised DEIR. Wetland impacts and losses need to be reevaluated and included in the revised DEIR.
- 64-49
- The current stormwater evaluation lacks thoughtful consideration. The water drainage plan needs a lot of work. The water drainage plan as described in the DEIR is vague and not well thought out. A final design plan needs to be completed and presented in the revised DEIR. A project of this magnitude requires innovative technology and use of swales, out of stream detention basins, and vegetated drainage corridors in the project design plans, not piping of high velocity, sediment laden stormwater to the environmentally sensitive areas of the project, i.e. Clover Valley Creek and the wetlands. In-stream detention basins for stormwater system design are a very bad idea that will contribute significantly to the degradation of water quality of the creek and the wetlands. Alternatives or combinations of alternatives to in-stream detention basins must be presented in the revised DEIR. After the developers have walked, the City of Rocklin will be responsible for the non-point source pollution and degradation of water quality of Clover Valley Creek due to this project.
- 64-50
- The surface area of the detention ponds needs to be calculated at maximum stormwater capacity and the period of time storm water will be impounded needs to be included in the DEIR. The maximum surface area of the detention ponds needs to be shown on a map and provided to the trustee agencies. Potential for erosion and scouring of Clover Valley Creek downstream of the detention basins needs to be evaluated in the DEIR.
- 64-51
- “The conceptual bridge designs are inconsistent with the CLOMR application and the hydrologic modeling needs to be revised” (Pg. 4.11-13). The master drainage plan is incomplete (pg. 4.11-13). The 2001 CLOMR from FEMA is based on a drainage system that is not yet designed (pg. 4.11-13). The drainage system is conceptual at best and is likely to change from the 2001 proposal. Due to inconsistencies, potential changes, and lack of a specific drainage plan, a new detailed flood hazard analysis needs to be completed for this project.
- 64-52
- According to the DEIR, the proposed detention basins are expected to “fill with sediment” and the maintenance of the detention basins (pg. 4.11-28) includes “removal of excess sediment” (i.e. dredging). If dredging is not performed, the DEIR states that downstream flooding may likely occur (pg. 4.11-11). The DEIR does not evaluate the impact of likely dredging in Clover Valley Creek and the wetlands. The FEMA CLOMR needs to evaluate the potential for downstream flooding due to buildup of sediment in the detention basins and other parts of Clover Valley Creek.
- 64-53
- ↓ A water quality monitoring program must be designed with the approval of the Regional Water Quality Control Board, the lead regulatory agency for non-point source discharges and degradation of water quality. A third surface water sample point needs to be added in Clover Valley Creek at the mid-development point. Baseline documentation of the

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↑ water quality in Clover Valley Creek must be conducted prior to ground breaking. Baseline documentation of the existing water quality of Clover Valley Creek is essential for determining water quality impacts due to the project. Water quality analyses, including biological or aquatic surveys, needs to be submitted to the Regional Water Board and made available to the public. Water quality monitoring of Clover Valley Creek needs to occur for a minimum of 5 years post development or a maximum of ten years post development; 2 years as recommended in the DEIR is insufficient.

64-54

An on-site environmental compliance officer needs to be hired by the City of Rocklin for the duration of entire project. The duties of the environmental compliance officer should be to ensure compliance with the pre-construction monitoring, conditions of the various permits, mitigations required by the EIR, maintenance of barriers for protected areas, and to communicate problems immediately to the City of Rocklin.

64-55

Staging areas for the various phases of construction need to be determined prior to the start of the project and shown on a map. Staging areas need to be distanced from the creek, wetlands, steep slopes, and cultural resources. The environmental compliance officer needs to strictly enforce the boundaries of the staging areas in the field.

64-56

Tentative maps TS-4 and TS-5 need to be corrected (see Project Description Section, page 1 of these comments).

64-57

The proposed project will contribute to urban sprawl, the hallmark of Rocklin. The project destroys one of the last remaining Open Spaces within the city limits. This project is an example of extremely poor urban planning because it places sprawled development at the outer fringes of the city limits, adding to traffic, noise, pollution, and destruction of scenic view and the environment. The project will be built on pristine land which currently exists as a greenbelt and community separator for the City of Rocklin.

Thank-you for allowing these comments. I look forward to a response to these comments in the revised DEIR.



Jo Beitz  
9990 Graton Road  
Sebastopol, CA 95472



**LETTER 64: BENTZ, JO (MARCH 8, 2006)**

**Response to Comment 64-1**

Chapter 3 of the RDEIR provides sufficient information as to the Project Description to inform the decision-makers and the public as to the environmental impacts of the project, in compliance with CEQA. As explained on page 3-12, the Class 1 path will be located along Clover Valley Creek. Slope contours are depicted on the tentative map, Figures 3-4 through 3-4(f).

**Response to Comment 64-2**

The City disagrees with the commenter's opinion that the proposed project is in direct conflict with the relevant City of Rocklin General Plan policies related to biological resources. The mitigation associated with the proposed project in relation to the loss of wildlife habitat and other related impacts is not inconsistent with the City of Rocklin General Plan. As noted on the second-to-last paragraph on page 4.8-33 of the DEIR, the General Plan Final EIR found that the cumulative buildout of the General Plan would result in a significant and unavoidable impact in regard to the wildlife habitat. The City has adopted findings of overriding consideration for these impacts.

Additionally, the proposed project's consistency with the City of Rocklin General Plan Policies is discussed in Impact 4.2I-1 in the Land Use chapter of the DEIR. For concerns related to the loss of oak trees as a result of the proposed project, see Master Response 8-Biological Resources.

**Response to Comment 64-3**

The calculation of loss of wetlands is based upon the conclusions of the professional biologist who reviewed the project site. There is no merit to the comment's statement that the wetland delineation needs to be redone in light of the current subdivision map. The details of the subdivision map layout are not relevant to the wetland delineation, since no lots will encroach on any wetlands. The only potential impact to wetlands are due to creek crossings (whether for the purpose of constructing bridges, including the bridges creating the two detention basins, or installing the sewer line). As explained under Impact 4.8I-4, all impacts to wetlands will be mitigated to a level of insignificance.

**Response to Comment 64-4**

Mitigation Measure 4.11MM-6, which is cited by the commenter, would reduce impacts related to sedimentary deposits at the detention basins to a less-than-significant level. Though this maintenance would be required to maintain the integrity of the habitat along the creek, the mitigation would require the applicant to ensure funding and maintenance mechanisms are in place (as approved by the CFD). The technical study performed by West Yost & Associates determined that the impacts to the stream would be less-than-significant after the implementation of the above-cited mitigation measure.

**Response to Comment 64-5**

See Section 1 of Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-6**

See Section 1 of Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-7**

The commenter is correct in that Mitigation Measure 4.8MM-4(c) states that a qualified biologist would conduct the no-net-loss mitigation plan for wetland habitat. Additionally, the consulting biologist would be required to formulate the no-net-loss habitat mitigation plan pursuant to and in consultation with the U.S. Army Corps of Engineers. This contingency would ensure that the plan would be adequate and that the impact would be mitigated to a less-than-significant level.

**Response to Comment 64-8**

See Section 1 of Master Response 2 – Land Use and Section 6 of Master Response 8 – Biological Resources.

**Response to Comment 64-9**

See Section 6 of Master Response 8 – Biological Resources for a discussion of habitat corridors and fragmentation.

**Response to Comment 64-10**

The analysis of special-status species found or known to exist on the proposed project site was compiled through a combination of site-visits and an analysis conducted by ECORP of existing literature regarding the plant and animal species existing on site. As detailed on page 4.8-1, the technical report states that the special-status species assessment included a taxa-specific literature review, California Department of Fish and Game natural Diversity Data base (CNDDDB) (CDFG, 2002) Query, and a reconnaissance-level field survey (see Page 2 of Appendix I in Volume 2 of the DEIR). See Section 1 of Master Response 8 – Biological Resources.

**Response to Comment 64-11**

The pre-construction breeding-season raptor survey outlined in Mitigation Measure 4.8MM-10(a) would be conducted in conjunction with the City of Rocklin and the CDFG and would be expected to locate any raptor nests on site.

### **Response to Comment 64-12**

Mitigation Measure 4.8MM-14, requires the preservation of on, and off-site snags and structures during the maternity season for special-species bats.

### **Response to Comment 64-13**

See Section 1 of Master Response 2- Land Use.

### **Response to Comment 64-14**

The commenter is correct in recognizing that the proposed project would be expected to have significant and unavoidable impacts related to biological resources. As a result, upon approval of the proposed project the City would be required to draft a statement of overriding consideration for these significant and unavoidable impacts.

Also, See Section 1 of Master Response 2- Land Use.

### **Response to Comment 64-15**

The commenter is correct in that the impact related to having homes in close proximity to riparian areas would have a potentially significant impact (see Impact 4.8I-8). This impact was determined to be significant and unavoidable after the implementation of suggested mitigation measures. As a result, upon approval of the proposed project the City would be required to draft a statement of overriding consideration for these significant and unavoidable impacts. See Section 1 of Master Response 2- Land Use.

### **Response to Comment 64-16**

The bike trail will not encroach into Army Corps of Engineers jurisdictional waters; therefore, no mitigation is required. See Section 1 of Master Response 2 – Land Use

### **Response to Comment 64-17**

As required by CEQA guidelines, all mitigation measures included in this EIR include provisions to delineate the responsibility of monitoring the implementation of mitigation. See the Mitigation Monitoring Plan in Chapter 4 of this FEIR for more details regarding mitigation monitoring.

### **Response to Comment 64-18**

Construction-related impacts for the proposed project, which include staging and cut and fill operations for the proposed project are discussed in Impact 4.2I-2. This impact was found to be potentially significant, though the suggested mitigation measures would reduce this impact to a less-than-significant level. The mitigation measure includes the

drafting of a construction plan to minimize these impacts, the plan must be submitted to the City Engineer and Public Works Department prior to approval of improvement plans.

**Response to Comment 64-19**

See Response to Comment 64-17.

**Response to Comment 64-20**

The RDEIR adequately describes and illustrates the amount and location of open space being preserved on the project site, as well as the impacts of developing the project site. Chapter 3 of the RDEIR includes numerous figures identifying the respective locations of development and remaining open space on the project site. As the comment acknowledges, page 3-15 explains that 312.7 acres of open space will not be graded. Chapter 4.6 of the RDEIR discusses the potential for impacts to various biological resources on the project site, including resources within the preserved open space areas. See also Section 6 of Master Response 8 – Biological Resources.

**Response to Comment 64-21**

As noted on page 4.6-6, at-grade crossings are not proposed and do not exist in the immediate project area. Since there are no at-grade crossings, train warning horns would not typically be utilized in this area. Train engineers can sound their horns whenever they feel safety dictates that they do so, however, the horns are mandatory for at-grade crossings. As a result, the RDEIR noise assessment assumed levels without warning horns. See also Response to Comment 43-80

**Response to Comment 64-22**

The commenter agrees with the DEIR conclusion that impacts related to a number of biological resources would be significant and unavoidable and advocates the proposed project site's value under a no-project scenario.

**Response to Comment 64-23**

See Response to Comment 64-2.

**Response to Comment 64-24**

See Master Response 2 – Land Use

**Response to Comment 64-25**

The commenter states disapproval for the less-than-significant conclusion found in Impact 4.2I-1 regarding the proposed project's consistency with the adopted General Plan and zoning designations. The commenter makes a generalized statement regarding the

interpretation of the General Plan Policies and does not provide any specific examples or information. Therefore, no analytical response is possible.

**Response to Comment 64-26**

This comment expresses the commenter's disapproval for the proposed project and does not address any specific concerns regarding the adequacy of the EIR.

**Response to Comment 64-27**

As noted in Impact 4.3I-2, impacts related views from Sierra College Boulevard and in the Loomis area north of the summit and across Sierra College Boulevard were found to be significant and unavoidable. Prior to approval of the proposed project the City would be required to submit a statement of overriding consideration regarding these impacts.

Additionally, the DEIR includes a discussion of aesthetic impacts from western Loomis (see Impact 4.3I-3) as well as views from homes immediately off-site (see Impact 4.3I-4). The EIR determined that these impacts would be less-than-significant.

**Response to Comment 64-28**

See Section 2 of Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-29**

If approved, the project will require a Clean Water Act (CWA), Section 404 permit from the US Army Corps of Engineers (USACE). Thus, the USACE will have permit approval authority for the project elements that affect jurisdictional water or wetlands of the US. The project will also need a CWA Water Quality Certification from the RWQCB. Thus the RWQCB will also have permit approval authority.

**Response to Comment 64-30**

Mitigation Measure 4.11MM-5(a) requires the use of the Stormwater 360 StormFilter treatment units (or another unit that provides equivalent treatment). Also, Low Impact Development (LID) measures and water quality BMPs will be used throughout the project (see Master Response 11- Hydrology and Water Quality).

**Response to Comment 64-31**

See Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-32**

See Section 2 of Master Response 11. Mitigation measure 4.11MM-5(b) requires use of native vegetation at stormwater outfalls. However, some areas like private residential

lawns or lawns in parks may not be suitable for native vegetation, and non-native grass may be used.

**Response to Comment 64-33**

See Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-34**

Mitigation measure 4.11MM-6 will be implemented at all road crossings of Clover Valley Creek. Also see Section 1 of Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-35**

Transferring water out of the Clover Valley Watershed into an adjacent watershed would not be appropriate because it could cause off-site impacts in the adjacent watershed. The proposed drainage plan (see Section 1 of Master Response 11) reduces the flood related impacts to a less than significant level. The proposed water quality facilities (see Section 2 of Master Response 11) minimizes the water quality impacts.

**Response to Comment 64-36**

See Master Response H-2. In mitigation measure 4.11MM-1(e), the establishment of a Community Facilities District is required to fund ongoing operations and maintenance activities of the stormwater facilities. The CFD will prevent the City from needing to fund the O&M activities in the future.

**Response to Comment 64-37**

The RDEIR contains sufficient information regarding the drainage plans for the project to allow for public review and input in compliance with CEQA. The comment notes that page 4.11-13 of the RDEIR states that the hydrologic/hydraulic modeling needs to be revised. The reason for this needed revision is due to the fact that the project now only proposed four bridges/stream crossings, whereas the earlier modeling assumed five bridges, and due to the fact that the amount of development now being proposed is less than what was previously contemplated (which will reduce hydrologic impacts). These differences do not require the preparation of new models, however. Upon further review, the elimination of the one roadway crossing has been determined to not impact the hydraulic model results. It is noted that the eliminated crossing was designed to provide negligible head loss through the culverts and is of little or no consequence in determining upstream water surface elevations.

The proposed storm drainage collection and conveyance pipe network system has a detailed analysis associated with the submittal. The “final master drainage plan” noted is required for any project and will address minor adjustments to this pipe system made

during final design of improvements. Any changes would be minimal and would not impact the potential impacts noted in the DEIR or adjust required mitigation measures.

**Response to Comment 64-38**

See Section 1 of Master Response 11- Hydrology and Water Quality. Sediments loads resulting from project development are to be mitigated through the use of the water quality structures. (See MM4.11-5(a) - (e)). The comment misunderstands the nature and function of the detention basins. The detention basins will only function during very limited times of the year, during heavy rains. Runoff during storm events will continue to flow and pond in the area of the detention basin similar to existing conditions, with the exception that the detention basins will be designed to retain the ponded water for a slightly longer period of time. Total ponding in a detention basin during a heavy storm event is expected to last no longer than 48 hours during the heaviest of storms (the 100 year storm), and much less during smaller storms. The operation of the detention basins in this manner will not result in significant sediment or other impacts and will not require dredging. It should be noted that sediment transport and deposit does occur along this creek under existing conditions, and similar sediment and deposit will continue in the future with or without the project.

**Response to Comment 64-39**

See Section 2 of Master Response 11

**Response to Comment 64-40**

See Master Response 11

**Response to Comment 64-41**

See Section 2 of Master Response 11.

**Response to Comment 64-42**

The homes in question are part of the growth-inducing impacts related to the EIR. Please see the Growth Inducing Impacts section in Chapter 5, the Statutorily Required chapter of the EIR for more information and Master Response 13. The homes in question would not be part of the proposed project and would therefore require site/project-specific environmental analysis in accordance with CEQA Guidelines.

**Response to Comment 64-43**

This comment restates the commenter's contention that the DEIR is inadequate and does not address any specific issues within the DEIR.

**Response to Comment 64-44**

This comment restates the commenter's conclusions regarding the Hydrology chapter of the DEIR and does not address any specific issues within the DEIR. See Responses to Comments 64-28 through 64-41.

**Response to Comment 64-45**

See Response to Comment 64-14.

**Response to Comment 64-46**

See Response to Comment 64-15.

**Response to Comment 64-47**

See Response to Comment 64-8.

**Response to Comment 64-48**

See response to Comment 64-16.

**Response to Comment 64-49**

Though the commenter's opposition to the proposed detention basins is noted, the DEIR found that the cumulative long-term impacts related to water quality would be less-than-significant after the implementation of suggested mitigation measures (see Impact 4.11I-11.) This conclusion was based upon hydrologic modeling and analysis produced by West Yost and Associates, a reputable group of hydrologic professionals. The City accepts the conclusions reached by West Yost and Associates. See Section 1 of Master Response 11 – Hydrology and Water Quality.

**Response to Comment 64-50**

See Response to Comment 64-5.

**Response to Comment 64-51**

In 2001, the applicant contemplated a greater amount of development of the project site than what is now being proposed. With the smaller amount of development currently proposed, there is a consequent decrease in the amount of impervious surfaces and flood risk. There is thus no need for a new flood hazard analysis to be prepared, since any flood hazards resulting from the proposal have decreased from what was planned in 2001. The analysis of flood hazards previously prepared in 2001 is more than adequate – if anything, it overstates the project's risks. See also Response to Comment 64-37.



**Response to Comment 64-52**

See Response to Comment 64-4.

**Response to Comment 64-53**

As specified in Impact 4.11I-5 of the DEIR, the proposed project would be required to follow the City's stormwater runoff pollution control ordinance and implement necessary BMPs to help to reduce impacts to a less-than-significant level. See Mitigation Measure 4.11MM-5(c) as well as other measures included in this impact.

Also note that Mitigation Measure 4.11MM-5(d) requires that the applicant hire a qualified water quality consultant to perform monitoring, two rounds of this monitoring must be done prior to construction during wet weather events, and one during dry weather, as to establish a base-line for the existing water quality on site. Additional surveys would be conducted annually with at least two rounds during wet weather events and one round during dry events. The commenter expresses concern stating that the two years of post-construction surveys would be inadequate. However, this mitigation measure does not specify only two years of post-construction monitoring. Mitigation Measure 4.11MM-5(d) states that ongoing monitoring of at least two rounds during wet and one round during dry weather would be ongoing and that the applicant would fund this ongoing monitoring.

**Response to Comment 64-54**

See Response to Comments 64-17.

**Response to Comment 64-55**

See Response to Comment 64-18.

**Response to Comment 64-56**

See Response to Comment 64-1.

**Response to Comment 64-57**

This comment restates several of the commenter's contentions and opinions regarding the Clover valley project and does not address specific issues within the EIR.